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Chairman’s Message

ABC’s of Agency E&O

Industry “Disrupters” and Fish

Ask Pat

Expanding Work Permits

Opioids and Injured Workers

Tidbits

Life Corner

Education Corner

What’s Happening in Annapolis?

THE MARYLAND MESSENGER
THE INDEPENDENT INSURANCE AGENTS OF MARYLAND, INC.

Editor: Shelley Arnold, CPCU, AU, ARM, AAI
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The Maryland Messenger is a bi-monthly publication published for the exclusive use of regular and associate members of the Independent Insurance Agents of Maryland. Publication of any article, letter to the editor or advertisement in the Maryland Messenger should not be deemed an endorsement by IIAM of the opinions expressed or product advertised. Questions and comments should be directed to the editor, Shelley Arnold.

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One of my favorite movies as a child was “It Happens Every Spring” (I wonder how many of you remember that one). Thinking of that title brings to mind that we have made it through the short days and long cold nights of winter and that the Baltimore Orioles have reported to spring training in Sarasota, Florida. Maybe some of you are fortunate enough to take some of that contingency income that happens every spring (if you are lucky) and travel to Florida to watch the O’s prepare for the season.

Two other events happen every spring; the Maryland Legislature is in session, and the Big “I” has its legislative conference. It was relayed to me at a young age to not discuss politics or religion. Well let’s put religion aside and jump into politics, against my better judgement. At an insurance seminar several years ago, the instructor gave us the definition of politics by looking at the root of the word. Poly, from the Greek, meaning “many”; and tics, meaning “blood suckers”. It’s easy to be dissatisfied and fed-up by politics. Lawmakers are constantly pointing fingers and scrutinizing every move the other party is making, not realizing that when you point a finger at someone else four fingers are pointing back at you.

Our business is one of the most highly regulated industries in the country which creates a lot of frustration. Key issues that affect the way we protect our clients fall victim to partisan stalemate. Your State and National Big “I” spent close to $1.5 million in lobbying efforts on some of these issues which include the Federal Crop Insurance Program, National Flood Insurance Program, Risk Retention Act expansion, health care, insurance regulatory reform and others issues impacting small business. Our members are experts in the small businesses we run, our clients, and insurance, which means we have valuable insights that can be shared with people we sent to Congress and our State Legislature. I encourage all to get involved in any way you can in putting forth sensible legislation that will allow us to do our job in minimizing the risks our customers face. One way is to contribute to InsurPac; your political action committee that plays a substantial role in the Big “I”的 legislative success. InsurePac raises money to contribute to candidates running for federal office giving us increased visibility on Capitol Hill. Estimates have the number of registered lobbyists in Washington at more than 35,000. That means there are more than 65 lobbyists for each of the 535 members of Congress. Our PAC is among the top one tenth of one percent of all federal PAC’s in terms of size and efficacy. That kind of clout can get the attention of legislators. To participate in the political process, attend the Big “I” Legislative Conference from May 3-5 in Washington, D.C. and join in with close to 1,000 agents from across the country to meet with their representatives in Congress. Get involved, our industry needs you!!

Speaking of Spring and the Orioles, the Independent Insurance Agents of Maryland will have their installation dinner and conference at Camden Yards on Friday June 16th followed by the O’s taking on the Saint Louis Cardinals. Put it on your calendar and we hope to see you there.

Take care
Rick
AQUAINT YOURSELF WITH THE CARRIER:

Do you trust your E&O is with the largest, most stable program available to protect your agency? Financial strength, size, history and operations are important factors when selecting an E&O carrier. Does your E&O carrier have an A.M. Best rating of A+? Does your E&O carrier have the capacity to offer limits over $20,000,000? Has your E&O carrier been writing Insurance Agents E&O since the 1960's and never backed out of a state? Has your E&O carrier been endorsed by the Independent Insurance Agents & Brokers of America, also known as the Big “I”? Does your E&O carrier have an in-house claims department instead of outsourcing to a third-party? Does your E&O carrier have a committee comprised of your fellow agents to oversee the E&O program and provide input?

BE AWARE OF THE CARRIER’S COVERAGE RESTRICTIONS:

Claims Made vs. Claims Made & Reported

A pure “Claims-Made” policy requires the claim/potential claim to be filed during the policy period or during the extended reporting period (ERP), if applicable, AND is required to report the claim during this same period. This means the insured has a designated time frame within which claims can be filed. Professional liability policies are very specific as to how and where to report a claim. Failure to comply with these provisions can negate your coverage.

Loss Only Deductible vs. Loss & Expense Deductible

E&O carriers have different deductible options, such as a Loss Only (aka First Dollar Defense) deductible and a Loss & Expense (aka Damages & Defense) deductible. Loss Only, or First Dollar Defense, means the carrier will incur defense costs and the policyholder deductible will only apply should a loss be paid out. With the Loss & Expense deductible option, policyholders must pay their deductible the moment defense work begins on the claim. This option puts pressure on agents to have liquid assets available to pay for the deductible should a claim arise.

Defense Costs Outside the Limit of Liability vs. Defense Costs Within the Limit of Liability

If defense costs are within the limits of liability, then fees associated with the investigation, defense, and appeal erode the limits of liability reducing the amount available for damages. Many admitted carriers offer Defense Costs outside the limit of liability.

Insolvency

Pay close attention to the policy’s Insolvency Exclusion and the carve backs in coverage, if any. Some E&O carriers may restrict Insolvency coverage to the placement with carriers rated A- or better by A.M. Best or to carriers guaranteed by a governmental body/bodies and operated by a governmental body/bodies. Some carriers may provide more coverage by carving back coverage for risks placed with carriers rated B+ or higher by A.M. Best, as well as unrated carriers guaranteed by a governmental body/bodies and/or operated by a governmental body/bodies.

Coverage Territory

Some E&O carriers may require the suit be brought within the United States of America, its territories and possessions, Puerto Rico or Canada. Check your policy to determine if true worldwide coverage is provided with no restrictions on where the suit is brought.

Definition of Insured

Most E&O carriers provide coverage for current and former employees. Some carriers may include coverage for leased or temporary employees and 1099 contractors.

CONSIDER THE ADDITIONAL COVERAGE FEATURES AND BENEFITS THE CARRIER CAN OFFER:

What other activities is the agency involved in or looking to become involved in? TPA activities, Mutual Funds, Investments, Securities, Real Estate, Tag & Title, Safety Consulting, PEO Marketing, Insurance Consulting for a fee not related to the placement of coverage through the agency? Be sure your E&O carrier can provide coverage for
other activities the agency is or may be interested in conducting.

Does your E&O carrier offer the following additional coverages and benefits?

**Deductible Reduction Feature:** Will your E&O carrier waive 100% of the deductible?

**Crisis Management Coverage:** Does your E&O carrier provide coverage for the services performed by an established public relations firm to minimize potential harm to the agency caused by a Crisis Event by managing adverse media coverage and maintaining and restoring public confidence in the agency?

**1st & 3rd Party Data Breach Coverage:** Does your E&O carrier offer 1st and 3rd Party Data Breach at no additional premium?

**Softened Hammer Clause:** If the agency is not agreeable to the carrier’s recommendation to settle a claim, will your carrier pay a percentage above the amount for which the claim could have been settled and pay a percentage of the amount of Claim Expense that was incurred up to the time the carrier made the recommendation? If the limit of liability is exhausted, will your E&O carrier provide continued defense while control is transferred to the agency?

**Subpoena Expense Coverage:** Does your E&O carrier provide a limit for Subpoena Expense coverage subject to no deductible? Can higher limits be purchased?

**Catastrophe Extra Expense Coverage:** Does your E&O carrier provide a limit for the actual extra expenses incurred as a result of a catastrophe, to assist in the insurance claims processing needs of the agency’s customers affected by the catastrophe? Can higher limits be purchased?

**Regulatory Defense Coverage:** Does your E&O carrier provide a limit to respond to a complaint or to defend an investigation brought by any state regulatory agency, insurance department, or other government agency arising from the agency’s insurance operation?

**Loss of Earnings Reimbursement:** Will your E&O carrier provide reimbursement for loss of earnings or use of temporary staff due to attending depositions or trials?

**Available Credits:** Does your E&O carrier offer credits for staff attending an approved E&O course or conducting an approved audit?

**Risk Management Resources:** What kind of resources does your E&O carrier provide to help create a culture where staff understands that their actions can be the difference between the agency being sued? Do they provide tools that can help the agency on a daily basis such as an E&O self-assessment, sample coverage checklists, sample disclaimers, and sample customer letters? Do they provide information on the most frequent types of E&O claims, common errors and problems causing E&O claims, and practical real-life E&O case studies demonstrating how claims can be avoided? Do they provide E&O related articles on ways to avoid claims for all positions in the agency and podcasts on avoiding E&O claims?

**Renewal Process:** Will your E&O carrier offer Automatic Renewals without the completion of an application? If an application is needed at renewal, does your E&O carrier have the capability to provide a prefilled application or an online application?

Professional Liability is one of the most important coverages your agency purchases. Selecting an E&O carrier to protect your most valuable assets should not be decided on price alone. Lower premiums may reflect restricted coverages exposing your agency to a financial burden when a claim arises. Protect your agency and request a quote from the Big “I” Professional Liability Program. Contact Carla M. McGee, RPLU at carla@iiamd.org or call 410-766-0600 x 100.
For thirty years, Builders Mutual has been working hard to make your job easier. Agent tools like BOB 2.0 allow you to issue and service policies online with ease. When you’re quoting residential, commercial and trade contractors, the insurance choice is simple.
I participate in a Yahoo! Group called “RiskList.” This email discussion group consists of insurance and risk management professionals from around the world and is an excellent source of information about technical, real world insurance and risk management issues.

Today, one of the participants posted about an interesting startup called “Bought by Many” (https://boughtbymany.com/) where prospective insureds can be grouped to buy insurance, including some existing products and not yet available but that could be made available by group demand. This is an interesting idea, but what are the advantages of actually placing coverage through a facility like this?

That’s hard to determine since their web site focuses on price savings, just like the vast majority of industry advertising we see from lizards and discount store clerks. Their web site says “18.6% Average Discount.” Average discount on what? Apparently the coverage provided by alternatives to their products makes no difference. The only distinguishing feature they focus on is price. Price for what?

When my son moved into an apartment, the property management company required renters insurance and they had a relationship with a vendor that could provide it. You could read the policy online. No endorsements. Limited named perils. Minimal additional coverages. $50,000 liability limit. Overpriced junk. For an extra $80, I could get him a good HO-4 from a decent company. For an extra $120, I could get him a premium policy. He went with that AND a personal umbrella policy. I told him if he was ever short in paying for this superior coverage, I’d pay it, but he was going to protect his assets and income stream AND, even more important, he was going to protect innocent members of the public from his possible negligence.

These start-up “disrupters” are becoming a dime a dozen. What many of them may be best at is PR hype and hyperbole and conning ignorant venture capitalists into investing into gimmicks. “Disrupting” is what they claim to be doing. Sounds revolutionary. Gets attention. It’s sexy. Gets venture capital as if it’s something entirely new. It gets insurance media writing about it because the writer often knows very little about the insurance industry, has almost zero historical perspective, and it makes their job easy by reproducing press releases without asking hard questions and challenging assertions. Reminds me of a quote:

“We must treat ideas somewhat as if they were baby fish. Throw thousands out into the water. Only a handful will survive, but that is plenty.”

— Anne Heywood

Every now and then this growing “disrupter” pool produces a big fish like Uber and Airbnb, but my guess is that the vast majority will become extinct as the existing predators devour them.

As always, I encourage insurance professionals to educate their customers and prospects that insurance is not a commodity distinguishable only by price.

Bill Wilson
Founder at InsuranceCommentary.com. One of the premier insurance educators in America on form, coverage, and technical issues; Founder and director of the Big “I” Virtual University; Retired Association VP of Education and Research from Independent Insurance Agents & Brokers of America.
Wealth Preservation: what you need to do

So you have accumulated some wealth, whatever that is. For some, it's measured in thousands, for others, in millions.

And you think you're now financially secure or headed in that direction. Not so fast. Accumulating wealth is only part of the plan. You must protect that wealth!

My goal this month is to remind you that you need a plan. And not just one plan, since during your lifetime, your wealth, your universe of family, friends, dependents, those you rely on, change, as will the amount of wealth, your exposure and the laws. Think of planning as a “tiered” approach.

Tier I: “Basic” Planning

What it consists of: The basics for everyone consist of the following:

- Financial Power of Attorney. As I am sure you know, this document, comprehensive in scope, authorizes those you name to handle your “real world” transactional, financial, business and all other non-medical matters in the event of your incapacity. It should be effective when executed; if you are scared that the persons you name will act before you are incapacitated, then you shouldn't be naming them. We don't need the “speed bumps” of a determination of your incapacity (which really only stymies those you name -- and presumably trust) from dealing with financial institutions. This power should not be your mother's three page, 10-year-old power of attorney, naming your father as the sole powerholder. Name someone who has acceptable age and health to assure that they will be able to act; someone with unquestioned integrity (not because you're hoping for it, but because you have seen it); good judgment; a noticeable degree of experience with money; and decent organizational skills.

- Medical Directive. This is a document, conforming to your state's laws, which designates those who will make health care decisions for you in the event of your incapacity. There are two key components to making this work. The first is assuring that your health care agents (yes, you need to name more than one) are carefully selected. The second is that they truly know your wishes as far as your care, from the mundane situations that they may need to face (think concussion) to end of life decisions.

- Will. Every adult needs a Will. It matters not if you don't have much yet. You could die penniless from a horrible accident and your estate may have a wrongful death action and a claim to recover and distribute. Your Will, at a minimum, will include the following: the final say as to the disposal of your remains (boy, is that fertile ground for a family fight); the disposition of your personal items (families have been destroyed over who gets to keep mom's wedding ring); distribution of your estate, including alternate beneficiaries in case a primary beneficiary dies; trusts for the young and old beneficiaries and those with special needs; and the selection of those who will administer the estate (personal representatives or executors) and trustees for trusts to be established.

Tier II: More Wealth Equals More Complexity

What it consists of: As you accumulate more wealth, which typically coincides with growing older, three issues start to be of some concern

- Reducing or eliminating federal and state estate taxes.
- Avoiding probate, which is the passing of wealth through the courts, a somewhat costly and delay–ridden, and certainly “un–private” process.
- Long term care planning; basically protecting your wealth from the nursing home.

You would be surprised at how many insurance professional and financial planners have failed to consider these Tier II issues.

Tier III: Asset Protection

What it consists of: Just about everything else.

A plan of asset protection involves several factors including the nature and value of the assets; the activities that
could result in liability; the likelihood of liability arising; and the degree of risk and exposure. Asset protection can be as simple as the way assets are titled (owned), the nature of those assets, or obtaining adequate liability insurance coverage. Or it may be as complex as foreign asset protection trusts established in exotic locations with substantial expense.

Some of the tools for asset protection and the situations that they cover are as follows:

• Inherently protected assets. Depending on state law and the nature of the creditor (watch out for IRS with its super powers!), certain assets are protected by their very nature. This includes most retirement plans such as IRAs and 401(k)s, and as to the judgment creditors of only one spouse, assets held as tenants by the entireties (basically, joint ownership between spouses).

• Liability insurance. We all know to have liability coverage for our vehicles, but those who are involved in activities that expose them to more risk should consider specially crafted liability insurance. Certainly this includes professionals such as doctors and lawyers, but also those involved in risky businesses such as instructional camps or dealing with animals, and definitely landlords. Insurance professionals should not forget that they, too, need to consider their own liability insurance needs.

• Limited liability companies. Those involved in businesses and owning rental or other commercial properties should established LLCs to shelter their personal assets from liability arising from those activities.

• Premarital agreements. If you have wealth and you are getting married, you need one—enough said.

• Asset protection trusts. If you have significant assets and substantial risk of liability, then under laws of certain US states and foreign jurisdictions, you may establish trusts to protect those assets while still rendering them to be available to you and your family. These trusts are frequently expensive to establish and maintain, so the reward of asset protection must be justified by the exposure.

Insurance professionals work too hard to accumulate wealth not to protect it. This tiered approach can help you to prevent the tax man, the litigious interlopers, the probate court, the nursing home, the disgruntled family member from taking wealth away.
81st Annual Installation Dinner & Conference

Conference Information

When: June 16, 2017
Where: The Warehouse at Camden Yards
Time: 8am-10pm
Fee: Members $150; Nonmembers $250
Registration: http://www.iiamd.org/conference

Sponsorship Levels

Hall of Fame: $3,000 (includes 3 tickets)
Grand Slam: $2,000 (includes 2 tickets)
Home Run: $1,000 (includes 1 ticket)
Heavy Hitter: $500

Registration: http://www.iiamd.org/conference

‘Stay Ahead of the Game’

Conference Schedule

8am-9am Registration & Continental Breakfast
9am-12pm Morning Session
Tech Smarts & Safety
Sydney Roe-TrustedChoice.com-Social Media,
The Human Story in Business
Ellen McCarthy, SwissRe & Gregg Viola, Eccleston & Wolf, P.C.
Is Your Website Doing More Harm Than Good?
Sydney Roe-TrustedChoice.com
12PM-1:30PM Lunch & Legislative Update
Speaker: Brett Lininger, Esq - Semmes, Bowen & Semmes
1:30PM-4:30PM Afternoon Continuing Education Session
Emerging Issues
Dr. Stephen Fisher, Director of Health Services Chesapeake Employers’
Insurance Company-The Opioid Problem and Workers Compensation
Alex Ricardo, CIPP/US, Beazley Group-What You May Not Know About
Data Breaches
Matt Britton, UAV Protect-Issues with Commercial Drones
4:30PM-5PM Program:
Installation of Officers - Commissioner Alfred Redmer, Jr
Announcement of ACSR of the Year
5PM-6:30PM Dinner

All registrations include Continental Breakfast, morning session, Lunch, afternoon session and Dinner-and of course, the Oriole Game. (all tickets in Section 61)

IIA Maryland
2408 Peppermill Drive, Suite A
Glen Burnie, MD. 21061
Telephone: 410-766-0600
Fax: 410-766-0993
Email: conference@iiamd.org

Note: We have secured a block of rooms for June 16th at the Marriott Inner Harbor (410-962-0202). We have also secured a limited number of parking passes (additional cost) for Lots FG&H.
Question: What is the appropriate procedure when a newly hired employee’s employment authorization document (EAD, or “work permit”) for his Form I-9 expires two months after his date of hire? Do we require him to provide new documentation upon expiration?

Answer: Employers have a legal duty to ensure all employees, regardless of citizenship or national origin, are allowed to work in the United States. Upon expiration in two months, you must require that he provide proof that he is still eligible to work and document it on the Form I-9. The EAD is the proof that he must show you, as the employer, that he is allowed to work in the United States. EADs are typically granted for a one-year period. If he is still eligible for work authorization and has an EAD which is going to expire in two months, then he may file for a renewal by submitting an Application for Employment Authorization found at https://www.uscis.gov/i-765. with the United States Citizenship and Immigration Services (USCIS) no more than 120 days before the original EAD expires. You can encourage him to file for renewal right away to avoid any delay in employment. However, you cannot refuse to accept the current EAD because it has a future expiration date. You must accept the EAD if it reasonably appears to be genuine and relates to him. To do otherwise could be an unfair immigration-related employment practice in violation of the antidiscrimination provision of the federal Immigration and Nationality Act (INA).

Finally, if an employee does not have a renewed EAD prior to the expiration then he or she must immediately cease working (and receiving compensation) upon expiration and until receipt of a renewed EAD.

78% of consumers have bailed on a transaction because of bad customer service.

(American Express)

“WE’RE UNABLE TO ANSWER YOUR QUESTION. PLEASE CALL XXX-XXX-XXXX TO SPEAK TO A REPRESENTATIVE FROM XXX TEAM.”

“We’re sorry, but we’re experiencing unusually heavy call volumes. You can hold or try back at another time.”

“Your call is important to us. Please continue to hold.”

A 5% increase in customer retention can increase profits by up to 125%.

(Bain & Company)

Set the tone to sell. The power of 30 seconds™

IndependentAgent.com/30Seconds
6,100 agents can’t be wrong
$6.6 Billion in Premium
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443.692.4000 | jpappas@pinsiaa.com
Accidental death as a result of an overdose of opioid pain medication has become a serious public health problem in recent years, and workers’ compensation insurers like Chesapeake Employers Insurance are on the front lines fighting this epidemic.

Opioid addiction prevents workers from returning to gainful employment, adversely affects families and leads to increases in medical costs for employers and insurers. In some cases, prescription opioid addiction can also lead to heroin addiction and accidental overdose or death.

Deaths Continue to Rise in MD

Prescription opioid-related overdose deaths continue to rise in Maryland. From January through June 2016, 210 prescription opioid-related deaths were recorded in Maryland – a 10 percent increase over the first six months of 2015, according to the Maryland Dept. of Health and Mental Hygiene (DHMH).

Evidence suggests that the rise in accidental opioid deaths in Maryland may originate from increased prescription opioid misuse and abuse.

The Problem with Rx Opioid Pain Meds

Prescription opioid pain medications are frequently indicated after a workplace accident when an injured worker experiences acute pain. The narcotic pain relievers oxycodone and OxyContin® are among the most frequently prescribed medications for chronic pain among Maryland’s injured workers, according to Chesapeake Employers’ statistics. Despite the increased use of opioid pain medications to treat injured workers, the National Safety Council’s 2015 report, Prescription Pain Medications, states that evidence shows the increased use of these drugs does not result in better treatment outcomes. While there can be benefits to opioid prescription pain medications in the acute phase of an injury, the use of these medications can become a problem if used beyond this time. It is very easy for patients to develop a tolerance to prescription opioid pain medication. This is a dangerous cycle that can result in physical dependency – where they may have symptoms of withdrawal when the medication is stopped – and addiction.

What We’re Doing to Help

Because we understand the horrific impact that opioid abuse can have on the lives of injured workers, their families, and communities, this issue has become a critical focus for Chesapeake Employers. We have begun numerous initiatives to help address the abuse from a work comp perspective for the benefit of our injured workers as well as all Maryland citizens.

With the support of our board of directors, we have committed $750,000 over three years to support the state’s efforts to bolster Maryland’s Prescription Drug Monitoring Program (PDMP) and other efforts to help curb the opioid epidemic in Maryland. The PDMP is a state-run database that collects information on the prescribing and dispensing of controlled prescription drugs to patients. We worked to help pass new legislation that went into effect in Maryland on Oct. 1, requiring all medical providers and prescribers to be registered with the state’s PDMP and to use information from that database when treating their patients.

And, in certain cases where an injured worker has become addicted to opioid pain medications, Chesapeake Employers Insurance pays for detoxification treatment in a professional pain recovery program. Our ultimate goal is to return injured workers safely to the workforce so they can regain their sense of productivity and responsibility to their families, their employers and their community.

Thomas J. Phelan, CPA, is President and CEO of Chesapeake Employers’ Insurance Company (www.ceiw.com), the largest writer of workers’ compensation insurance in Maryland.
Access starting at just $250/agency/year

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<th>Agency Size (per state)</th>
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Your Big “I” membership includes member exclusive access to the Big “I” Virtual Risk Consultant (powered by Rough Notes), an incredibly affordable 24/7 resource packed with comprehensive agency risk evaluations, sales tools, and marketing materials. For more information, contact brett.sutch@iiaba.net or 800-226-7917.

SLUGGISH SALES? HIGH E&O EXPOSURE?

Purchase or Renew Online at independentagent.com/VRC
By the numbers...

Claims data for the Big “I” Professional Liability Program reveals that about 40% of claims involve failure to procure coverage and/or failing to adequately identify exposures. How do the Commercial and Personal Lines Risk Analysis Systems on VRC assist producers and CSR’s?

1. By helping you to understand exposures of businesses in more than 650 different industries, including recommended minimum coverages.

2. By allowing you to create and print comprehensive questionnaires to collect the information necessary to complete ACORD applications.

3. By providing a comprehensive list of coverages with succinct definitions to enhance understanding at the point of sale.

4. By offering important customer file documentation in the form of a comprehensive checklist of coverages offered, accepted, rejected or not applicable which is signed by the customer and stored in the file.

Client Coverage Checklists
Over 650 checklists to help you better inform and document customer interactions.

Customizable Sales Questionnaires
Identify client exposures with customizable client surveys and questionnaires.

Personal & Commercial Lines Risk Exposure Evaluation System
Helps you ask the underwriting and coverage questions needed to build a better product for your client.

Website Content
Over 150 articles are available and the number keeps on growing.

Business Building Letters
Hundreds of letters that can be modified to create written communications that proudly represent your agency.

PF&M Analysis
ISO, AAIS and specialty coverage forms are discussed in detail with examples.

Coverages Applicable
For use when looking for an overview of coverages to consider for a particular risk.

Marketplace Tools
A directory of 800 providers of E&S and specialty coverages for more than 600 hard-to-place exposures. Easy access to IIABA’s free online market access program Big “I” Markets at www.bigimarkets.com.

Interested in a demo?
Visit independentagent.com/VRC and click “VRC Demonstration” for a limited test drive. If you would like an in-depth, one-on-one walk-through of the platform please contact Nancy Lynch at nancyl@roughnotes.com or 317-816-1096.

Join us on our monthly webinar
Our partners at Rough Notes perform webinars on the 15th of each month to share how the platform works and to answer detailed questions. Register at independentagent.com/VRC.

Visit independentagent.com/VRC to find out more or contact brett.sutch@iiaba.net or 800-221-7917.
New Associate Member BBSI

Are you looking for another workers’ compensation (WC) option for your clients?

BBSI is a publicly traded company (NASDAQ: BBSI) that serves over 4,000 clients nationwide. BBSI takes a holistic approach to human capital and risk management, providing valuable services and return on investment for small and medium size business owners. With a guaranteed rate program, BBSI includes WC coverage, human resource consulting, risk and safety consulting, payroll processing and overall business coaching and succession planning.

Why BBSI:
• No deposit for your client if they qualify for credit
• No WC financial audit at the end of the policy period because BBSI is a pay as you go program
• BBSI focuses on WC coverage for blue and grey-collar industries (construction, manufacturing, towing, restaurants, etc.)
• Your client could earn money back via BBSI’s safety incentive program
• No per claim deductible for your client
• Strategic WC claims management
• BBSI’s established relationship with Chubb Insurance
• Referral partner commissions between 10-13%
• Your client would have a local experienced service team; we’re trusted advisors for our clients not just a vendor
• BBSI has a 93% client retention rate, with the average client staying eight years
• BBSI is a daily depositor of taxes

BBSI has helped thousands of business owners and referral partners alike. For additional information on BBSI’s program and how BBSI can help you and your clients, please contact Tammy Good at 410.307.1391 or tammy.good@bbsihq.com

InsuranceCommentary.com Launches

Veteran P&C insurance industry expert offers free articles and information.

NASHVILLE, Tennessee—Bill Wilson, CPCU, ARM, AIM, AAM has launched InsuranceCommentary.com, a free educational web site that features a blog on P&C insurance industry issues.

“I chose the name InsuranceCommentary.com because the dictionary definition of ‘commentary’ is ‘an expression of opinions or offering of explanations’ and that’s the purpose of this web site,” says Bill Wilson, InsuranceCommentary.com founder and CEO. “We want the web site to become known as a primary source of relevant, timely and accurate insurance information, from coverage interpretations to expert opinions on industry issues.”

Wilson’s expertise is presented in his clear and often humorous writing style. Current topics include “Property Coverage for Toilet Overflows” and “Are Riding Mowers Covered by Homeowners Policies?.” Subscriptions to the blog are free and available on a daily or weekly email digest basis.

A unique quality of the web site is that virtually all the free content can be reprinted unedited without express permission as long as attribution guidelines are followed.

Bill Wilson’s InsuranceCommentary.com is an educational P&C insurance industry web site that offers technical coverage articles and industry issue opinions that can be viewed, distributed and reprinted unedited for free. Bill Wilson, CPCU, ARM, AIM, AAM is a 47-year veteran of the P&C industry and has been involved in insurance education and research for the past 29 years. He is a recognized industry expert, speaker and author. For his detailed biography and information on keynote and workshop presentations, please visit the web site www.InsuranceCommentary.com.
Big “I” Praises Executive Action on Fiduciary Rule

President Trump directs DOL to cease implementation of misguided rule.

WASHINGTON, D.C.,—The Independent Insurance Agents & Brokers of America (IIABA or the Big “I”) praises action taken today by the Trump Administration calling for the Department of Labor (DOL) to halt implementation of the Obama Administration’s controversial fiduciary rule and undergo a complete re-review of the measure.

“The Big ‘I’ is grateful to the Trump Administration for standing up and taking action to direct the DOL to halt implementation of the fiduciary rule,” says Robert A. Rusbuldt, Big “I” president & CEO. “The DOL rule places overly burdensome requirements on Big ‘I’ members who offer retirement advice, leaving many insurance agents and brokers struggling to find a way to effectively serve their clients moving forward. President Trump’s order has come just in time, as implementation of the rule is already resulting in less consumer choice for the middle class.”

The DOL rule was finalized in April 2016, but operation of the rule was delayed until April 2017 in order to give the industry time to comply. The rule tightens conflict of interest rules under the Employee Retirement Income Security Act (ERISA) and requires insurance agents and brokers who give guidance about certain retirement investments to adhere to a fiduciary standard of care.

“While the association does not necessarily oppose a best interest standard for insurance agents and brokers, the Obama Administration’s fiduciary rule is simply unworkable for many Big ‘I’ members and harmful to many consumers,” says Charles Symington, Big “I” senior vice president of external and government affairs. “The Big ‘I’ looks forward to working with the Trump Administration and Congress as the DOL reviews the next steps pursuant to the President’s executive order.”

IT Security Tip: Use STRONG Passwords!

Thanks to powerful brute-force-attack software readily available online, hackers can try tens of millions of possible password combinations per second. For example, hacking software can guess a five-character password in under three hours. If you only use lowercase letters, it’s 11.9 seconds!

You KNOW you need to have a better password than “password” or “letmein” if you have any hope of keeping hackers out of your PC; but what does a “strong” password mean? A good password should be at least eight characters long (or longer!) and have a combination of uppercase and lowercase letters, numbers and symbols that are hard to guess. Don’t use dictionary words with proper capitalization because they’re easy to guess (like Password123#). Even though it meets the requirements we just discussed, it’s easily hacked. Remember, hackers have sophisticated password-hacking software that will run 24/7/365.

Quick Tip: To remember your password, use a phrase and insert letters and numbers into it, like $h@KeNb8ke. Remember to insert the numbers and symbols INTO the password and don’t just tack them on at the end.

Want more IT security strategies? Download the FREE report, “The 7 Most Critical IT Security Protections Every Business Must Have In Place Now To Protect Themselves From Cybercrime, Data Breaches And Hacker Attacks”. Go to http://go.technologysupport.us/7-Most-Critical-IT-Security-Protections.
Liberty Mutual Insurance Appoints Tyler Asher President, Safeco Insurance

BOSTON - Liberty Mutual Insurance has named Tyler Asher president of Safeco Insurance. Asher most recently was Safeco's vice president, Distribution Insights, where he led strategy, planning, and innovation, in addition to managing operational and advanced analytics.

During his nearly 18-year career with Safeco, Asher has served in a variety of roles spanning finance, accounting, management reporting and analysis. As part of the company's innovation efforts, Asher's team recently delivered Safeco's "Insurance Advisor" skill for Amazon Alexa, becoming the first insurance carrier to enable consumers to navigate the insurance process simply by using their voice.

Asher succeeds Matthew D. Nickerson, who was recently appointed executive vice president and chief operating officer of Liberty Mutual Insurance's Global Consumer Markets East Region.

"The marketplace for personal insurance is rapidly changing and Tyler's experience with agents, his knowledge of the industry and commitment to innovation will help us continue to grow our already strong position in the independent agency channel," said Jim MacPhee, executive vice president and chief operating officer, Liberty Mutual U.S. Consumer Markets.

Safeco's 2015 revenue was nearly $8 billion — making the company the second largest writer of property and casualty insurance in the independent agency channel.

Asher is active in the Seattle community, supporting several health and human service organizations. He also works with the Accounting Careers Awareness Program, a non-profit dedicated to encouraging inner-city youth to look at careers in business, finance, and accounting.

Assuresign Joins Agents Council for Technology

Atlanta-based regional carrier supports ACT's technology goals.

ALEXANDRIA, Virginia—Assuresign, LLC, is the newest company partner of the Independent Insurance Agents & Brokers of America's Agents Council for Technology (ACT).

“ACT is excited to welcome Assuresign as its newest carrier member,” says Ron Berg, ACT executive director. “We are eager to have the Assuresign team at the table in driving accelerates, effective technology solutions for independent insurance agents and brokers.”

Founded in 1999, Assuresign provides e-signature and document transaction management products to businesses of all sizes. Headquartered in Atlanta, Assuresign is responsible for more than 400 million completed electronic signature transactions and provides enterprise, small business and partner program platforms.

“Our success can be directly attributable to our customers and our culture,” says David Brinkman, Assuresign president and CEO. “As a provider of eSignature software built with insurance agencies in mind, we are thrilled to join ACT to promote the use of insurance technology and provide unmatched support.”
Sen. Joe Manchin to Address Big “I” Legislative Conference Breakfast

**West Virginia Democrat to deliver remarks at annual event on May 4.**

WASHINGTON, D.C.—The Independent Insurance Agents & Brokers of America (IIABA or the Big “I”) announced that Sen. Joe Manchin (D-West Virginia) will address the association’s membership on Thursday, May 4, 2017. Sen. Manchin will be a keynote speaker at the legislative conference breakfast which occurs just prior to the association’s annual Big “I” Day on Capitol Hill. Every year, agents and brokers visit Capitol Hill offices to educate members of the Senate, House and their staff on issues that directly impact independent insurance agents, brokers and the consumers they serve.

“The Big ‘I’ is honored that Sen. Joe Manchin will be addressing our members the morning of our annual pilgrimage to Capitol Hill,” says Robert A. Rusbuldt, Big “I” president and CEO. “Sen. Manchin is a true statesman and a ‘Blue Dog Democrat’ known for his commitment to small business. We look forward to hearing his outlook on key issues as our agents prepare to meet with their federal representatives.”

Sen. Manchin was sworn into the U.S. Senate on Nov. 15, 2010 to fill the seat left vacant by the late Sen. Robert C. Byrd (D-West Virginia). He currently serves on the Senate Committee on Appropriations, the Senate Energy and Natural Resources Committee, the Senate Select Committee on Intelligence and the Senate Committee on Veterans’ Affairs. In addition to his numerous committee leadership roles, Sen. Manchin is a vocal supporter of small business and fiscal responsibility. He previously served as West Virginia’s Governor, Secretary of State and as a state legislator. Prior to his career in public service, he was a businessman. Sen. Manchin earned a Bachelor of Arts degree in business from West Virginia University.

“Sen. Manchin has long been engaged on a number of issues important to our membership,” says Charles E. Symington, Jr., Big “I” senior vice president for external and government affairs. “As an outspoken voice for small business and a former businessman himself, he understands that these issues are critical to independent insurance agencies and small businesses in West Virginia and across the country.”

The Big “I” Legislative Conference is the insurance industry’s best-attended, most effective legislative meeting. This year’s event will take place May 3-5 at the Renaissance Washington, D.C., Downtown Hotel.

The legislative conference is an opportunity for Big “I” members to discuss important issues with their congressional representatives. Top issues this year include the National Flood Insurance Program (NFIP), health care, tax reform, insurance regulatory reform, Risk Retention Act Expansion, the Federal Crop Insurance Program (FCIP) and other economic challenges facing independent insurance agents and their clients.

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**Event Liability is Back-Big ‘I’ Markets**

Big “I” Markets had no event liability market beginning in February of last year. But November marked the return of Event Insurance Now, previously known as Gales Creek Insurance, with fully admitted markets, broader coverages and greater appetite.

Public liability for a single day, short-term and annual policies are available. Event Insurance Now can also offer general liability, hired/non-owned auto liability, umbrella and liquor liability. Clients interested in a one-day event generally receive a quote in a single business day.

Event Insurance Now can quickly place coverage for the individual or entity hosting the event, and can also provide short-term or annual coverage to vendors that provide services at events, including D.J.s, caterers, florists and photographers.

Whether they take place at a public venue or private residence, weddings start at $225. Parades start at $335. Event Insurance Now can also insure overnight events that involve camping.

There’s no limit on event size—bring us your largest accounts! Event liability insurance is available in all states, so lead a parade over to bigimarkets.com and check it out today.
PROTECT YOUR INDUSTRY.

Register by MARCH 17 and Save.

MAY 3-5, 2017
RENAISSANCE WASHINGTON, DC
DOWNTOWN HOTEL

INDEPENDENTAGENT.COM    |     #BIGILEGCONF
Is Your Agency Complete?

by Scott Zilber

What does a “Complete” P&C agency look like? A truly complete agency in the P&C Market offers three core lines of coverage. Let’s define each…..

**DEFINITION – ‘Personal Lines Insurance’**

Property and casualty insurance products for individuals. Personal insurance lines help protect individuals from potential losses they couldn’t afford to cover on their own and makes it possible to do things like drive a car and own a home without risking financial ruin. Personal lines insurance and commercial lines insurance each make up about half of the overall insurance market. (1)

**DEFINITION – ‘Commercial Lines Insurance’**

Property and casualty insurance products for businesses. Commercial Lines Insurance help keep the economy running smoothly by protecting businesses from potential losses they couldn’t afford to cover on their own, which allows businesses to operate when it might otherwise be too risky to do so. Commercial Lines Insurance and personal insurance lines together make up the overall insurance market(2)

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**Retention:**

The more product lines a P&C producer has in place with a client, the better chance they have of retaining that client relationship. This ultimately drives recurring revenue for their core product lines and stabilizes their book of business providing decreased attrition and increase to their books valuation. Each time a P&C producer engages with a client in a conversation about life insurance or succession

(Con’t on page 24)

Sources:

(1): http://www.investopedia.com/terms/p/personal-insurance-lines.asp
(2): http://www.investopedia.com/terms/c/commercial-insurance-lines.asp
planning, the producer is opening their client’s mind further to the value the producer adds to their overall plan. In essence, selling life insurance, disability insurance and long-term care insurance becomes the gateway to a deeper relationship between the producer/agency and their client.

**Revenue:**

P&C agencies are accustomed to recurring revenue and renewals associated with their core lines of coverage. The typical life insurance policy does not offer recurring revenue stream but the initial income generated is a larger percentage of that product's premium. This is often looked as “Found Revenue” which can be used by the agency to fuel growth and greatly increases the value of their book. An agency that successfully cross-sells these lines of coverage can value accounts more accurately than an agency that leaves these opportunities on the table.

**Recruiting:**

In many instances P&C agencies and producers have a list of prospective clients they would like to work with but have been unsuccessful at overcoming the objections of those prospects and winning their business. It may be a pricing issue or a relationship that client has with their existing producer. When P&C producers offer additional solutions to their clients, they separate themselves from the competition and become trusted advisors. Clients will then refer P&C advisors to their centers of influence and the generations to come.

So why does the P&C agency/producer traditionally steer away from the life insurance conversation with their clients? Is it because life insurance is too complicated? Maybe the underwriting process takes too much time? Maybe it's keeping up with products and changes in these markets. These could be considered valid reasons for the lack of life insurance adoption in the P&C agency system. We believe the reason is that those agencies do not have a trusted partner or specialist that can help them add these products to the business plan.

If a P&C producer is interested in offering life, disability and long-term care insurance they owe it to themselves and their agency to plan in the right way. Without having an expert to support them they are likely going to fail the agency and their client and for this reason they will steer away from the conversation all together. They know that their clients want the help and this is where a life specialist or wholesaler who understands their market and agency can add tremendous value. These folks can help them transform their relationship, drive higher retention, add revenue and obtain referrals to new clients.

Over the course of 2017 we will be publishing articles and offering educational opportunities in conjunction with the IIAMD to help agencies plan, implement and succeed in completing their agency.

Stay tuned!

If you have questions or for more information contact Scott Zilber at szilber@belmanklein.com or 1-800-729-6007
Do you sponsor a retirement plan for your agency?

There is a continuous stream of judicial and regulatory developments in the 401(k) plan world with many addressing the definition and duties of a plan fiduciary. Many plan sponsors mistakenly believe that they are not a plan fiduciary or have outsourced that role to another party. In reality, while steps can be taken to mitigate fiduciary risk, no agency owner can eliminate that role entirely.

The Department of Labor expects a plan fiduciary to perform responsibilities that include:

- Acting solely in the interest of plan participants and their beneficiaries with the exclusive purpose of providing benefits to them
- Carrying out their duties prudently
- Following the plan documents
- Diversifying plan investments
- Paying only reasonable plan expenses

The Big “I” MEP 401(k) Plan, available exclusively to Big “I” members, has helped many agencies fulfill their fiduciary obligation by reviewing their plan expenses and educating them on the true cost of their plan. In addition, many were able to reduce their recordkeeping and investment expenses.

Let us compare your plan to our and industry benchmarks! Don’t hide—thrive. Contact us today for a complimentary plan consultation.
The General Assembly began the 2017 legislative session on January 11th. As always, many insurance and business related bills have been introduced. Your legislative committee reviews the bills and in many cases provides testimony, both written and oral, to the legislative committees. You as an agent and as business owners should be aware of what has been introduced. It is critical that you know what is there and how your representatives feel about the legislation. This issue of Messenger provides you with a list of ‘Bills of Interest’ as well as a listing of our two primary committees, Senate Finance, page 28, and House Economic Matters, page 29. The two committees hear most, if not all, of the insurance related bills. This issue also provides you with a listing of those serving on IIAM’s Legislative Committee on page 31. Take the time to review the bills, which may be accessed through our ‘member only’ section of our website. The listing is linked to the actual bills for your convenience. Please feel free to reach out to the committee members to discuss any bills on the ‘watch’ list.

Please note that SB94/HB800, Insurance Premiums- Payment by Credit Card-Reimbursement for Expenses, has been introduced by Senator Reilly and Delegates Adams, Carey and Jameson, on our behalf. The Senate bill has already passed the Senate with a 46-0 vote. Please take a minute to review the bill which would allow Maryland producers to pass the point of service fees, which are charged by credit card processors, to the insured.

Bills of interest (this list is not all inclusive). To see our complete list, as well as bill status, hearing dates, etc., visit our website and log on to the ‘Member Only’ section. Also, those bills that have been cross-filed are shown only once, making the House bill list abbreviated.

**Senate**

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<td>533 Crossfiled HB1295</td>
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<td>534 Crossfiled HB1295</td>
<td>Motor Vehicle Insurance-Discrimination in Underwriting and Rating- Prohibitions</td>
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<td>571 Crossfiled HB909</td>
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<td>607 Crossfiled HB665</td>
<td>Labor and Employment- Exemptions from Overtime Pay- Administrative, Executive, or Professional Capacity</td>
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<td>647 Crossfiled HB5</td>
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<td>696 Crossfiled HB953</td>
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<td>697 Crossfiled HB1332</td>
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<td>702 Crossfiled HB964</td>
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<td>742 Crossfiled HB964</td>
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<td>867 Crossfiled HB1476</td>
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<td>910 Crossfiled HB1416</td>
<td>Labor and Employment - Payment of Minimum Wage Required (Fight for Fifteen)</td>
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<tr>
<td>1007 Crossfiled HB1416</td>
<td>Motor Vehicle Liability Insurance -Replacement Parks for Damaged Motor Vehicles</td>
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**House**

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<td>Vehicle Laws- Proof of Insurance for Motor Vehicles Registered in Another State</td>
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<td>1277</td>
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<td>1305</td>
<td>Labor &amp; Employment- Payment of Wages - Minimum Wage</td>
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Did you know that Chesapeake Employers Insurance, in conjunction with Zurich North America, has expanded Other States Coverage for workers’ comp?

Coverage for a Maryland-based company with some employees working for extended periods of time or permanently located in another state may require an Other States Coverage policy through Chesapeake Employers.

For your clients’ coverage needs in these situations, Chesapeake Employers has teamed with Zurich North America to provide an insurance solution in all U.S. states except North Dakota, Ohio, Washington, Wyoming, U.S. Virgin Islands and Puerto Rico.

Contact your Chesapeake Employers’ underwriter or territorial account executive to learn how Chesapeake Employers builds the bridges necessary to keep all your Maryland-based business clients covered.