

WORKERS' COMPENSATION INSURANCE

# COUNTRYWIDE MEGA CLAIMS

AUGUST 2020

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# Contents

|   |           |   |           |
|---|-----------|---|-----------|
| <b>I. Executive Summary</b>   | <b>3</b>  | <b>Recognition Patterns by Mega Claim Characteristic</b>  | <b>17</b> |
| <b>II. Background</b>   | <b>4</b>  | Chart 18: Mega Claims Reported as a % of Ultimate by Industry .....   | 17        |
| <b>III. Research Questions</b>  | <b>5</b>  | Chart 19: Mega Claims Reported as a % of Ultimate by Part of Body .....   | 18        |
| <b>IV. Study Approach</b>   | <b>6</b>  | Chart 20: Mega Claims Reported as a % of Ultimate by Cause of Injury ..   | 19        |
| <b>V. Results</b>   | <b>7</b>  | Chart 21: Mega Claims Reported as a % of Ultimate by Nature of Injury ..  | 19        |
| <b>A. Frequency of Mega Claims</b>  | <b>7</b>  | <b>D. State Mega Claim Characteristics</b>  | <b>20</b> |
| Chart 1: Distribution of Mega Claims by Size Interval<br>Based on Reported and Estimated Ultimate Claims..... | 7         | California  | 20        |
| Chart 2: Estimated Frequency of Claims in Excess<br>of \$3 Million per 100,000 Indemnity Claims .....         | 8         | Chart 22: Distribution of Mega Claims in<br>California vs. Other States.....  | 20        |
| Chart 3: Frequency of Claims in Excess<br>of \$5 Million per 100,000 Indemnity Claims .....                   | 9         | Chart 23: Mega Claims Reported as a % of<br>Ultimate–California vs. Other States.....   | 21        |
| Chart 4: Frequency of Claims in Excess<br>of \$10 Million per 100,000 Indemnity Claims .....                  | 9         | Chart 24: Comparison of 5-Year Moving Average<br>First to Second Report Development Factors<br>for California vs. Other States..... | 21        |
| <b>B. Mega Claim Characteristics</b>  | <b>10</b> | Chart 25: Comparison of 5-Year Moving Average<br>Mid-Term Development Factors for California vs. Other States .....                 | 22        |
| Industry Sector   | 10        | Chart 26: Comparison of 5-Year Moving Average<br>Late-Term Development Factors for California vs. Other States.....                 | 22        |
| Chart 5: Shares of Mega Claims by Industry Sector.....  | 10        | New York  | 23        |
| Chart 6: Shares of Ultimate Claims in Excess of<br>\$3 Million by Industry and Accident Year .....            | 10        | Chart 27: Distribution of Mega Claims in New York<br>vs. Other States.....  | 23        |
| Part of Body Injured  | 11        | Chart 28: Impact of 2007 Reforms on New York<br>Mega Claims.....  | 23        |
| Chart 7: Shares of Mega Claims by Part of Body .....  | 11        | Chart 29: New York Development Patterns<br>vs. Other States.....  | 24        |
| Chart 8: Shares of Ultimate Claims in Excess<br>of \$3 Million by Part of Body and Accident Year .....        | 11        | Chart 30: New York Average Number of Mega Claims<br>Reported per Period per Year .....  | 24        |
| Cause of Injury   | 12        | Chart 31: Mega Claims Involving an Employers' Liability<br>Component by Report Level and Size.....                                  | 25        |
| Chart 9: Shares of Mega Claims by Cause of Injury .....   | 12        | Chart 32: New York's Share of Employers' Liability Claims<br>by Report Level and Size .....   | 25        |
| Chart 10: Shares of Ultimate Claims in Excess<br>of \$3 Million by Cause of Injury and Accident Year .....    | 12        | <b>VI. Conclusions</b>  | <b>26</b> |
| Nature of Injury  | 13        | <b>VII. Conditions and Limitations</b>  | <b>27</b> |
| Chart 11: Shares of Mega Claims by Nature of Injury .....   | 13        | <b>XI. Appendix</b>   | <b>28</b> |
| Chart 12: Shares of Ultimate Claims in Excess<br>of \$3 Million by Nature of Injury and Accident Year .....   | 13        | Total.....  | 28        |
| Employers' Liability Claims   | 14        | Industry.....   | 30        |
| Chart 13: Shares of Mega Claims by Type of Coverage.....  | 14        | Part of Body .....  | 32        |
| <b>C. Recognition of Mega Claims</b>  | <b>15</b> | Cause .....   | 34        |
| Overall Patterns  | 15        | Nature .....  | 36        |
| Chart 14: Mega Claims Reported as a Percentage<br>of Ultimate by Threshold .....                              | 15        |   |           |
| Chart 15: 5-Year Moving Average First-to-Second Report<br>Level Development Factors over Time.....            | 16        |   |           |
| Chart 16: 5-Year Moving Average Mid-Term Development<br>Factors over Time .....                               | 16        |   |           |
| Chart 17: 5-Year Moving Average Late-Term Development<br>Factors over Time .....                              | 17        |   |           |

# I. EXECUTIVE SUMMARY

## Background and Objectives

Very large or “mega claims” are relatively infrequent compared to the more typical workers’ compensation claim. However, with costs comprising between \$1 billion and \$2 billion each year, these claims are a highly unpredictable component of most workers’ compensation systems. With medical advances, improving mortality patterns particularly for those with serious injuries, increasing prevalence and cost of home healthcare and reform related cost reductions in some states that have less impact on these mega claims than other claims, stakeholders have suggested that the relative frequency and cost of these claims may be increasing. In response, a number of workers’ compensation rating bureaus<sup>1</sup> have collaborated to conduct a comprehensive analysis of these mega claims across the country.

The objectives of the study are to identify whether mega claims, which for purposes of this study are defined as claims with incurred losses at 2018 cost levels of \$3 million or more, have become more or less common and are being recognized as mega claims more or less quickly than in the past. The study will also analyze the characteristics of these claims in terms of size, claim type and industry segment and whether those characteristics have changed over time. Finally, the study will identify and discuss some unique characteristics of mega claims in select states.

## Principal Findings

1. Approximately 4,500 claims from accident year 2001 through 2017 were reported as of December 31, 2018 with incurred loss in excess of \$3 million at 2018 cost levels, which is approximately one out of every 2,500 reported indemnity claims. Of those, 57% were between \$3 million and \$5 million, 33% between \$5 million and \$10 million and 10% in excess of \$10 million.
2. The rate of reported mega claims dropped sharply during the Great Recession as construction employment plummeted in most of the country. Since 2013, the share of mega claims has increased steadily.
3. Reported mega claims for accident years 2016 and 2017 were up significantly from prior years, although some of the increase may be attributable to insurers being able to identify such claims earlier. In any case, estimated ultimate accident year 2017 mega claim counts were at a 12-year high. However, estimates of ultimate counts of mega claims for relatively immature years can be volatile.
4. Mega claims from the construction sector comprise approximately 40% of mega claims in the experience period. In contrast, less than 20% of all indemnity claims arise from the construction sector.
5. Mega claims arising from brain and head injuries comprise 17% of mega claims between \$3 million and \$5 million, but 30% of claims in excess of \$10 million. These claims comprise well below 5% of all indemnity claims in most states.
6. Motor vehicle accidents give rise to more than 20% of mega claims, but 5% or less of all indemnity claims in most states.
7. Claims often take some time to breach the \$3 million threshold. Less than one-half of mega claims reach the \$3 million threshold by 18 months from policy inception, and less than 90% reach that threshold by 126 months from policy inception. However, mega claims are generally reaching the \$3 million threshold more quickly than in the past.
8. Mega claims arising from the construction sector reach the \$3 million threshold more quickly than those arising from the office/clerical sector. Similarly, mega claims arising from motor vehicle accidents, “struck by object” injuries, and head and brain injuries reach that threshold more quickly than other mega claims. In contrast, mega claims involving strain and sprain injuries reach the \$3 million threshold more slowly.
9. On average, it takes longer for claims in both California and New York to reach the \$3 million threshold than in other states.

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<sup>1</sup> Includes the Workers’ Compensation Insurance Rating Bureau of California, Delaware Compensation Rating Bureau, Indiana Compensation Rating Bureau, Compensation Advisory Organization of Michigan, Minnesota Workers’ Compensation Insurers Association, National Council on Compensation Insurance, New Jersey Compensation Rating and Inspection Bureau, New York Compensation Insurance Rating Board, North Carolina Rate Bureau and Pennsylvania Compensation Rating Bureau.

## II. BACKGROUND

Workers' compensation insurance provides coverage for lost wages and, largely, unlimited medical benefits. Over time, reports of claims with costs of \$10 million or \$20 million or more have become less unusual. While these claims occur on a relatively infrequent basis, the cost of very large or "mega claims" is a highly unpredictable component of the cost of most workers' compensation systems. These claims involve very serious injuries that can take their toll on injured workers and their families.

Medical technological advances have improved the care provided to seriously injured patients as well as their mortality rates, but also have increased costs. In addition, home healthcare is more common and more costly for seriously injured workers. Finally, most states have experienced consistent declines in indemnity claim frequency over time. However, it is not clear that these frequency trends fully apply to mega claims. Given these trends, some system stakeholders have asked if the relative frequency and cost of these very large claims have increased over time. While there have been studies in recent years addressing large claims at a state or regional level, limited information is available on trends in these claims from a countrywide perspective.

The Workers' Compensation Insurance Rating Bureau of California, Delaware Compensation Rating Bureau, Compensation Advisory Organization of Michigan, Indiana Compensation Rating Bureau, Minnesota Workers' Compensation Insurers Association, National Council on Compensation Insurance, New Jersey Compensation Rating and Inspection Bureau, New York Compensation Insurance Rating Board, North Carolina Rate Bureau and Pennsylvania Compensation Rating Bureau have collaborated to collect data on mega claims from across the country<sup>2</sup> that have occurred over the last two decades. Based on the information collected, these participating rating bureaus have conducted an analysis of countrywide mega claims.

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<sup>2</sup> Excludes Massachusetts, North Dakota, Ohio, Washington, Wisconsin and Wyoming.

# III. RESEARCH QUESTIONS

Key research questions for the study include:

- How frequent are mega claims (claims in excess of \$3 million incurred at 2018 cost levels) and have they become more or less frequent in recent years?
- What are the common characteristics of mega claims and have those characteristics changed over time?
- Have the relative sizes of mega claims changed over time?
- How quickly are mega claims recognized as such, and with better analytic tools available, are mega claims being recognized more quickly in recent years?
- Do the patterns of mega claim emergence vary by claim characteristic?
- Are there significant differences in mega claim characteristics and patterns by state?

## IV. STUDY APPROACH

Each of the participating rating bureaus compiled information on the count of claims in excess of \$3 million, \$5 million and \$10 million in total incurred losses at 2018 cost levels for the 2001 through 2017 accident years at annual evaluations.<sup>3</sup> Specifically, the count of claims with incurred losses in excess of each of these size intervals were provided at each annual unit statistical valuation from 18 months from policy inception to 126 months from policy inception. In addition, for the older accident years at maturity levels greater than 126 months, when possible, a current count of claims at each incurred loss amount threshold was provided as of December 31, 2018. Separate summaries were provided for a number of claim characteristic categories including industry sector, part of body, cause of injury, nature of injury and whether the claim involved employers' liability. The data provided by each organization was based on unit statistical report<sup>4</sup> information supplemented by calls for information on large claims.

Incurred loss amounts for each jurisdiction were adjusted to a current (2018) cost level by the rating bureau for that jurisdiction. Using the information provided by each participating rating bureau, separate triangles of incurred claim counts with incurred cost in excess of \$3 million, \$5 million and \$10 million were compiled by categories of industry sector, part of body, nature of injury and cause of injury on a countrywide basis.<sup>5</sup> Information was also compiled relating to mega claims involving employers' liability.

The mega claim counts provided by each participating rating bureau were then compared to counts of all indemnity claims for the same time periods. Claim count development triangles were generated by claim characteristic from the countrywide analysis. Ultimate claim counts by year were estimated from the mega claim development triangles using standard actuarial age-to-age claim count development methods. Mega claim count growth beyond the latest 10th report level was projected from the historical counts using the Generalized Bondy method.<sup>6</sup>

The research team modeled the countrywide database to identify and analyze trends in patterns and characteristics of mega claims. Claim information in the study, which was evaluated through December 31, 2018, pre-dates the COVID-19 pandemic. The research team did not attempt to evaluate the impact of the pandemic on mega claim characteristics.

The research team also analyzed mega claim patterns in California and New York, by far the largest states in the study, to assess whether there are unique trends or patterns of mega claims in those states.

The Appendix to this report contains accident year summaries of the reported mega claim counts used in the study.

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<sup>3</sup> Not all bureaus were able to provide complete information for all the earlier accident years.

<sup>4</sup> Unit statistical reports are submitted at annual intervals for up to 10 years with the first annual report submitted with losses valued at 18 months from policy inception and the 10th and final at 126 months from policy inception.

<sup>5</sup> Excludes Massachusetts, Wisconsin, North Dakota, Ohio, Washington and Wyoming.

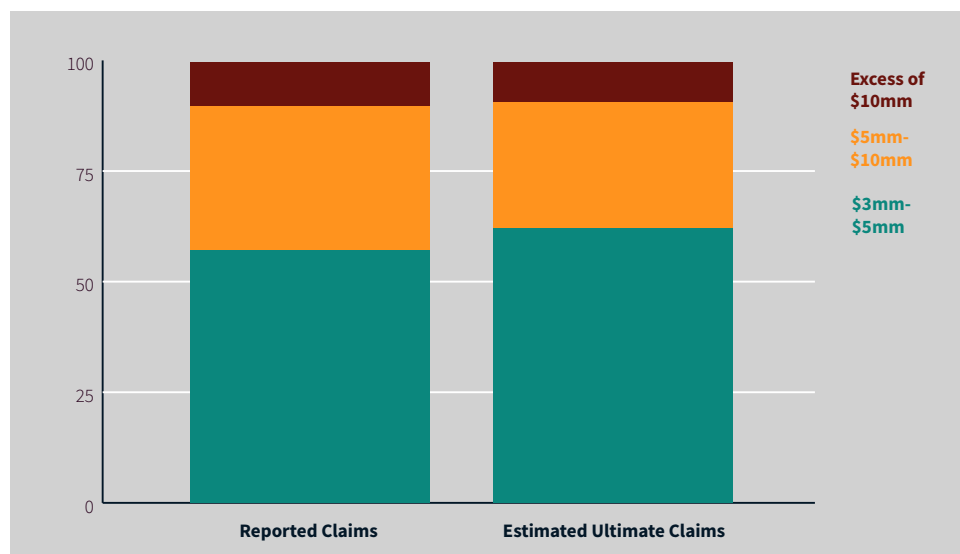
<sup>6</sup> *The Estimation of Loss Development Factors: A Summary Report*, CAS Tail Factor Working Party, Casualty Actuarial Society E-Forum, Fall 2013.

## V. RESULTS

### A. Frequency of Mega Claims

In total, approximately 4,500 claims with total incurred losses at 2018 cost levels in excess of \$3 million were reported on a countrywide basis<sup>7</sup> for accident years 2001 through 2017 as of December 31, 2018 by the study participants, with no year having more than 400 mega claims reported. This constitutes about 0.04% of the approximately 12 million indemnity claims reported over that same period or about one in every 2,500 indemnity claims. As shown in Chart 1, of those 4,500 “mega” claims, 57% were reported at between \$3 million and \$5 million, 33% were between \$5 million and \$10 million, and 10% were reported in excess of \$10 million. Chart 1 also shows the distribution of mega claims by size interval on an estimated ultimate basis. As shown, on an ultimate basis an even higher proportion of claims are estimated to be incurred in the \$3 million to \$5 million size interval (62%) as many of the claims in that interval reach the \$3 million threshold relatively late in their life.

**Chart 1: Distribution of Mega Claims by Size Interval Based on Reported and Estimated Ultimate Claims**

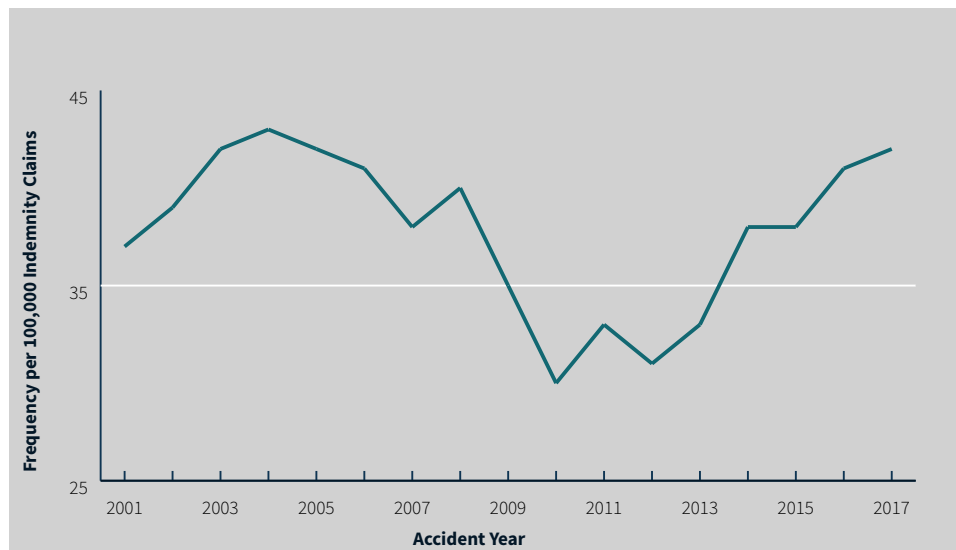


**The proportion of mega claims began to drop sharply during the Great Recession as construction employment plummeted and began to increase beginning in 2013 as the economy rebounded.**

<sup>7</sup> Excludes Massachusetts, North Dakota, Ohio, Washington, Wisconsin and Wyoming.

Chart 2 shows the estimated ultimate countrywide ratios of mega claims with losses in excess of \$3 million in total incurred losses per 100,000 reported indemnity claims for accident years 2001 through 2017 using development factors based on the latest year of development. As shown on Chart 2, the proportion of mega claims was increasing modestly until the proportion of mega claims began to drop sharply during the Great Recession as construction employment plummeted and began to increase beginning in 2013 as the economy rebounded. Reported mega claims for accident years 2016 and 2017 were up significantly from prior years. Some of the increase may be attributable to insurers implementing analytical tools to facilitate earlier identification and triage of these very large claims. In any case, on an estimated ultimate basis, using the most recent period development factor,<sup>8</sup> accident year 2017 mega claim counts were at a 12-year high. However, estimates of ultimate counts for relatively immature years can be very volatile. For example, if the mega claim count development was to develop at a rate more typical of the past and development on the 2017 year was consistent with that of the average of the latest three years, ultimate 2017 mega claims would be significantly higher and at an all-time high. Conversely, if mega claim count development continues to accelerate, ultimate 2017 mega claims counts would be lower.

**Chart 2: Estimated Frequency of Claims in Excess of \$3 Million per 100,000 Indemnity Claims**



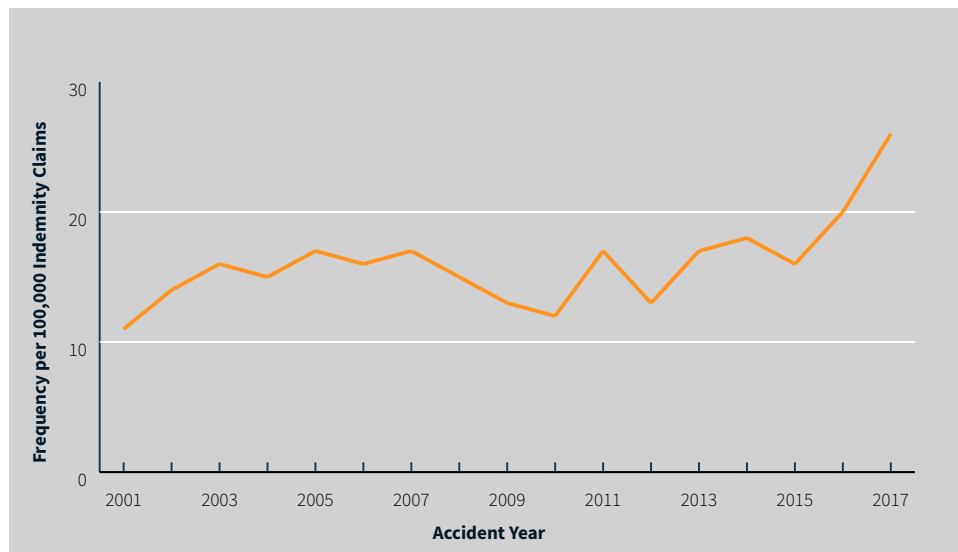
**Reported mega claims for accident years 2016 and 2017 were up significantly from prior years. Some of the increase may be attributable to insurers implementing analytical tools to identify and triage these very large claims.**

<sup>8</sup> Development to 10th report for the totals in Chart 2 relies on a latest year development factor and the tail factor is based on a Generalized Bondy method applied to a three-year average.

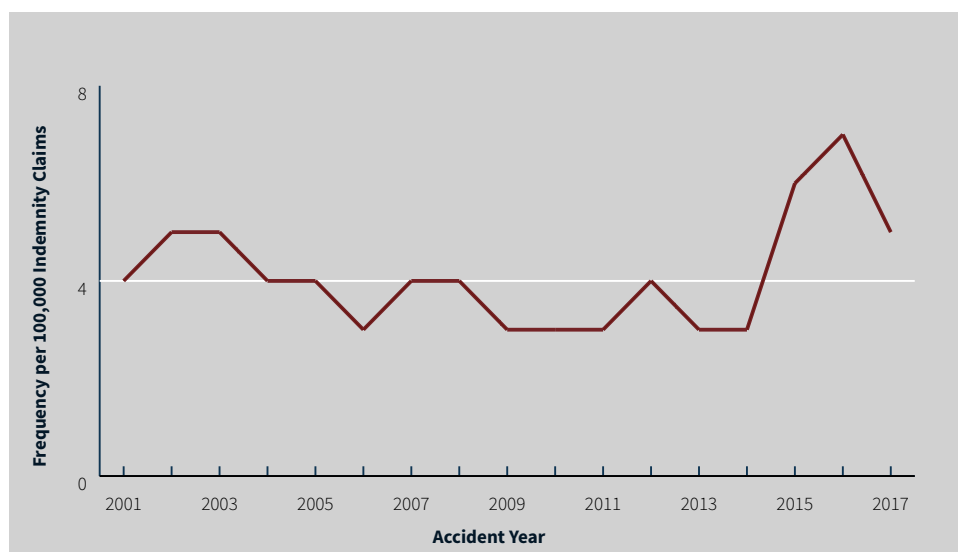


The estimated ultimate ratios of claims in excess of \$5 million and \$10 million at 2018 cost levels per 100,000 indemnity claims are shown in Chart 3 and Chart 4, respectively.<sup>9</sup> As shown in Chart 3, the share of claims in excess of \$5 million has shown a similar pattern as claims in excess of \$3 million, although the Great Recession decline in these large claims is not quite as pronounced. As shown in Chart 4, the frequency of claims in excess of \$10 million has been somewhat more stable over the almost two decade period studied, although the rates for the last three years are well above those of the prior years.

**Chart 3: Frequency of Claims in Excess of \$5 Million per 100,000 Indemnity Claims**



**Chart 4: Frequency of Claims in Excess of \$10 Million per 100,000 Indemnity Claims**



<sup>9</sup> Claim counts in excess of \$5 million and in excess of \$10 million were developed to ultimate using an average of the latest three factors.

## B. Mega Claim Characteristics

### Industry Sector

Reported mega claims by incurred loss size interval were segregated into the following industry sectors: construction, office and clerical, manufacturing, stores and dealers, transportation and all other industries. Chart 5 shows the segregation of mega claim counts reported as of the most current unit statistical valuation into industry sectors for claims with an incurred value between \$3 million and \$5 million, between \$5 million and \$10 million and in excess of \$10 million. Not surprisingly, claims from the construction sector comprise 37% of claims between \$3 million and \$5 million, 42% of claims between \$5 million and \$10 million and 46% of claims in excess of \$10 million. In comparison, for most states, construction claims comprise below 20% of the overall claims volume in the state.

**Chart 5: Shares of Mega Claims by Industry Sector**

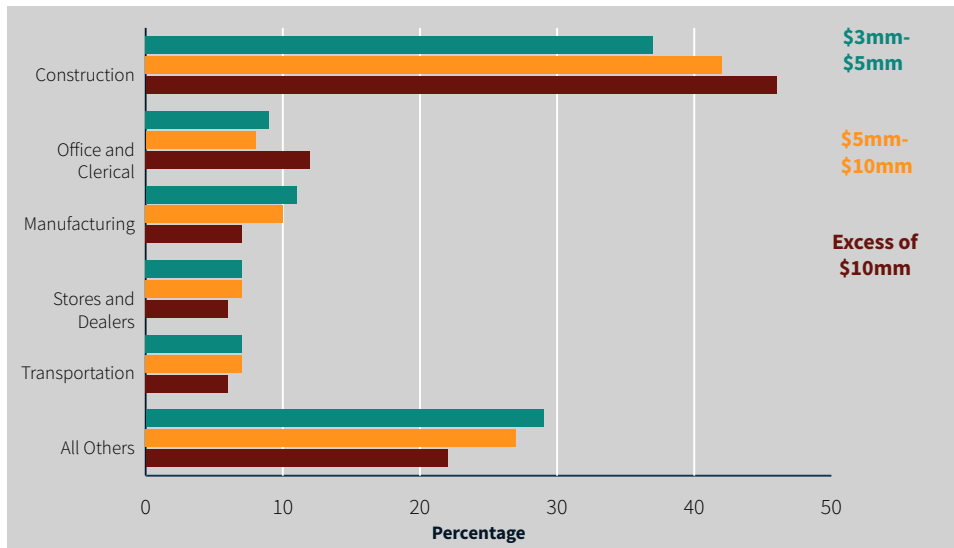
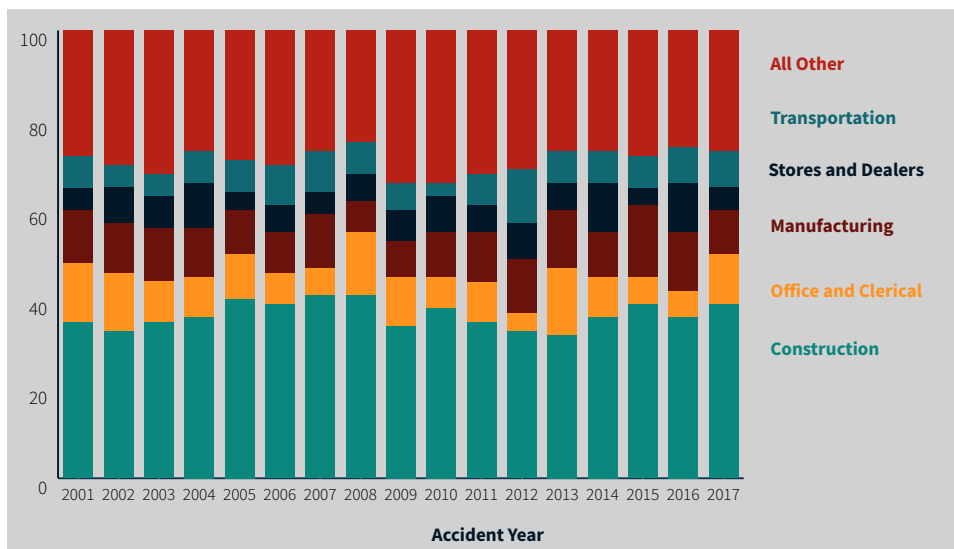


Chart 6 shows the distribution of estimated ultimate number of claims in excess of \$3 million by industry sector for each of the 2001 through 2017 accident years. As shown in Chart 6, shares of mega claims by industry sector were relatively consistent over time, although with the major decline in construction employment during the Great Recession, the share of construction claims dropped significantly during 2009 to 2013 and the share of claims in the all other industry sector increased. Since 2013, the share of mega claims arising from the construction sector has generally increased.

**Chart 6: Shares of Ultimate Claims in Excess of \$3 Million by Industry and Accident Year**



**Claims from the construction sector comprise 37% of claims between \$3 million and \$5 million, 42% of claims between \$5 million and \$10 million and 46% of claims in excess of \$10 million. In comparison, for most states, construction claims comprise below 20% of the overall claims volume.**

## Part of Body Injured

Reported mega claims by incurred loss size interval were segregated into the following part of body categories: head/brain, neck/spine, multiple injuries and all other body parts. Chart 7 shows the segregation of mega claims reported as of the most current unit statistical valuation of each accident year included in the study into body part groups for claims with incurred value between \$3 million and \$5 million, between \$5 million and \$10 million and in excess of \$10 million. While the largest share of claims in excess of \$3 million involved all other body parts, the largest share of claims in excess of \$10 million involved head/brain and neck/spine injuries. Specifically, head/brain injuries involved 17% of claims between \$3 million and \$5 million, 27% between \$5 million and \$10 million and 30% in excess of \$10 million. These claims comprise less than 5% of all workers' compensation claims in most states.

**Chart 7: Shares of Mega Claims by Part of Body**

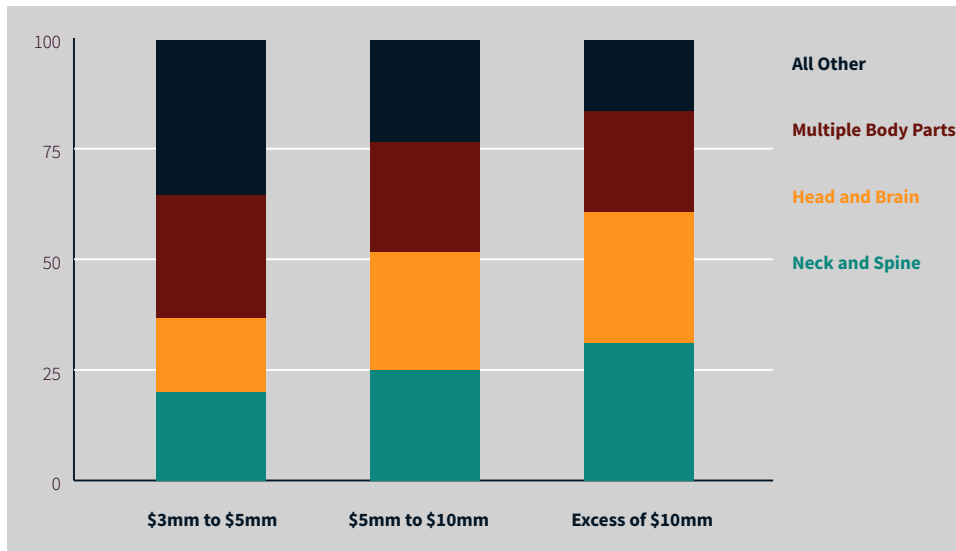
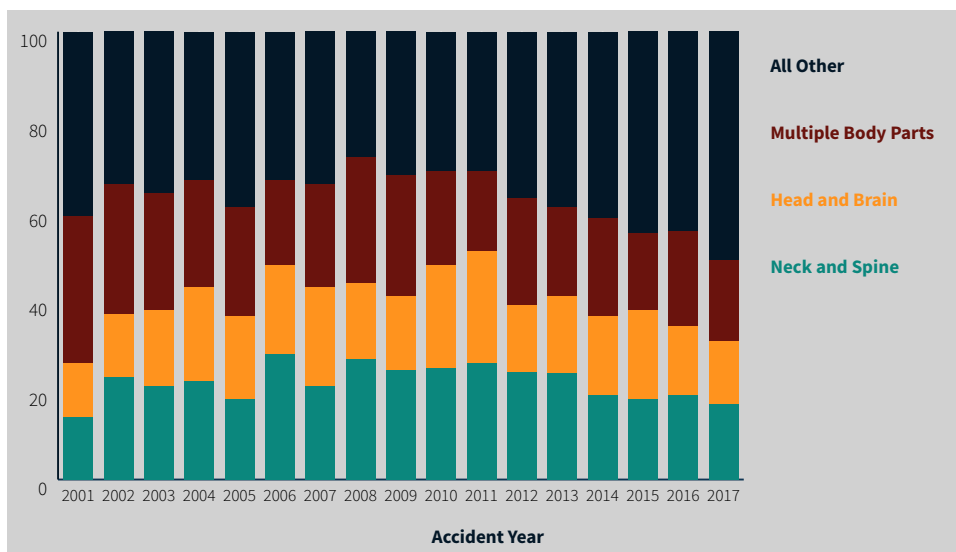


Chart 8 shows the distribution of the estimated ultimate number of claims in excess of \$3 million by body part group for each of the 2001 through 2017 accident years. As shown in Chart 8, shares of mega claims in the all other body part category have grown over the last decade.

**Chart 8: Shares of Ultimate Claims in Excess of \$3 Million by Part of Body and Accident Year**

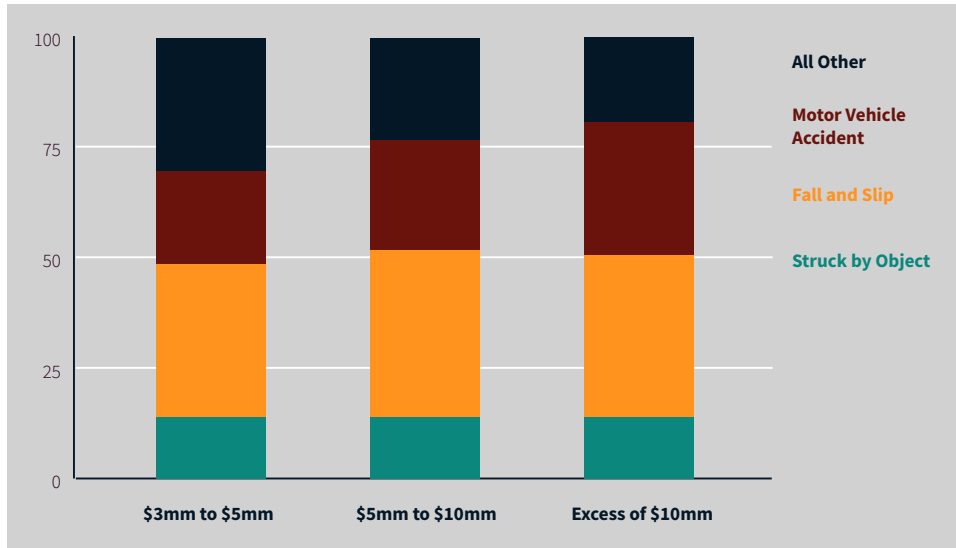


**Head/brain injuries involved 17% of claims between \$3 million and \$5 million, 27% between \$5 million and \$10 million and 30% in excess of \$10 million. These claims comprise less than 5% of all workers' compensation claims in most states.**

## Cause of Injury

Reported mega claims by incurred loss size interval were segregated into the following cause of injury categories: fall/slip, motor vehicle accident, struck by and all other causes. Chart 9 shows the segregation of mega claims reported as of the most current valuation of each accident year included in the study into cause of injury groups for claims with incurred value of \$3 million to \$5 million, \$5 million to \$10 million and in excess of \$10 million. Fall and slip injuries are the leading cause of mega claims, comprising more than 35% of all mega claims. Motor vehicle accidents comprise more than 20% of all mega claims and 30% of mega claims over \$10 million incurred, while for most states, they comprise less than 5% of all indemnity claims.

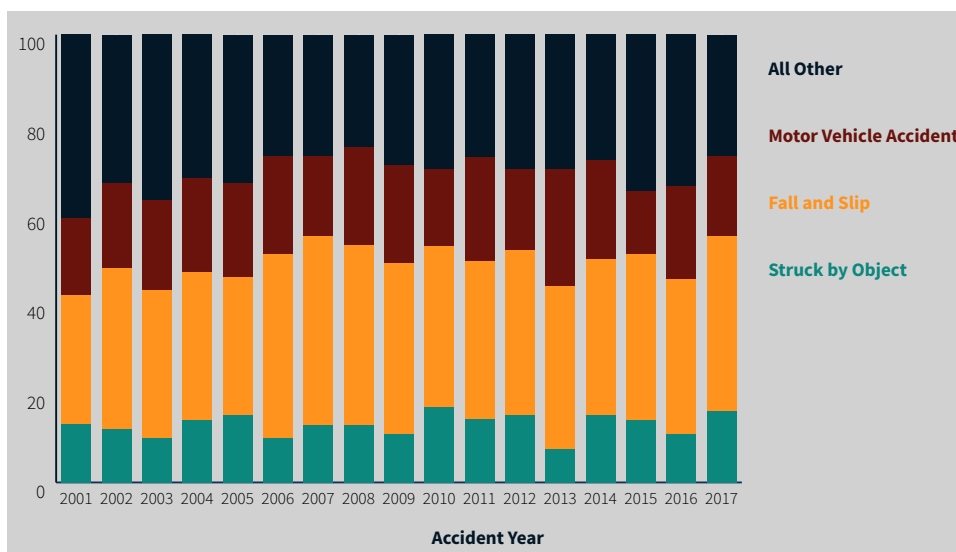
**Chart 9: Shares of Mega Claims by Cause of Injury**



**Fall and slip injuries are the leading cause of mega claims, comprising more than 35% of all mega claims.**

Chart 10 shows the distribution of the estimated ultimate number of claims in excess of \$3 million by cause of injury group for each of the 2001 through 2017 accident years. As shown in Chart 10, shares of mega claims by cause of injury group have been relatively consistent over time.

**Chart 10: Shares of Ultimate Claims in Excess of \$3 Million by Cause of Injury and Accident Year**



## Nature of Injury

Reported mega claims by incurred loss interval were segregated into the following nature of injury categories: concussion/contusion, fracture/crushing/dislocation, multiple injuries and all other injuries. The largest categories within the all other injury grouping are amputation/severance, burn/electrical shock, cumulative injury and strain/sprain. Chart 11 shows the segregation of mega claims reported as of the most current valuation of each accident year included in the study into nature of injury groups for claims with incurred value of \$3 million to \$5 million, \$5 million to \$10 million and in excess of \$10 million. The fracture/crushing/dislocation and the all other nature of injury groupings are the two largest nature of injury groupings for mega claims. Sprains and strains, which are included in the all other category, comprise 10% of mega claims between \$3 million and \$5 million, but only 3% of those over \$10 million.

**Chart 11: Shares of Mega Claims by Nature of Injury**

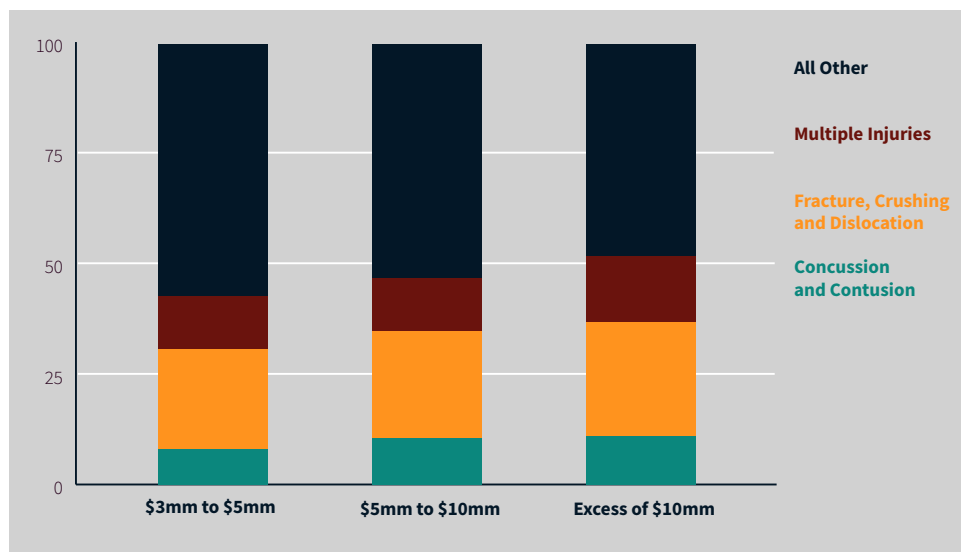
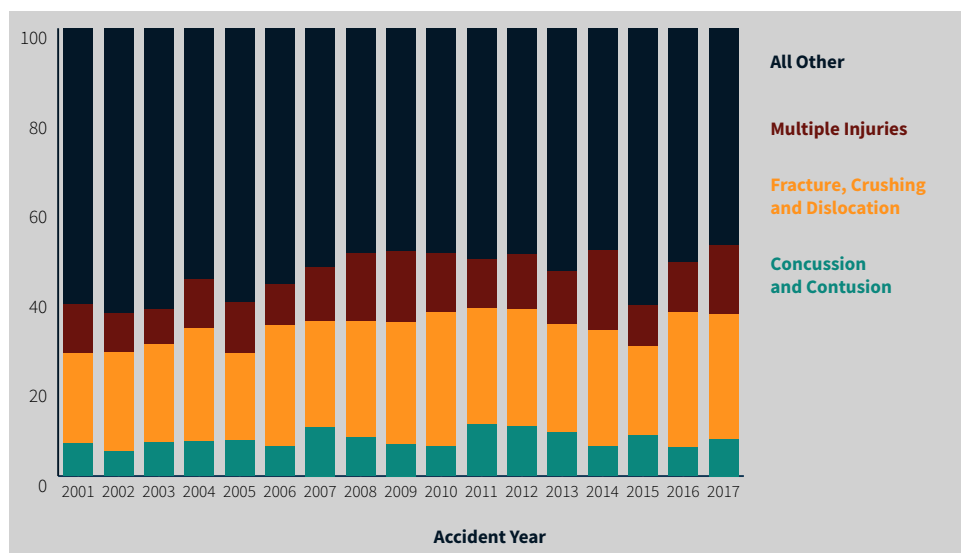


Chart 12 shows the distribution of the estimated ultimate number of claims in excess of \$3 million by nature of injury group for each of the 2001 through 2017 accident years. Although still a relatively small share of all mega claims, burn/electrical shock mega claims, which are included in the all other category, have become more common, increasing from about 3% early in the period to almost 10% in the more recent years. This increase may be attributable to advances in medical treatment and improved mortality of patients with serious burns.

**Chart 12: Shares of Ultimate Claims in Excess of \$3 Million by Nature of Injury and Accident Year**

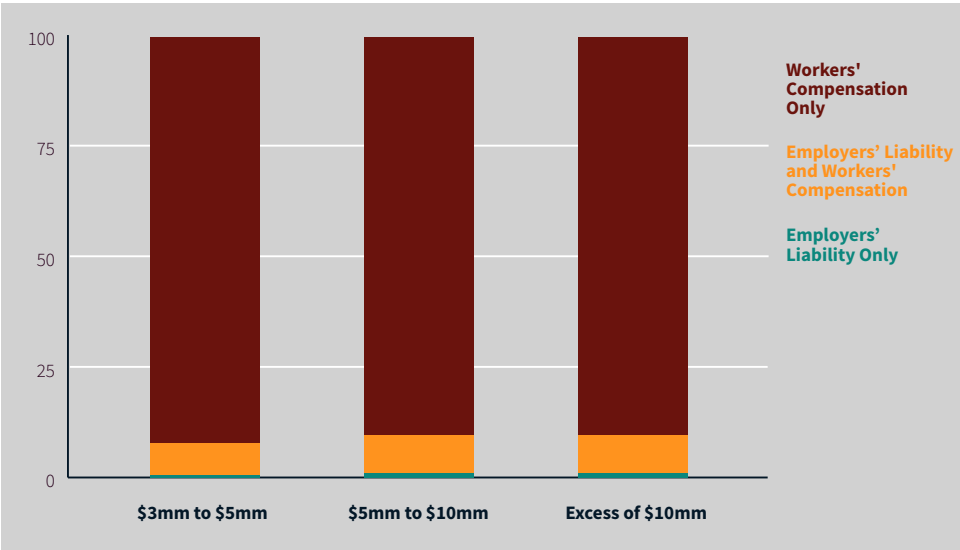


**Burn/electrical shock mega claims have become more common. This increase may be attributable to advances in medical treatment and improved mortality of patients with serious burns.**

Employers' Liability Claims

Chart 13 shows the percentage of mega claims that involve employers' liability segregated between those that only involve employers' liability and those that involve both workers' compensation and employers' liability for claims with incurred value of \$3 million to \$5 million, \$5 million to \$10 million and in excess of \$10 million. Approximately 10% of all mega claims involve employers' liability, the majority of which, particularly at the higher amounts, arise in New York. (See the discussion of New York's mega claims in Section D, State Mega Claim Characteristics.)

Chart 13: Shares of Mega Claims by Type of Coverage



**Approximately 10% of all mega claims involve employers' liability, the majority of which, particularly at the higher amounts, arise in New York.**

## C. Recognition of Mega Claims

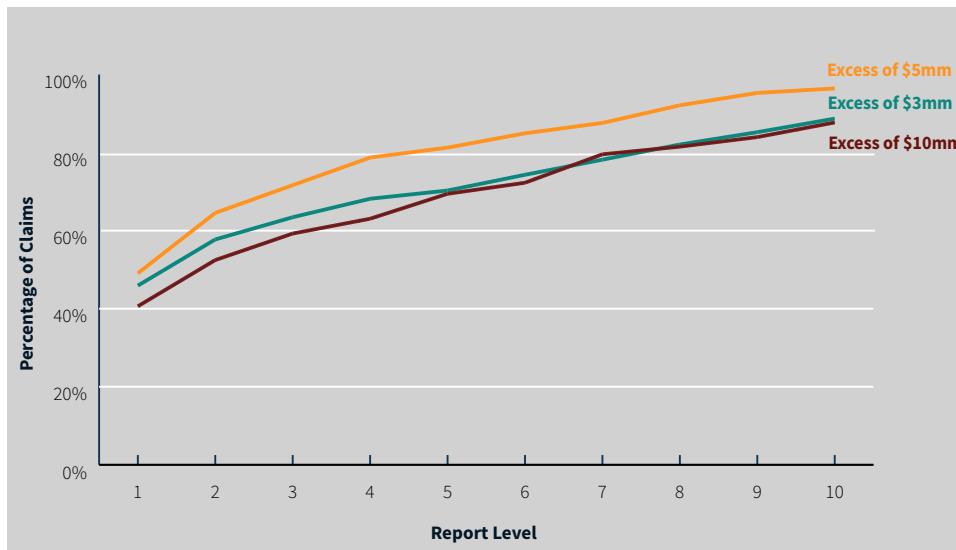
### Overall Patterns

Many large or catastrophic claims are recognized as very large claims very quickly after they occur. Others are recognized later in the claims process, perhaps following a failed surgery or other adverse medical events. Many insurers are now using analytical models to identify and triage claims with high cost potential early in the process. Possibly as a result of greater use of these analytic models, mega claims are being recognized as such earlier in the claims process.

Chart 14 shows the proportion of mega claims reported with an incurred loss estimate at or above the particular threshold at each unit statistical report level.<sup>10</sup> It can take several years before a claim pierces the \$3 million threshold. Less than one-half of claims \$3 million or more in total incurred reach that incurred loss threshold by first report level, or 18 months, from policy inception, and less than 90% reach that threshold by 10th report level, or 126 months, from policy inception. As shown on Chart 14, claims in excess of \$10 million generally reach that threshold slower than do other mega claims, although in recent years these very large claims reach that threshold at about the same rate as claims in excess of \$3 million. However, claims in excess of \$5 million in incurred losses reach that threshold more quickly than either smaller or larger mega claims reach thresholds of \$3 million or \$10 million, respectively. While we do not have the definitive explanation for this phenomenon, it is possible that claims in excess of \$5 million are generally severe enough initially that they are reserved at these high levels quickly as compared to smaller mega claims for which high cost levels are more frequently driven by medical or other developments that occur later in the life of a claim.

**Less than one-half of all claims \$3 million or more in total incurred reach that incurred loss threshold by 18 months, from policy inception, and less than 90% reach that threshold by 126 months, from policy inception.**

**Chart 14: Mega Claims Reported as a Percentage of Ultimate by Threshold**



<sup>10</sup> Unit statistical reports are submitted at annual intervals for up to 10 years with the first annual report submitted with losses valued at 18 months from policy inception and the 10th and final at 126 months from policy inception.

Chart 15 shows the five-year moving average<sup>11</sup> of mega claim count development from first report level to second report level. As shown, there has been steady significant acceleration in the recognition of these claims. In the early part of the 2000s, the typical growth in claims in excess of \$3 million from first to second report level was about 30% or more. For the latest five years, the average growth rate for this same period was less than 20%.

**Chart 15: 5-Year Moving Average First-to-Second Report Level Development Factors over Time**

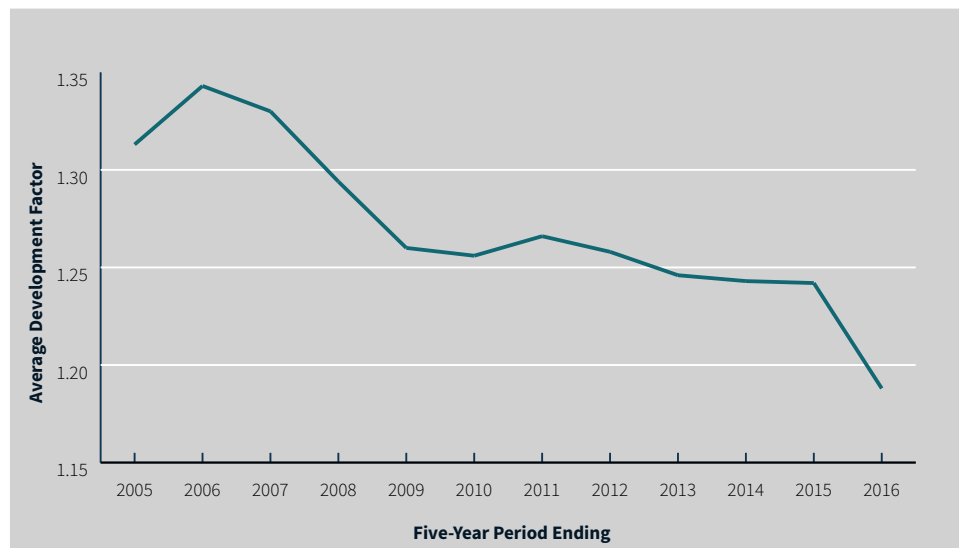
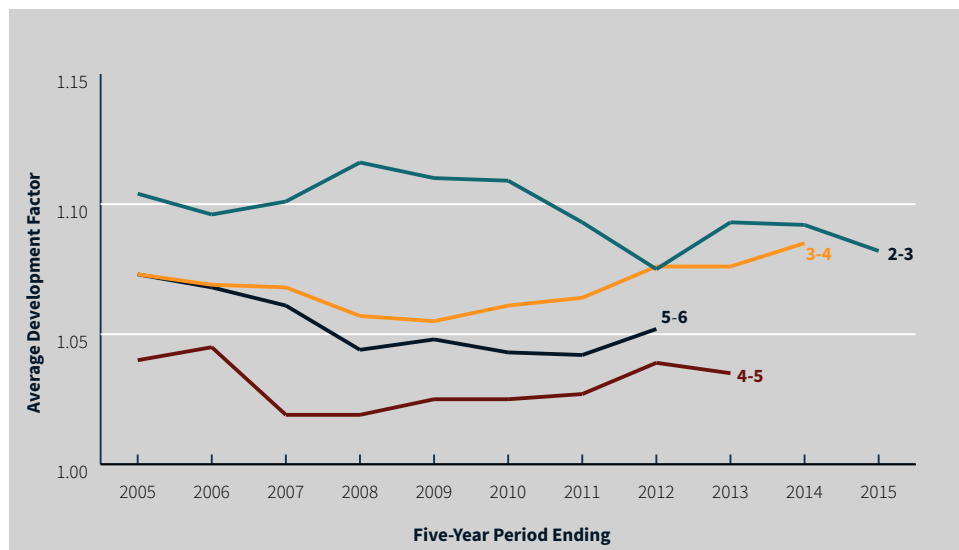


Chart 16 shows the five-year moving average mega claim count development rate for the mid-term period from second report level, or 30 months from policy inception, through sixth report level, or 78 months from policy inception, in annual intervals. As shown, there was acceleration in the rate claims were recognized at third report level from in excess of 10% growth for most periods through 2010 to about 8% more recently. However, for the other development periods shown in Chart 16, the claim count development or growth from report level to report level has been relatively consistent over the study period.

**Chart 16: 5-Year Moving Average Mid-Term Development Factors over Time**

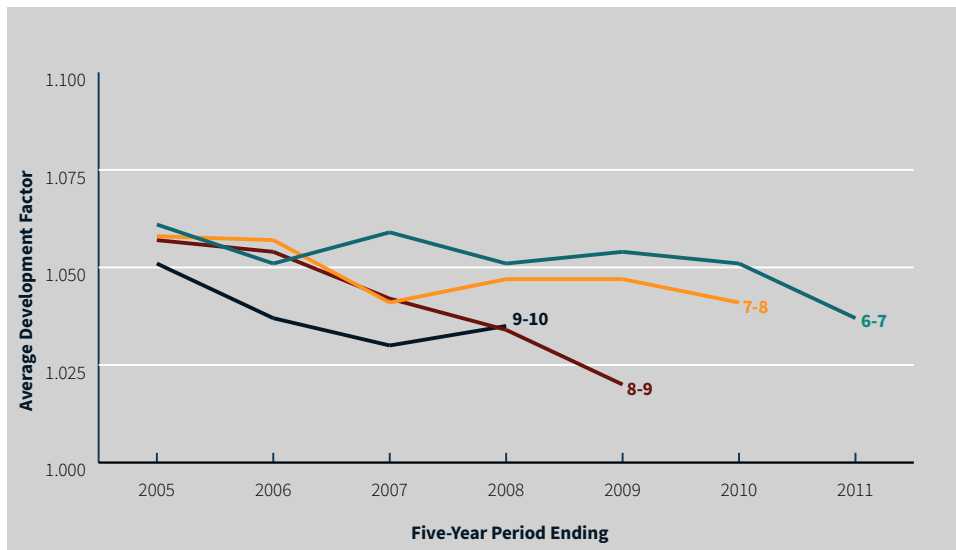


<sup>11</sup> Due to the volatility involved in claim count development with the relatively small numbers of mega claims, five-year moving averages were used to measure whether recognition patterns were changing.



Chart 17 shows the five-year moving average mega claim count development for the late-term period from sixth report level, or 78 months from policy inception, through 10th report level, or 126 months from policy inception, in annual intervals. As shown, at each annual interval, there generally was acceleration in the rate claims were being recognized over time.

**Chart 17: 5-Year Moving Average Late-Term Development Factors over Time**

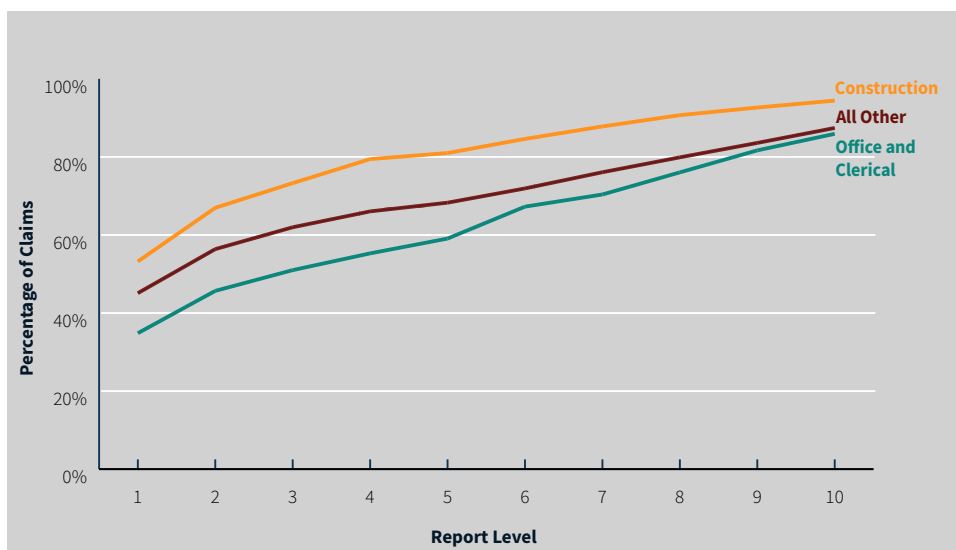


**By fourth report level...80% of construction mega claims reach the \$3 million threshold while only 55% of office and clerical mega claims reach that threshold.**

#### Recognition Patterns by Mega Claim Characteristic

Chart 18 shows the proportion of mega claims at particular report levels relative to the estimated ultimate number of mega claims by broad industry sector. Development or recognition patterns of mega claims differ by industry. Mega claims in the construction sector reach the \$3 million threshold much quicker than mega claims in other sectors reviewed. For example, by fourth report level, or 54 months from policy inception, 80% of construction mega claims reach the \$3 million threshold while only 55% of office and clerical mega claims reach that threshold. Even by 10th report level, or 126 months from policy inception, while 94% of construction sector claims have reached the \$3 million threshold, only about 85% of office and clerical sector claims have reached that threshold. The relative hazardousness of the construction industry may explain the higher share of mega claims that reach the \$3 million threshold at an earlier point in time.

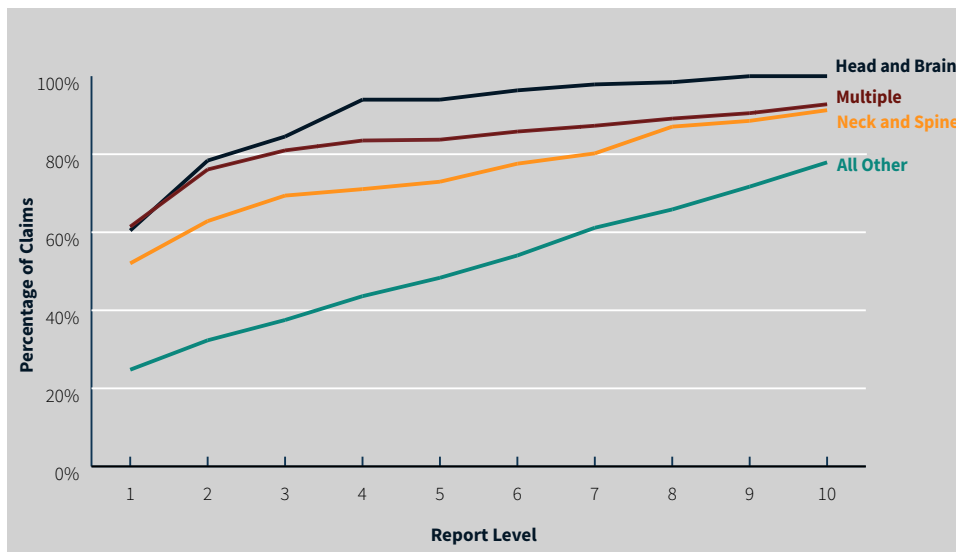
**Chart 18: Mega Claims Reported as a % of Ultimate by Industry**



Charts 19, 20 and 21 show the proportion of mega claims reported at each unit statistical report level as a percentage of estimated ultimate mega claims by categories of part of body, cause of injury and nature of injury, respectively. Not surprisingly, as shown on Chart 19, mega claims involving the head/brain and multiple body parts reach the \$3 million threshold much more quickly than those of other body parts. For example, approximately 94% of head/brain mega claims reach the \$3 million threshold by fourth report level, or 54 months from policy inception, compared to only about 43% of the all other body parts category.

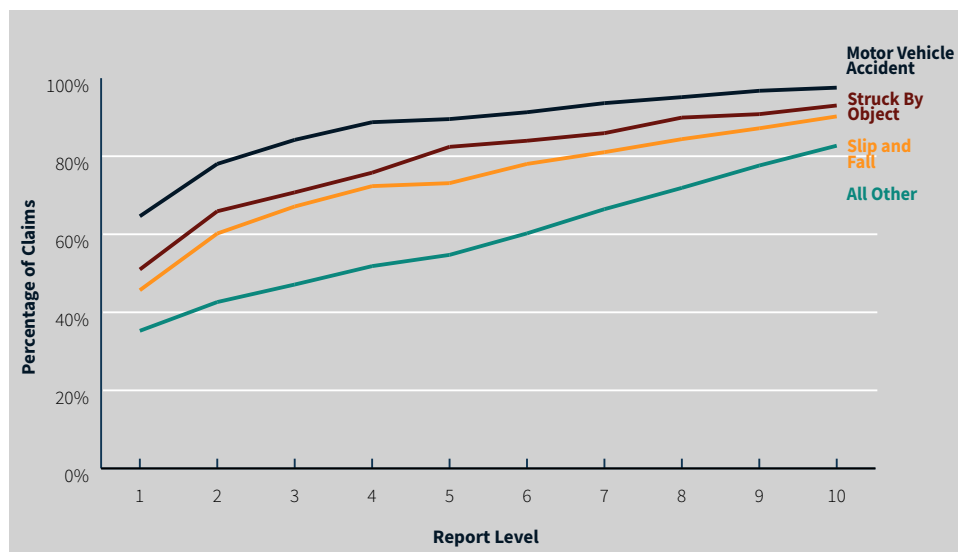
As shown on Chart 20, mega claims reach the \$3 million threshold more quickly on claims arising from motor vehicle accidents, slips and falls and being struck by objects than by all other causes. Similarly, as shown on Chart 21, mega claims reach the \$3 million threshold faster on multiple nature of injuries and concussions and contusions than on all other nature of injuries.

**Chart 19: Mega Claims Reported as a % of Ultimate by Part of Body**

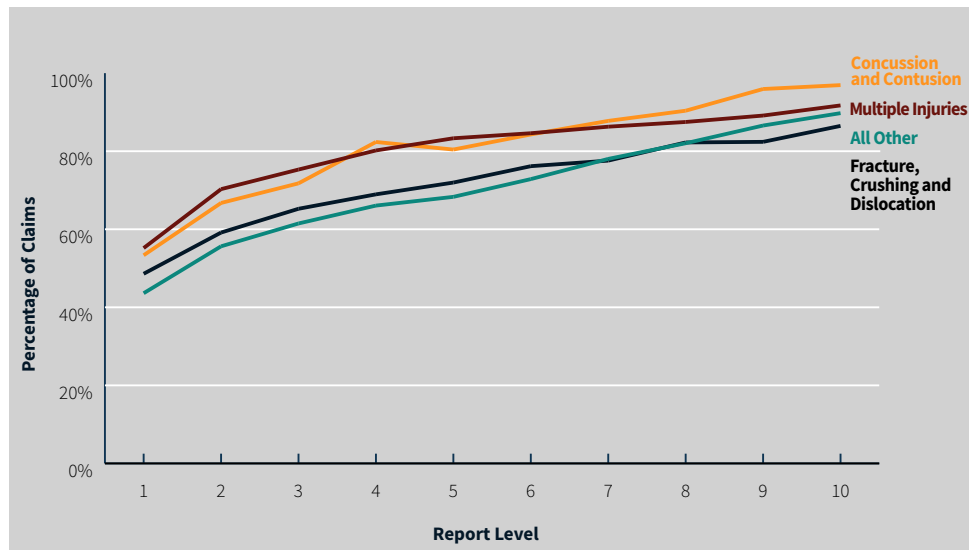


**Approximately 94% of head/brain mega claims reach the \$3 million threshold by 54 months from policy inception, compared to only about 43% of the all other body part category.**

**Chart 20: Mega Claims Reported as a % of Ultimate by Cause of Injury**



**Chart 21: Mega Claims Reported as a % of Ultimate by Nature of Injury**

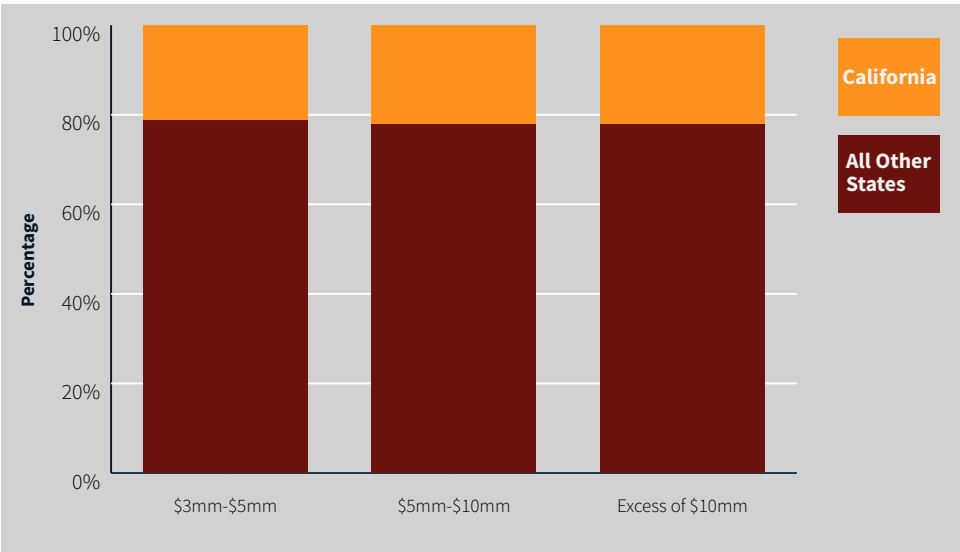


# D. State Mega Claim Characteristics

## California

Mega claims in California are modestly more common than in most other states. California mega claims comprise 21% of the mega claims in the study but in total California indemnity claims comprise 19% of all indemnity claims in the study. Chart 22 compares the distribution of mega claims by size interval in California compared to the average of the remaining study states based on the mega claims reported as December 31, 2018. As shown on Chart 22, California’s share of countrywide mega claims is consistent by mega claim size interval.

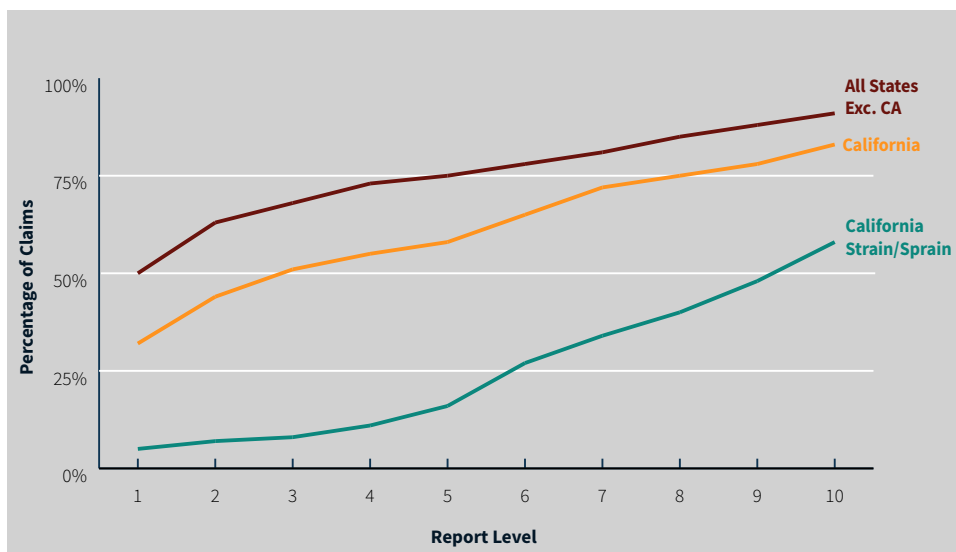
Chart 22: Distribution of Mega Claims in California vs. Other States



**Beginning in 2013, mega claim count development from first to second report level in California began to drop sharply and is now comparable to the average of other study states.**

California mega claims are generally recognized slower than in other states. Chart 23 compares the proportion of mega claims reported with an incurred loss estimate at or above \$3 million at particular report levels for California compared to the countrywide totals shown in Chart 1 as well as to strains and sprains in California. Some of the difference between California and the rest of the country is likely due to the prevalence of strain and sprain mega claims in California. California strain and sprain mega claims comprise a disproportionate share of countrywide sprain and strain mega claims and as shown in Chart 23 reach the \$3 million threshold much slower than other California mega claims. For example, less than 20% of California strain and sprain mega claims reach the \$3 million threshold by fifth report level, or 66 months from policy inception.

**Chart 23: Mega Claims Reported as a % of Ultimate—California vs. Other States**



**For the early years included in the study, California mega claims reached the \$3 million threshold much slower than mega claims in other states. In recent years, patterns in California are similar to the average of the remaining states.**

For the early years included in the study, California mega claims reached the \$3 million threshold much slower than mega claims in other states. Over time, these differences have decreased, and in recent years, patterns in California are similar to the average of the remaining study states.

Chart 24 compares the five-year moving average of mega claim count development from first report to second report level for California to other study states. Through 2012, there was a sharp difference in mega claim development between California and the average of the other study states. California's Senate Bill No. 863, which began to be implemented in 2013, and other system reforms sharply reduced medical cost levels and claim duration in California. Beginning in 2013, mega claim count development from first to second report level in California began to drop sharply and is now comparable to the average of the other study states.

**Chart 24: Comparison of 5-Year Moving Average First to Second Report Development Factors for California vs. Other States**

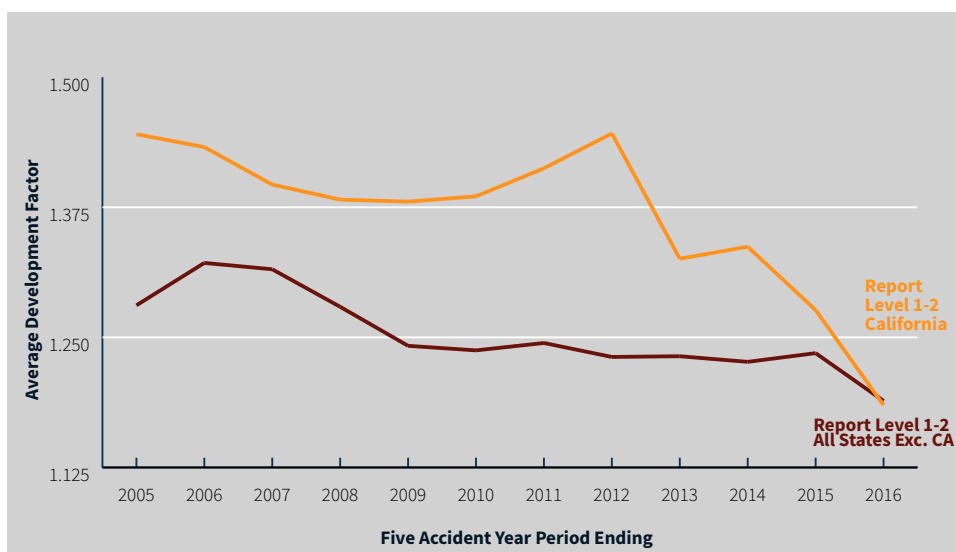
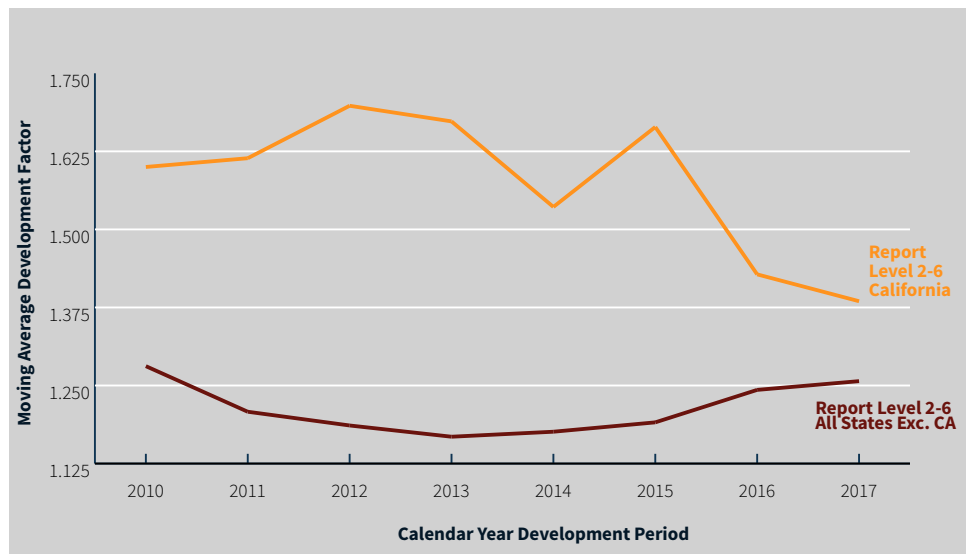
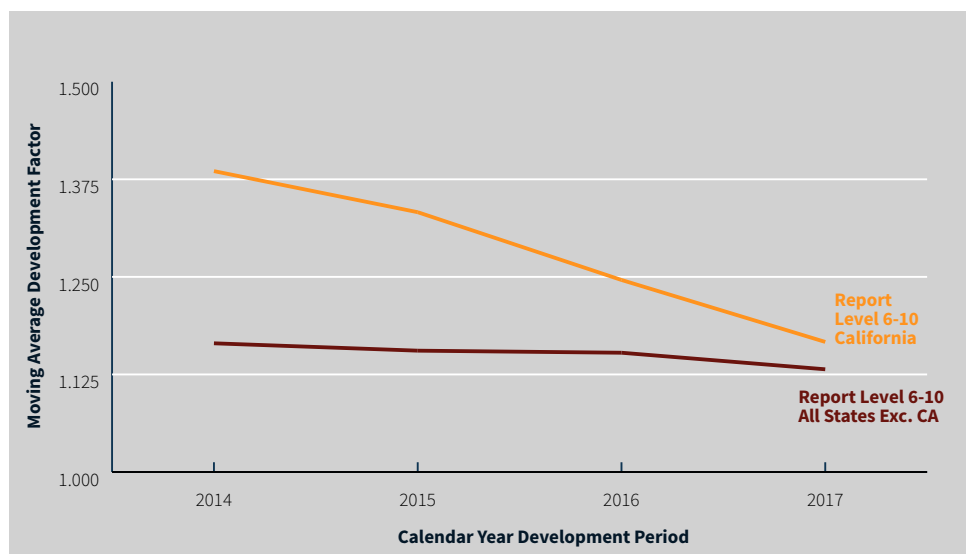


Chart 25 compares the calendar year impact of the five-year moving average mega claim count development rate for the mid-term development period in the study from second report level, or 30 months from policy inception, through sixth report level, or 78 months from policy inception, for California to other states. Chart 26 shows similar information for the late-term period from sixth report level through 10th report level, or 126 months from policy inception. As with mega claim count development from first report to second report shown in Chart 24, for earlier years, development was consistently higher in California than in other states, while recently the difference has narrowed significantly.

**Chart 25: Comparison of 5-Year Moving Average Mid-Term Development Factors for California vs. Other States**



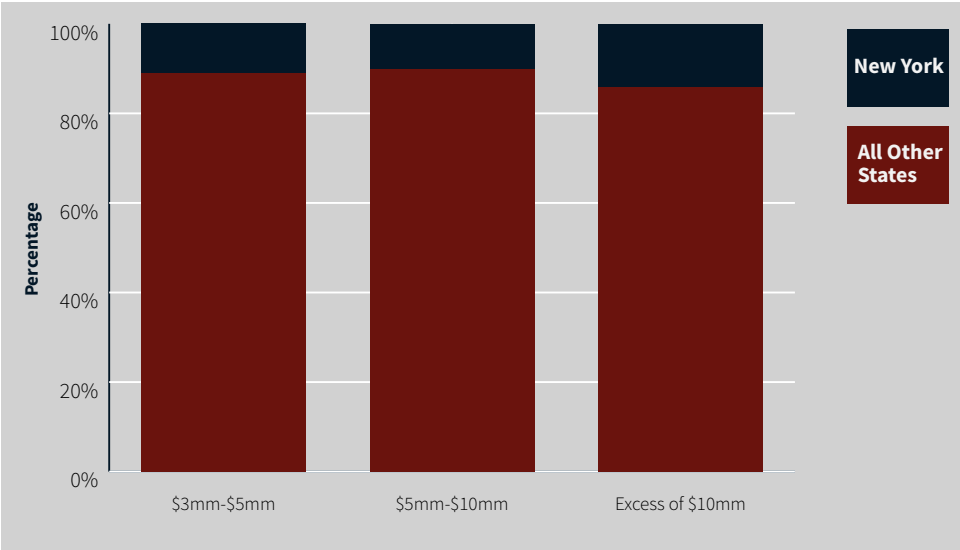
**Chart 26: Comparison of 5-Year Moving Average Late-Term Development Factors for California vs. Other States**



New York

New York mega claims represent 11% of the mega claims in this study. This share is generally similar or slightly higher than New York’s overall premium market share among the study states during the study period, although both the premium market share and share of mega claims can fluctuate over time. However, New York’s total lost time claims represent between 6% and 8% of all lost time claims over the study period, which is lower than its premium market share. This result is due to the larger than average severity of New York claims, when compared to most other jurisdictions in the study. Further, there is evidence that New York claims above \$10 million make up a slightly larger market share than relative market size would indicate, especially in pre-2007 reform years. Chart 27 compares the distribution of mega claims by size interval in New York compared to the rest of the other states in the study based on the mega claims reported since accident year 2001, as of December 31, 2018.

Chart 27: Distribution of Mega Claims in New York vs. Other States



The reduction in the incidence rate of New York mega claims over the past decade may be due to recent efforts to reduce opioids, the implementation of medical treatment guidelines, and ever increasing efforts to improve safety. New York’s share of lost time claims may have increased due to increases in the maximum weekly indemnity benefits after 2007. Chart 28 shows these shares and changes in table format.

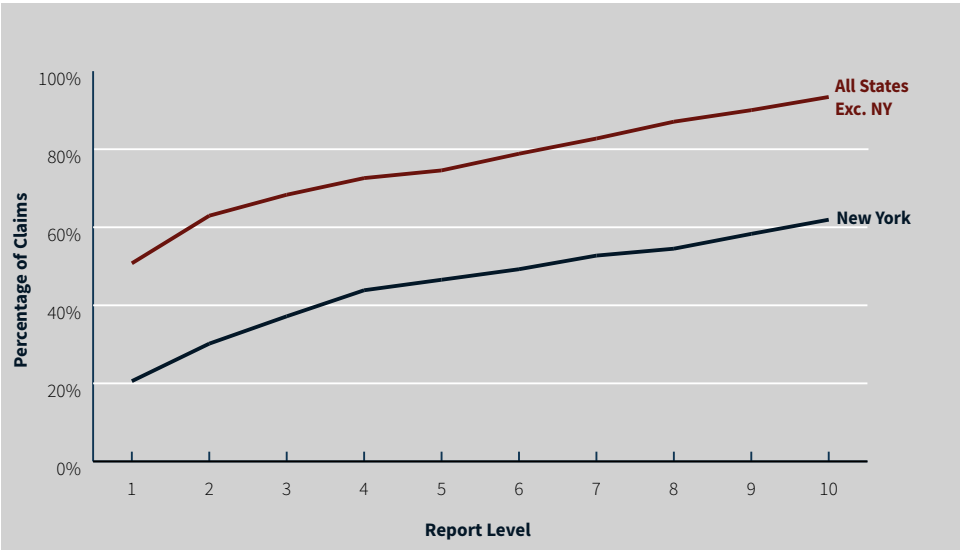
Chart 28: Impact of 2007 Reforms on New York Mega Claims

| 2007 Reform Impact on New York Share of Mega and Lost Time Claims |               |                |           |              |
|---|---------------|----------------|-----------|--------------|
| Period  | NY 3mm to 5mm | NY 5mm to 10mm | NY > 10mm | NY Lost Time |
| Pre-2007  | 13.7%         | 11.7%          | 16.5%     | 6.3%         |
| Post-2007   | 8.5%          | 8.0%           | 9.5%      | 7.3%         |
| Impact  | -38%          | -31%           | -43%      | 16%          |

The reduction in the incidence rate of New York mega claims over the last decade may be due to efforts to reduce opioids, the implementation of medical treatment guidelines and increasing efforts to improve safety.

New York mega claims have been historically recognized at a slower rate than in other states. Chart 29 compares the proportion of mega claims reported with an incurred loss estimate at or above \$3 million at different report levels for New York compared to the countrywide totals shown in Chart 14, excluding New York.

Chart 29: New York Development Patterns vs. Other States



**Strain and sprain injuries are often not recognized as mega claims in the first three report levels. These claims are typically at the low end of the range of mega claims.**

The data in the above analysis is heavily reliant on data preceding the 2007 reform data. Because mega claims are in general slow to emerge, and even slower to emerge in New York, data from post reform years may be too immature to draw meaningful conclusions on the impact the New York reforms may have had on claim count development patterns going forward.

Strain and sprain injuries in New York have shown slower emergence patterns into higher layers, as seen in the [2019 Large Claims Study](#) of claims that reach \$250,000 in size. An examination of New York mega claims from accident years 2003 to 2008 shows that the sprain and strain injuries are often not recognized as mega claims in the first 3 USR report levels and represent a larger share of mega claims reported in later periods. These claims are typically on the low end of the range of mega claims and appear less likely to reach the \$10 million level. Chart 30 displays the average number of mega claims by report period in New York along with the percentage of mega claims reported in respective categories over time and the share of strain and sprain injuries out of total new mega claims reported in the period.

Chart 30: New York Average Number of Mega Claims Reported per Period per Year

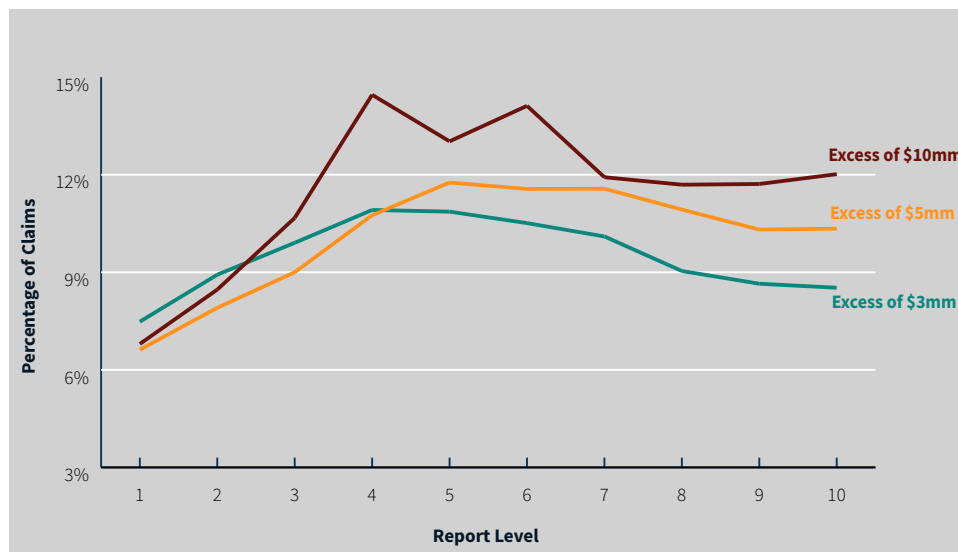
| Average Number of New York Mega Claims Reported per Period per Year |       |       |       |        |
|---|-------|-------|-------|--------|
| Unit Report Period  | 1-3   | 4-6   | 7-9   | 10     |
| Strain and Sprain Mega Claims                                       | 0.7   | 2.3   | 3.7   | 4.5    |
| All Mega Claims > \$3mm   | 17.0  | 26.3  | 29.9  | 32.3   |
| % Strain and Sprain Reported  | 16.0% | 51.9% | 81.5% | 100.0% |
| % of All Reported Claims  | 52.6% | 81.3% | 92.4% | 100.0% |
| Strain and Sprain % of Reported in Period                           | 4.2%  | 17%   | 37%   | 34%    |

Note: uses reported claims only.

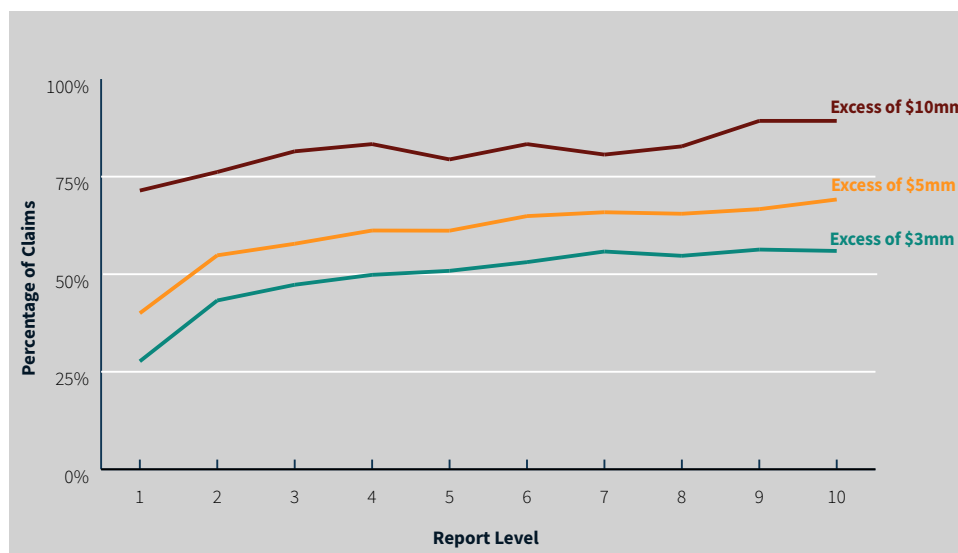


New York mega claims involving employers' liability may contribute to the slightly higher share of New York mega claims above \$10 million. In New York, there is no limit of liability for employers' liability claims. This impacts the New York share of mega claims that have an employers' liability component when compared to all other states in this study. Workers' compensation claims that involve employers' liability account for about 10% of all mega claims. New York generally generates more than 50% of the mega claims with employers' liability in excess of \$3 million and more than 70% of the mega claims with employers' liability in excess of \$10 million. Chart 31 shows the proportion of employers' liability claims in the study data reported in excess of \$3 million, \$5 million and \$10 million. Chart 32 shows the proportion of New York's share of these reported claims reported in excess of \$3 million, \$5 million and \$10 million.

**Chart 31: Mega Claims Involving an Employers' Liability Component by Report Level and Size**



**Chart 32: New York's Share of Employers' Liability Claims by Report Level and Size**



## VI. CONCLUSIONS

Mega claims (claims with reported incurred losses in excess of \$3 million at 2018 cost levels) comprise a relatively small percentage (0.04%) of all indemnity claims in workers' compensation, but add \$1 billion to \$2 billion in losses every year. After declining during the Great Recession with the sharp drop in construction employment, the share of mega claims has increased steadily since 2013. The share of mega claims for the latest two accident years (accident year 2016 and accident year 2017) are near an all-time high level for the study period. However, these estimated shares for 2016 and 2017 can be volatile and are heavily reliant on claim count development factors. Development has decreased over time. If development continues to decrease, these shares for 2016 and 2017 may ultimately be lower.

Mega claims disproportionately arise from the construction industry and involve slips and falls and motor vehicle accidents. Claims in excess of \$10 million disproportionately arise from head and brain or neck and spine injuries.

Mega claims are often not recognized as such for some time. Less than one-half of claims with \$3 million or more in total incurred losses reach that threshold by 18 months from policy inception, and less than 90% reach that threshold by 126 months from policy inception. In general, claims such as those in the construction industry resulting from motor vehicle injuries or involving head or brain injuries are recognized quickly. In contrast, claims such as those in the professional and clerical sectors, involving strains and sprains, and those in the all other categories emerge more slowly.

There has been a steady acceleration in recognition of mega claims, particularly at relatively early and late maturity levels. A contributing factor may be insurers' use of analytical tools that aid in quickly identifying claims with potential to develop adversely, particularly those where the seriousness of the injury cannot be known immediately.

Mega claims arising from the construction sector are recognized significantly more quickly than those arising from the office/clerical sector. Similarly, mega claims arising from motor vehicle accidents, struck by objects and head and brain injuries are recognized more quickly than mega claims arising from other causes.

## VII. CONDITIONS AND LIMITATIONS

The data collected that forms the basis of this study was compiled and adjusted to a current cost by the rating bureau providing ratemaking services for each state. While data sources and on-leveling and trending methodologies are generally similar across jurisdictions, they are not always identical and results could differ somewhat based on the methodology used and which adjustments were applied.

The incurred loss information for each jurisdiction was adjusted to the 2018 cost level. However, no attempt was made to adjust for differences in benefit levels or medical fee schedule levels across jurisdictions. For the details of the on-leveling process used for each jurisdiction, contact the rating bureau providing services in that jurisdiction.

Mega claim counts were developed to an ultimate level based on historical claim development patterns and standard actuarial techniques. For some of the groupings for which the volume of data was not sufficient for claim development projections, the development patterns of larger groupings were used.

The “countrywide” data included in this study did not include claims from Massachusetts, North Dakota, Ohio, Washington, Wisconsin and Wyoming. Similarly, only the experience of insured employers was reflected and no experience of self-insured employers was included. We made no attempt to validate the applicability of the results for states not included in the study or for the experience of self-insured employers.

The distribution of claims by state reflected in the study has changed over time due to changes in the relative size of state workers’ compensation systems as well as changes in state level claims costs

The loss information reflected in this study included only case incurred indemnity and medical losses. No loss adjustment expense experience is reflected.

The claim information in this report pre-dates the COVID-19 pandemic. No attempt was made to evaluate the impact of the pandemic on mega claim patterns.

The data in this report reflects information on claims submitted by insurers to each participating rating bureau. While the individual insurer data submissions are regularly checked for consistency and comparability with other data submitted by the insurer as well as with data submitted by other insurers, the source information underlying each insurer’s data submission was relied upon by the participating rating bureaus.

# XI. APPENDIX

The triangles below represent reported claim counts exceeding the listed threshold when adjusted to a current cost level basis relying on the methodology used by the reporting rating bureau. Claims are included only for states that collect 10 annual evaluations. States may be included in the triangles for some years and not for others based on the availability of the data. The distribution of claims by state reflected in the study has changed over time due to changes in the relative size of state workers' compensation systems as well as changes in state level claims costs.

## Total

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |     |     |     |     |     |     |     |     |     |
|---------------|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|
|               | 1  | 2   | 3   | 4   | 5   | 6   | 7   | 8   | 9   | 10  |
| 2001          | 131  | 150 | 180 | 198 | 196 | 210 | 237 | 253 | 270 | 284 |
| 2002          | 136  | 180 | 193 | 209 | 233 | 244 | 246 | 273 | 287 | 302 |
| 2003          | 145  | 193 | 198 | 223 | 231 | 252 | 270 | 280 | 299 | 313 |
| 2004          | 131  | 186 | 211 | 222 | 227 | 244 | 262 | 271 | 285 | 299 |
| 2005          | 146  | 196 | 217 | 220 | 228 | 246 | 254 | 265 | 278 | 294 |
| 2006          | 142  | 185 | 211 | 227 | 231 | 242 | 259 | 275 | 288 | 282 |
| 2007          | 158  | 200 | 220 | 237 | 234 | 237 | 248 | 255 | 252 | 256 |
| 2008          | 155  | 180 | 198 | 211 | 218 | 219 | 226 | 242 | 249 | 268 |
| 2009          | 107  | 131 | 144 | 149 | 159 | 177 | 195 | 201 | 196 |     |
| 2010          | 102  | 138 | 152 | 157 | 164 | 174 | 174 | 174 |     |     |
| 2011          | 114  | 156 | 166 | 182 | 186 | 194 | 195 |     |     |     |
| 2012          | 115  | 141 | 142 | 164 | 170 | 180 |     |     |     |     |
| 2013          | 131  | 143 | 171 | 182 | 184 |     |     |     |     |     |
| 2014          | 148  | 180 | 197 | 213 |     |     |     |     |     |     |
| 2015          | 142  | 187 | 197 |     |     |     |     |     |     |     |
| 2016          | 181  | 201 |     |     |     |     |     |     |     |     |
| 2017          | 184  |     |     |     |     |     |     |     |     |     |

| Accident Year | Claim Counts Having Incurred in Excess of \$5 Million as of Report Level |    |    |     |     |     |     |     |     |     |
|---------------|--|----|----|-----|-----|-----|-----|-----|-----|-----|
|               | 1  | 2  | 3  | 4   | 5   | 6   | 7   | 8   | 9   | 10  |
| 2001          | 44   | 54 | 63 | 70  | 71  | 70  | 79  | 84  | 90  | 92  |
| 2002          | 65   | 84 | 95 | 93  | 99  | 109 | 107 | 116 | 123 | 118 |
| 2003          | 59   | 88 | 85 | 98  | 97  | 100 | 110 | 115 | 117 | 124 |
| 2004          | 45   | 76 | 85 | 98  | 102 | 102 | 99  | 110 | 110 | 112 |
| 2005          | 63   | 85 | 98 | 104 | 107 | 113 | 112 | 119 | 122 | 127 |
| 2006          | 54   | 80 | 85 | 92  | 96  | 101 | 107 | 109 | 115 | 117 |
| 2007          | 75   | 88 | 97 | 106 | 106 | 117 | 123 | 119 | 121 | 121 |
| 2008          | 64   | 78 | 82 | 89  | 92  | 95  | 99  | 104 | 109 | 107 |
| 2009          | 40   | 56 | 59 | 64  | 67  | 71  | 79  | 83  | 85  |     |
| 2010          | 32   | 54 | 64 | 68  | 69  | 75  | 72  | 79  |     |     |
| 2011          | 54   | 78 | 88 | 99  | 102 | 105 | 104 |     |     |     |
| 2012          | 46   | 57 | 63 | 69  | 76  | 75  |     |     |     |     |
| 2013          | 61   | 70 | 81 | 95  | 98  |     |     |     |     |     |
| 2014          | 61   | 70 | 89 | 101 |     |     |     |     |     |     |
| 2015          | 55   | 73 | 77 |     |     |     |     |     |     |     |
| 2016          | 76   | 85 |    |     |     |     |     |     |     |     |
| 2017          | 89   |    |    |     |     |     |     |     |     |     |

| Accident Year | Claim Counts Having Incurred in Excess of \$10 Million as of Report Level |    |    |    |    |    |    |    |    |    |
|---------------|---|----|----|----|----|----|----|----|----|----|
|               | 1   | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 2001          | 8   | 10 | 10 | 9  | 16 | 17 | 20 | 20 | 25 | 28 |
| 2002          | 15  | 19 | 24 | 24 | 29 | 28 | 33 | 33 | 35 | 35 |
| 2003          | 20  | 27 | 26 | 31 | 34 | 35 | 38 | 38 | 40 | 38 |
| 2004          | 10  | 14 | 17 | 24 | 26 | 25 | 26 | 25 | 28 | 30 |
| 2005          | 9   | 10 | 18 | 18 | 19 | 20 | 23 | 25 | 23 | 25 |
| 2006          | 10  | 20 | 26 | 24 | 23 | 20 | 20 | 21 | 20 | 20 |
| 2007          | 20  | 26 | 25 | 21 | 21 | 27 | 26 | 28 | 27 | 29 |
| 2008          | 14  | 10 | 12 | 14 | 16 | 21 | 23 | 28 | 26 | 29 |
| 2009          | 10  | 12 | 12 | 12 | 12 | 12 | 15 | 15 | 16 |    |
| 2010          | 8   | 10 | 14 | 16 | 18 | 21 | 20 | 17 |    |    |
| 2011          | 11  | 17 | 17 | 16 | 13 | 12 | 18 |    |    |    |
| 2012          | 6   | 6  | 11 | 12 | 18 | 17 |    |    |    |    |
| 2013          | 5   | 10 | 9  | 16 | 16 |    |    |    |    |    |
| 2014          | 12  | 13 | 13 | 12 |    |    |    |    |    |    |
| 2015          | 13  | 20 | 19 |    |    |    |    |    |    |    |
| 2016          | 21  | 24 |    |    |    |    |    |    |    |    |
| 2017          | 14  |    |    |    |    |    |    |    |    |    |

# Industry

## OFFICE AND CLERICAL

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |    |    |
|---------------|--|----|----|----|----|----|----|----|----|----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 2001          | 14   | 17 | 19 | 23 | 25 | 27 | 28 | 26 | 30 | 34 |
| 2002          | 9  | 13 | 14 | 18 | 23 | 26 | 26 | 32 | 38 | 39 |
| 2003          | 12   | 14 | 13 | 14 | 19 | 24 | 23 | 25 | 29 | 28 |
| 2004          | 6  | 15 | 16 | 16 | 16 | 17 | 20 | 21 | 22 | 26 |
| 2005          | 12   | 14 | 16 | 18 | 17 | 19 | 21 | 22 | 26 | 27 |
| 2006          | 7  | 15 | 17 | 21 | 18 | 20 | 21 | 21 | 20 | 20 |
| 2007          | 9  | 12 | 14 | 14 | 14 | 16 | 14 | 16 | 15 | 14 |
| 2008          | 12   | 16 | 18 | 19 | 22 | 26 | 25 | 30 | 32 | 35 |
| 2009          | 7  | 11 | 13 | 13 | 16 | 17 | 21 | 23 | 20 |    |
| 2010          | 7  | 10 | 11 | 10 | 9  | 10 | 12 | 12 |    |    |
| 2011          | 10   | 14 | 13 | 12 | 13 | 14 | 15 |    |    |    |
| 2012          | 4  | 3  | 2  | 3  | 3  | 6  |    |    |    |    |
| 2013          | 12   | 14 | 21 | 23 | 23 |    |    |    |    |    |
| 2014          | 15   | 14 | 15 | 15 |    |    |    |    |    |    |
| 2015          | 7  | 7  | 9  |    |    |    |    |    |    |    |
| 2016          | 8  | 9  |    |    |    |    |    |    |    |    |
| 2017          | 15   |    |    |    |    |    |    |    |    |    |

## CONSTRUCTION

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |     |     |     |     |     |     |     |
|---------------|--|----|----|-----|-----|-----|-----|-----|-----|-----|
|               | 1  | 2  | 3  | 4   | 5   | 6   | 7   | 8   | 9   | 10  |
| 2001          | 56   | 65 | 79 | 89  | 87  | 89  | 96  | 98  | 98  | 102 |
| 2002          | 61   | 79 | 79 | 84  | 88  | 89  | 93  | 101 | 104 | 104 |
| 2003          | 57   | 82 | 79 | 95  | 98  | 96  | 102 | 106 | 114 | 117 |
| 2004          | 62   | 83 | 94 | 97  | 96  | 99  | 101 | 102 | 107 | 112 |
| 2005          | 68   | 92 | 99 | 96  | 104 | 117 | 119 | 121 | 118 | 121 |
| 2006          | 66   | 89 | 94 | 101 | 101 | 108 | 110 | 116 | 121 | 120 |
| 2007          | 71   | 92 | 98 | 100 | 100 | 101 | 107 | 107 | 111 | 111 |
| 2008          | 62   | 71 | 84 | 92  | 92  | 94  | 99  | 108 | 110 | 113 |
| 2009          | 40   | 47 | 51 | 56  | 57  | 64  | 70  | 72  | 68  |     |
| 2010          | 32   | 46 | 57 | 67  | 70  | 75  | 74  | 72  |     |     |
| 2011          | 44   | 51 | 61 | 70  | 71  | 76  | 75  |     |     |     |
| 2012          | 46   | 53 | 55 | 62  | 64  | 66  |     |     |     |     |
| 2013          | 44   | 51 | 60 | 65  | 67  |     |     |     |     |     |
| 2014          | 61   | 75 | 82 | 88  |     |     |     |     |     |     |
| 2015          | 61   | 82 | 86 |     |     |     |     |     |     |     |
| 2016          | 75   | 82 |    |     |     |     |     |     |     |     |
| 2017          | 81   |    |    |     |     |     |     |     |     |     |

## ALL OTHER INDUSTRIES

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |     |     |     |     |     |     |     |     |     |
|---------------|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|
|               | 1  | 2   | 3   | 4   | 5   | 6   | 7   | 8   | 9   | 10  |
| 2001          | 61   | 68  | 82  | 86  | 83  | 91  | 108 | 122 | 137 | 142 |
| 2002          | 66   | 88  | 100 | 107 | 122 | 129 | 127 | 138 | 144 | 155 |
| 2003          | 76   | 97  | 106 | 114 | 114 | 132 | 145 | 145 | 150 | 161 |
| 2004          | 63   | 88  | 101 | 109 | 115 | 128 | 140 | 146 | 154 | 158 |
| 2005          | 66   | 90  | 102 | 106 | 107 | 110 | 112 | 120 | 133 | 140 |
| 2006          | 69   | 81  | 100 | 105 | 112 | 114 | 128 | 137 | 144 | 139 |
| 2007          | 78   | 96  | 108 | 123 | 120 | 120 | 127 | 132 | 126 | 131 |
| 2008          | 81   | 93  | 96  | 100 | 104 | 99  | 98  | 100 | 103 | 115 |
| 2009          | 60   | 73  | 80  | 80  | 86  | 96  | 104 | 106 | 108 |     |
| 2010          | 63   | 82  | 84  | 80  | 85  | 89  | 88  | 90  |     |     |
| 2011          | 60   | 91  | 92  | 100 | 102 | 104 | 105 |     |     |     |
| 2012          | 65   | 85  | 85  | 99  | 103 | 108 |     |     |     |     |
| 2013          | 75   | 78  | 90  | 94  | 94  |     |     |     |     |     |
| 2014          | 72   | 91  | 100 | 110 |     |     |     |     |     |     |
| 2015          | 74   | 98  | 102 |     |     |     |     |     |     |     |
| 2016          | 98   | 110 |     |     |     |     |     |     |     |     |
| 2017          | 88   |     |     |     |     |     |     |     |     |     |

# Part of Body

## HEAD AND BRAIN

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |    |    |
|---------------|--|----|----|----|----|----|----|----|----|----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 2001          | 25   | 27 | 30 | 37 | 32 | 30 | 30 | 31 | 35 | 38 |
| 2002          | 24   | 35 | 36 | 43 | 46 | 46 | 47 | 47 | 48 | 47 |
| 2003          | 35   | 42 | 42 | 45 | 45 | 54 | 59 | 57 | 60 | 58 |
| 2004          | 28   | 44 | 53 | 59 | 61 | 63 | 66 | 67 | 70 | 70 |
| 2005          | 35   | 48 | 49 | 53 | 54 | 55 | 56 | 59 | 61 | 60 |
| 2006          | 25   | 40 | 46 | 53 | 53 | 55 | 56 | 60 | 64 | 61 |
| 2007          | 37   | 57 | 62 | 70 | 67 | 65 | 65 | 63 | 63 | 62 |
| 2008          | 31   | 39 | 42 | 45 | 46 | 49 | 49 | 53 | 51 | 50 |
| 2009          | 32   | 33 | 39 | 39 | 40 | 42 | 44 | 39 | 38 |    |
| 2010          | 32   | 48 | 47 | 48 | 50 | 50 | 48 | 47 |    |    |
| 2011          | 33   | 52 | 54 | 62 | 62 | 61 | 59 |    |    |    |
| 2012          | 24   | 26 | 28 | 35 | 35 | 36 |    |    |    |    |
| 2013          | 38   | 38 | 42 | 45 | 43 |    |    |    |    |    |
| 2014          | 34   | 37 | 47 | 52 |    |    |    |    |    |    |
| 2015          | 40   | 58 | 56 |    |    |    |    |    |    |    |
| 2016          | 43   | 45 |    |    |    |    |    |    |    |    |
| 2017          | 38   |    |    |    |    |    |    |    |    |    |

## NECK AND SPINE

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |    |    |
|---------------|--|----|----|----|----|----|----|----|----|----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 2001          | 25   | 23 | 27 | 22 | 25 | 29 | 37 | 39 | 38 | 40 |
| 2002          | 43   | 45 | 47 | 49 | 54 | 60 | 60 | 71 | 72 | 70 |
| 2003          | 38   | 52 | 48 | 48 | 49 | 57 | 56 | 61 | 67 | 67 |
| 2004          | 31   | 43 | 46 | 48 | 48 | 49 | 50 | 51 | 54 | 66 |
| 2005          | 25   | 35 | 43 | 46 | 46 | 48 | 45 | 48 | 50 | 52 |
| 2006          | 42   | 54 | 63 | 64 | 67 | 66 | 72 | 78 | 79 | 79 |
| 2007          | 41   | 54 | 62 | 61 | 57 | 56 | 61 | 59 | 59 | 56 |
| 2008          | 43   | 49 | 53 | 56 | 58 | 56 | 58 | 66 | 67 | 71 |
| 2009          | 27   | 36 | 39 | 37 | 44 | 47 | 48 | 53 | 49 |    |
| 2010          | 20   | 27 | 33 | 37 | 33 | 39 | 40 | 46 |    |    |
| 2011          | 35   | 40 | 44 | 47 | 47 | 52 | 51 |    |    |    |
| 2012          | 35   | 37 | 35 | 37 | 40 | 45 |    |    |    |    |
| 2013          | 33   | 35 | 45 | 47 | 47 |    |    |    |    |    |
| 2014          | 33   | 41 | 43 | 44 |    |    |    |    |    |    |
| 2015          | 24   | 35 | 41 |    |    |    |    |    |    |    |
| 2016          | 43   | 44 |    |    |    |    |    |    |    |    |
| 2017          | 39   |    |    |    |    |    |    |    |    |    |



MULTIPLE

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |    |    |
|---------------|--|----|----|----|----|----|----|----|----|----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 2001          | 53   | 75 | 86 | 91 | 94 | 95 | 96 | 99 | 96 | 96 |
| 2002          | 50   | 73 | 83 | 84 | 86 | 86 | 86 | 88 | 88 | 90 |
| 2003          | 47   | 58 | 65 | 77 | 77 | 80 | 81 | 81 | 80 | 83 |
| 2004          | 46   | 62 | 69 | 63 | 64 | 64 | 67 | 72 | 73 | 74 |
| 2005          | 56   | 69 | 72 | 69 | 69 | 64 | 66 | 68 | 73 | 73 |
| 2006          | 46   | 50 | 51 | 54 | 50 | 55 | 52 | 54 | 56 | 55 |
| 2007          | 49   | 52 | 53 | 57 | 57 | 56 | 58 | 60 | 59 | 62 |
| 2008          | 54   | 62 | 67 | 65 | 63 | 62 | 62 | 63 | 70 | 77 |
| 2009          | 30   | 42 | 42 | 44 | 45 | 52 | 54 | 56 | 56 |    |
| 2010          | 26   | 32 | 33 | 35 | 36 | 39 | 44 | 39 |    |    |
| 2011          | 33   | 38 | 40 | 38 | 36 | 39 | 38 |    |    |    |
| 2012          | 34   | 45 | 42 | 46 | 47 | 50 |    |    |    |    |
| 2013          | 30   | 36 | 40 | 43 | 44 |    |    |    |    |    |
| 2014          | 44   | 52 | 57 | 59 |    |    |    |    |    |    |
| 2015          | 37   | 47 | 44 |    |    |    |    |    |    |    |
| 2016          | 52   | 58 |    |    |    |    |    |    |    |    |
| 2017          | 49   |    |    |    |    |    |    |    |    |    |

ALL OTHER

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |    |     |
|---------------|--|----|----|----|----|----|----|----|----|-----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10  |
| 2001          | 27   | 24 | 35 | 46 | 42 | 51 | 67 | 75 | 94 | 102 |
| 2002          | 18   | 26 | 25 | 31 | 45 | 50 | 51 | 63 | 76 | 89  |
| 2003          | 25   | 41 | 43 | 53 | 59 | 60 | 73 | 76 | 85 | 97  |
| 2004          | 26   | 37 | 43 | 52 | 54 | 67 | 77 | 78 | 85 | 85  |
| 2005          | 26   | 39 | 44 | 44 | 53 | 71 | 76 | 81 | 85 | 96  |
| 2006          | 26   | 36 | 47 | 52 | 57 | 62 | 75 | 77 | 82 | 80  |
| 2007          | 31   | 37 | 43 | 49 | 52 | 60 | 64 | 73 | 71 | 76  |
| 2008          | 24   | 28 | 34 | 43 | 49 | 49 | 51 | 55 | 56 | 64  |
| 2009          | 18   | 20 | 24 | 29 | 30 | 36 | 49 | 53 | 53 |     |
| 2010          | 24   | 31 | 38 | 37 | 45 | 46 | 42 | 42 |    |     |
| 2011          | 13   | 26 | 28 | 35 | 41 | 42 | 47 |    |    |     |
| 2012          | 22   | 33 | 37 | 46 | 48 | 49 |    |    |    |     |
| 2013          | 30   | 34 | 44 | 47 | 50 |    |    |    |    |     |
| 2014          | 37   | 50 | 50 | 58 |    |    |    |    |    |     |
| 2015          | 41   | 47 | 56 |    |    |    |    |    |    |     |
| 2016          | 43   | 53 |    |    |    |    |    |    |    |     |
| 2017          | 58   |    |    |    |    |    |    |    |    |     |

# Cause

## SLIP AND FALL

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |     |     |     |     |     |
|---------------|--|----|----|----|----|-----|-----|-----|-----|-----|
|               | 1  | 2  | 3  | 4  | 5  | 6   | 7   | 8   | 9   | 10  |
| 2001          | 33   | 43 | 51 | 57 | 55 | 60  | 68  | 75  | 79  | 81  |
| 2002          | 53   | 70 | 75 | 83 | 86 | 85  | 90  | 97  | 105 | 107 |
| 2003          | 47   | 66 | 65 | 79 | 79 | 78  | 87  | 90  | 95  | 101 |
| 2004          | 41   | 63 | 73 | 72 | 69 | 77  | 84  | 84  | 90  | 97  |
| 2005          | 46   | 62 | 72 | 69 | 68 | 76  | 74  | 79  | 85  | 89  |
| 2006          | 59   | 79 | 84 | 97 | 99 | 106 | 107 | 110 | 114 | 112 |
| 2007          | 65   | 83 | 89 | 99 | 91 | 96  | 100 | 104 | 104 | 107 |
| 2008          | 54   | 69 | 75 | 79 | 84 | 91  | 91  | 100 | 100 | 105 |
| 2009          | 40   | 47 | 54 | 57 | 63 | 73  | 79  | 81  | 75  |     |
| 2010          | 30   | 51 | 58 | 60 | 66 | 70  | 68  | 63  |     |     |
| 2011          | 38   | 54 | 63 | 66 | 68 | 70  | 68  |     |     |     |
| 2012          | 44   | 54 | 57 | 65 | 63 | 69  |     |     |     |     |
| 2013          | 40   | 52 | 62 | 66 | 68 |     |     |     |     |     |
| 2014          | 47   | 56 | 73 | 76 |    |     |     |     |     |     |
| 2015          | 54   | 73 | 77 |    |    |     |     |     |     |     |
| 2016          | 63   | 72 |    |    |    |     |     |     |     |     |
| 2017          | 70   |    |    |    |    |     |     |     |     |     |

## MOTOR VEHICLE ACCIDENT

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |    |    |
|---------------|--|----|----|----|----|----|----|----|----|----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 2001          | 42   | 41 | 48 | 48 | 51 | 49 | 50 | 48 | 49 | 52 |
| 2002          | 31   | 38 | 41 | 45 | 50 | 55 | 54 | 55 | 58 | 60 |
| 2003          | 41   | 54 | 58 | 56 | 53 | 63 | 64 | 67 | 68 | 68 |
| 2004          | 39   | 51 | 54 | 57 | 59 | 60 | 65 | 66 | 66 | 67 |
| 2005          | 41   | 59 | 58 | 64 | 64 | 61 | 61 | 59 | 62 | 64 |
| 2006          | 35   | 46 | 54 | 57 | 59 | 61 | 64 | 68 | 69 | 66 |
| 2007          | 38   | 39 | 48 | 50 | 52 | 51 | 56 | 55 | 53 | 51 |
| 2008          | 41   | 51 | 54 | 59 | 60 | 56 | 55 | 57 | 60 | 61 |
| 2009          | 33   | 43 | 44 | 44 | 47 | 48 | 50 | 50 | 49 |    |
| 2010          | 26   | 29 | 30 | 32 | 29 | 30 | 30 | 33 |    |    |
| 2011          | 39   | 51 | 51 | 55 | 52 | 53 | 53 |    |    |    |
| 2012          | 29   | 34 | 34 | 37 | 37 | 38 |    |    |    |    |
| 2013          | 44   | 46 | 59 | 61 | 58 |    |    |    |    |    |
| 2014          | 49   | 57 | 54 | 59 |    |    |    |    |    |    |
| 2015          | 27   | 33 | 38 |    |    |    |    |    |    |    |
| 2016          | 47   | 55 |    |    |    |    |    |    |    |    |
| 2017          | 46   |    |    |    |    |    |    |    |    |    |

## STRUCK BY OBJECT

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |    |    |
|---------------|--|----|----|----|----|----|----|----|----|----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 2001          | 22   | 25 | 27 | 30 | 29 | 29 | 29 | 31 | 34 | 38 |
| 2002          | 22   | 31 | 30 | 29 | 33 | 32 | 31 | 35 | 35 | 38 |
| 2003          | 18   | 27 | 28 | 28 | 33 | 32 | 35 | 33 | 32 | 31 |
| 2004          | 20   | 30 | 35 | 39 | 44 | 46 | 41 | 44 | 44 | 44 |
| 2005          | 18   | 28 | 33 | 33 | 40 | 40 | 41 | 43 | 42 | 42 |
| 2006          | 13   | 18 | 24 | 24 | 25 | 26 | 29 | 31 | 31 | 30 |
| 2007          | 16   | 23 | 24 | 26 | 29 | 30 | 33 | 34 | 33 | 34 |
| 2008          | 23   | 27 | 32 | 32 | 30 | 29 | 30 | 33 | 35 | 36 |
| 2009          | 14   | 14 | 15 | 14 | 17 | 19 | 21 | 21 | 22 |    |
| 2010          | 19   | 22 | 24 | 27 | 29 | 31 | 33 | 33 |    |    |
| 2011          | 19   | 26 | 26 | 30 | 31 | 32 | 31 |    |    |    |
| 2012          | 17   | 23 | 22 | 26 | 29 | 30 |    |    |    |    |
| 2013          | 14   | 14 | 16 | 17 | 17 |    |    |    |    |    |
| 2014          | 21   | 28 | 28 | 35 |    |    |    |    |    |    |
| 2015          | 24   | 32 | 31 |    |    |    |    |    |    |    |
| 2016          | 24   | 25 |    |    |    |    |    |    |    |    |
| 2017          | 31   |    |    |    |    |    |    |    |    |    |

## ALL OTHER

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |     |     |
|---------------|--|----|----|----|----|----|----|----|-----|-----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9   | 10  |
| 2001          | 33   | 40 | 52 | 61 | 58 | 67 | 83 | 90 | 101 | 105 |
| 2002          | 29   | 40 | 45 | 50 | 62 | 70 | 69 | 82 | 86  | 91  |
| 2003          | 39   | 46 | 47 | 60 | 66 | 79 | 84 | 86 | 98  | 106 |
| 2004          | 31   | 42 | 49 | 54 | 55 | 61 | 71 | 75 | 83  | 88  |
| 2005          | 37   | 42 | 45 | 46 | 50 | 61 | 68 | 76 | 81  | 87  |
| 2006          | 32   | 37 | 45 | 45 | 44 | 45 | 55 | 60 | 67  | 67  |
| 2007          | 39   | 55 | 59 | 62 | 61 | 60 | 59 | 62 | 62  | 64  |
| 2008          | 34   | 31 | 35 | 39 | 42 | 40 | 44 | 47 | 49  | 60  |
| 2009          | 20   | 27 | 31 | 34 | 32 | 37 | 45 | 49 | 50  |     |
| 2010          | 27   | 36 | 40 | 38 | 40 | 43 | 43 | 45 |     |     |
| 2011          | 18   | 25 | 26 | 31 | 35 | 39 | 43 |    |     |     |
| 2012          | 25   | 30 | 29 | 36 | 41 | 43 |    |    |     |     |
| 2013          | 33   | 31 | 34 | 38 | 41 |    |    |    |     |     |
| 2014          | 31   | 39 | 42 | 43 |    |    |    |    |     |     |
| 2015          | 37   | 49 | 51 |    |    |    |    |    |     |     |
| 2016          | 47   | 49 |    |    |    |    |    |    |     |     |
| 2017          | 37   |    |    |    |    |    |    |    |     |     |

# Nature

## CONCUSSION AND CONTUSION

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |    |    |
|---------------|--|----|----|----|----|----|----|----|----|----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 2001          | 16   | 19 | 17 | 18 | 14 | 14 | 13 | 15 | 19 | 22 |
| 2002          | 5  | 14 | 15 | 16 | 15 | 15 | 15 | 19 | 22 | 19 |
| 2003          | 15   | 17 | 16 | 22 | 23 | 24 | 24 | 22 | 24 | 26 |
| 2004          | 12   | 16 | 16 | 18 | 17 | 19 | 24 | 26 | 25 | 26 |
| 2005          | 9  | 18 | 21 | 23 | 22 | 22 | 25 | 24 | 25 | 25 |
| 2006          | 9  | 16 | 17 | 17 | 15 | 17 | 17 | 18 | 21 | 21 |
| 2007          | 22   | 26 | 27 | 27 | 27 | 29 | 29 | 31 | 30 | 30 |
| 2008          | 16   | 18 | 21 | 24 | 23 | 25 | 25 | 26 | 26 | 25 |
| 2009          | 7  | 6  | 12 | 13 | 13 | 14 | 16 | 14 | 15 |    |
| 2010          | 11   | 10 | 10 | 13 | 14 | 13 | 14 | 13 |    |    |
| 2011          | 9  | 16 | 17 | 23 | 24 | 26 | 25 |    |    |    |
| 2012          | 14   | 17 | 17 | 21 | 22 | 22 |    |    |    |    |
| 2013          | 15   | 15 | 19 | 20 | 20 |    |    |    |    |    |
| 2014          | 13   | 11 | 12 | 17 |    |    |    |    |    |    |
| 2015          | 15   | 20 | 20 |    |    |    |    |    |    |    |
| 2016          | 15   | 15 |    |    |    |    |    |    |    |    |
| 2017          | 17   |    |    |    |    |    |    |    |    |    |

## FRACTURE, CRUSHING AND DISLOCATION

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |    |    |
|---------------|--|----|----|----|----|----|----|----|----|----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 2001          | 26   | 31 | 36 | 40 | 43 | 47 | 51 | 49 | 51 | 53 |
| 2002          | 37   | 42 | 41 | 44 | 52 | 55 | 54 | 61 | 63 | 65 |
| 2003          | 32   | 41 | 48 | 51 | 49 | 59 | 63 | 64 | 63 | 66 |
| 2004          | 42   | 55 | 56 | 55 | 58 | 62 | 60 | 65 | 70 | 73 |
| 2005          | 31   | 39 | 45 | 48 | 51 | 56 | 54 | 53 | 50 | 54 |
| 2006          | 38   | 52 | 52 | 61 | 64 | 61 | 65 | 70 | 73 | 74 |
| 2007          | 37   | 46 | 55 | 56 | 51 | 57 | 57 | 58 | 57 | 58 |
| 2008          | 28   | 32 | 40 | 40 | 46 | 48 | 51 | 58 | 57 | 65 |
| 2009          | 27   | 29 | 35 | 36 | 41 | 43 | 46 | 54 | 49 |    |
| 2010          | 28   | 39 | 45 | 47 | 49 | 52 | 49 | 51 |    |    |
| 2011          | 32   | 45 | 44 | 48 | 50 | 48 | 49 |    |    |    |
| 2012          | 33   | 44 | 44 | 47 | 46 | 47 |    |    |    |    |
| 2013          | 36   | 37 | 46 | 44 | 44 |    |    |    |    |    |
| 2014          | 40   | 45 | 48 | 54 |    |    |    |    |    |    |
| 2015          | 30   | 35 | 40 |    |    |    |    |    |    |    |
| 2016          | 55   | 60 |    |    |    |    |    |    |    |    |
| 2017          | 52   |    |    |    |    |    |    |    |    |    |

MULTIPLE INJURIES

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |    |    |    |    |    |    |    |    |    |
|---------------|--|----|----|----|----|----|----|----|----|----|
|               | 1  | 2  | 3  | 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 2001          | 19   | 20 | 26 | 28 | 28 | 27 | 29 | 28 | 30 | 31 |
| 2002          | 15   | 21 | 23 | 25 | 27 | 23 | 21 | 21 | 24 | 27 |
| 2003          | 15   | 21 | 22 | 22 | 23 | 24 | 22 | 23 | 23 | 25 |
| 2004          | 17   | 28 | 28 | 27 | 29 | 32 | 32 | 33 | 32 | 33 |
| 2005          | 22   | 30 | 32 | 31 | 31 | 30 | 31 | 32 | 34 | 33 |
| 2006          | 25   | 28 | 26 | 28 | 26 | 29 | 28 | 29 | 27 | 26 |
| 2007          | 17   | 22 | 25 | 28 | 27 | 27 | 28 | 30 | 30 | 31 |
| 2008          | 22   | 29 | 29 | 31 | 35 | 32 | 36 | 37 | 40 | 41 |
| 2009          | 19   | 25 | 25 | 24 | 27 | 33 | 34 | 33 | 31 |    |
| 2010          | 19   | 20 | 21 | 21 | 22 | 23 | 25 | 24 |    |    |
| 2011          | 16   | 19 | 22 | 23 | 23 | 23 | 23 |    |    |    |
| 2012          | 13   | 17 | 17 | 23 | 24 | 24 |    |    |    |    |
| 2013          | 17   | 19 | 19 | 23 | 25 |    |    |    |    |    |
| 2014          | 22   | 30 | 39 | 43 |    |    |    |    |    |    |
| 2015          | 16   | 21 | 21 |    |    |    |    |    |    |    |
| 2016          | 22   | 27 |    |    |    |    |    |    |    |    |
| 2017          | 33   |    |    |    |    |    |    |    |    |    |

ALL OTHER

| Accident Year | Claim Counts Having Incurred in Excess of \$3 Million as of Report Level |     |     |     |     |     |     |     |     |     |
|---------------|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|
|               | 1  | 2   | 3   | 4   | 5   | 6   | 7   | 8   | 9   | 10  |
| 2001          | 69   | 79  | 99  | 110 | 108 | 117 | 137 | 152 | 163 | 170 |
| 2002          | 78   | 102 | 112 | 122 | 137 | 149 | 154 | 168 | 175 | 185 |
| 2003          | 83   | 114 | 112 | 128 | 136 | 145 | 161 | 167 | 183 | 189 |
| 2004          | 60   | 87  | 111 | 122 | 123 | 131 | 145 | 145 | 156 | 164 |
| 2005          | 80   | 104 | 110 | 110 | 118 | 130 | 134 | 148 | 161 | 170 |
| 2006          | 67   | 84  | 112 | 117 | 122 | 131 | 145 | 152 | 160 | 154 |
| 2007          | 82   | 106 | 113 | 126 | 128 | 124 | 134 | 136 | 135 | 137 |
| 2008          | 86   | 99  | 106 | 114 | 112 | 111 | 108 | 116 | 121 | 131 |
| 2009          | 54   | 71  | 72  | 76  | 78  | 87  | 99  | 100 | 101 |     |
| 2010          | 44   | 69  | 76  | 76  | 79  | 86  | 86  | 86  |     |     |
| 2011          | 57   | 76  | 83  | 88  | 89  | 97  | 98  |     |     |     |
| 2012          | 55   | 63  | 64  | 73  | 78  | 87  |     |     |     |     |
| 2013          | 63   | 72  | 87  | 95  | 95  |     |     |     |     |     |
| 2014          | 73   | 94  | 98  | 99  |     |     |     |     |     |     |
| 2015          | 81   | 111 | 116 |     |     |     |     |     |     |     |
| 2016          | 89   | 99  |     |     |     |     |     |     |     |     |
| 2017          | 82   |     |     |     |     |     |     |     |     |     |



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