



Illinois Department of Insurance

JB PRITZKER
Governor

ANN GILLESPIE
Director

TO: All Companies Writing Worker's Compensation and Employer's Liability Coverage.

FROM: Ann Gillespie, Director *ARG*

DATE: 8/8/2025

RE: Company Bulletin 2025-15 – Workers' Compensation Rate Filings - Consent to Rate

The Department has become aware that there may be some lingering confusion within the Illinois workers' compensation insurance industry regarding the general ability for an issuer of workers' compensation coverage to rate for individual risks in this State that cannot be rated in the normal course of business because of special or unusual characteristics, including but not limited to, when a business has a high-risk profile, possibly due to the line of work, past losses or a poor safety record sometimes referred to as "consent to rate."

As of the date of this bulletin, nothing within Article XXIX of the Illinois Insurance Code ("Code") strictly prohibits an issuer of workers' compensation coverage from developing unique rates because of special or unusual characteristics as provided in 215 ILCS 5/456(1)(c) as long as those rates are not deemed to be excessive, inadequate or unfairly discriminatory, or erroneously applied.

This guidance reminds issuers that as a result of [Public Act 100-1118](#), specifically, 215 ILCS 5/457, effective February 1, 2019, all rate and rules must be filed with the Department for approval before they become effective. Additionally, issuers are reminded that effective April 11, 2022, the repeal [Section 2902.60](#) within Title 50 of the Illinois Administrative Code, there is no longer an exemption from filing rates for prior approval that cannot be rated in the normal course of business because of special or unusual characteristics.

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All rates developed for Worker's Compensation and Employer's Liability as authorized by Class 2(c) and (d) of Section 4, and every Rating Organization licensed under Section 459 of the Code, are required to file such rates with the Department at least 30 days prior to their use in this State.

Issuers are also reminded of the minimum 30 days advance premium increase notice requirements described in 215 ILCS 5/462a in situations when renewal of a policy that was previously issued will result in a premium in excess of 5% above the rate recommendation filed with the Department.

These requirements apply to all workers' compensation rate filings, including "consent to rate" policies. Failure to comply with the requirements outlined in this bulletin may result in regulatory action.

For questions regarding this Company Bulletin, please direct inquiries to the contact on the [Workers' Compensation Checklist](#).

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