TIME FOR A NEW AGENCY MANAGEMENT SYSTEM?

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**THE MARYLAND MESSENGER**

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

Editor: Shelley Arnold, CPCU, AU, ARM, AAI  
Graphic Designer: Maritza Dintino  
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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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Having been installed this past June and now sitting in the IIAM Chairman’s seat, I’m looking forward to an active year. We have goals at the association that are continuing and those that are new. I’m glad you’re reading our magazine to keep up with our progress in our commitment to the organization’s mission and the dedication to making things happen in support of the mission that has been consistent since IIAM’s formation over 100 years ago. We focus on assisting the Maryland independent agents serve the Maryland consumer to the best degree possible, which mirrors the job you do each and every day! The association seeks to provide access to competitive products, undertakes advocacy in legislative matters in Annapolis, distributes timely industry information to you, and makes available superior education programs to enhance the many things we all need to know to serve our clients. The times continue to be challenging in general and the insurance industry is not immune to these challenges. IIAM continues to be a source of support for the P&C agent community which is filled with solid citizens who each day professionally serves others, no easy task!

It will be my honor to communicate with you and to offer a comment or two on the state of play in our industry here in Maryland. IIAM is here to help in your everyday efforts. We have an outstanding staff and team of volunteer leadership at the ready. Please be certain to contact the office with any questions, comments or requests. Thanks.
Can I Fire a Customer?

From time to time we get the question, “Can I fire a customer?” More and more agencies are coming to the realization that they cannot be all things to all people and must allocate their agency resources more carefully. Sometimes you have to fire a customer, but how can you tell someone you don’t want to do business with them?

The first step should be to decide who deserves your resources and why. Some agencies segment their clients into relationship clients and transaction clients. Relationship clients are those who are interested in protection and service first, price second. Transaction clients are interested in the best price available at the moment.

Some agencies segment clients according to demand for services versus profit margin. Clients who consistently consume more agency resources than value they bring to the agency are identified for an eventual exit plan.

Struggling with the concept of firing a customer? Consider this: is it fair to customers who are committed to you to compete for resources with customers that are committed only to the lowest price? Also, consider the customers that everyone in the agency hates to deal with. Wouldn’t it be better to politely direct them to another agency that may be better equipped to serve them? Of course, it is easier to embrace such a philosophy than to execute it.

The reality is that it is a bit tricky to fire a customer. Try this three-step process:

1. Develop the criteria used to qualify who you will serve;
2. Go through your customer lists and identify them; and
3. Create a letter that can be used to “refer” clients that don’t make the cut.

REMEMBER YOU CANNOT REFUSE TO DO BUSINESS WITH SOMEONE BECAUSE OF RACE, RELIGION, COLOR, CREED OR SEXUAL PREFERENCE.

The best approach is the honest approach. Here is some sample wording to set the tone: “ABC Agency appreciates having had the opportunity to serve you. However, in our desire to more efficiently allocate resources in a challenging economy, we feel it is in your best interest to refer you to an agency that is more equipped to provide the service you deserve.”

There are some important things to consider before you fire any customer. First, it costs five times more to acquire a new customer than to retain an existing one. Second, take a long-term perspective when determining whether a customer is profitable or not. Last, consider the fallout from a customer who may be unhappy about the separation. Is he or she influential in circles that you rely on for customers? Negative word of mouth travels farther and louder than positive. For these reasons, it is always better to consider how I can make an unprofitable customer profitable before terminating the relationship.

If you still must terminate, be sure to comply with all the regulatory rules, laws and policy conditions and remember that only the carrier can non-renew a policy. Remember you cannot refuse to do business with someone because of race, religion, color, creed or sexual preference.

Based on an “Ask the Expert” post in the IIABA Virtual University (iiaba.net/vu). Reprinted with permission.
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Ineligible Businesses

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- Payment Processors
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- Adult Industry
- Social Media
- Networking firms
- Cloud Providers
- Security Broker Dealers

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- Fines and penalties by a regulatory body.
- $25,000 sub-limit applies to:
  - Consultation with a Panel Law Firm
  - Forensic investigation
- Notification and identity theft education.
- Program is available in 47 states on an admitted basis. Not available in Washington, Arkansas and Vermont.
- Facilitated through the North American Data Security Risk Purchasing Group which is registered in all 50 States and the District of Columbia.

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Buying, Selling, and Merging an Agency – What Should You Do?

By Ronald Kettner, CPCU & Richard F. Lund, J.D.

One of the biggest decisions of your professional insurance career comes when you decide to either sell the agency you’ve worked long and hard to create, or to buy another agency that someone else has worked long and hard to create. You’ve met with the owners of the agency, you’ve looked at the book of business, you’ve agreed on a price, hopefully you’ve contacted your attorney to help you draft the buy/sell agreement, and you’re a few short days away from closing the deal when suddenly someone asks: What about the E&O coverage? Who’s doing what? Are you going to pick up the prior acts or am I? Can we just transfer the E&O policy to the new owners? What kind of losses have you had? All of these questions should be asked at the beginning of the talks regarding the sale/purchase, but unfortunately they usually aren’t discussed until the last minute and they can have a big impact on the deal.

Think about this, when you buy a new car or are selling your current one, one of the first things you should do is contact your insurance provider. It’s no different when you are buying or selling an insurance agency. It also applies when you are only buying or selling a book of business. In most, if not all cases, your E&O policy states that you must notify your E&O provider within 90 days of a merger or acquisition (check your policy for verification of the time limits.) Failure to notify your carrier in a timely manner could result in a gap in coverage.

So let’s go through the steps you should follow when you are making a life and business changing decision regarding your agency.

Buy an Agency

You’ve been talking with a fellow agent about buying their agency for some time and now you’ve both decided that the time is right. There are many details to consider and the first of which is to do your due diligence to review the other agencies operations, book of business, finances and E&O Policy. At this point it is advisable to retain an attorney to help you through the process. Remember, an attorney can only represent one party, not both. You and the seller should each seek separate counsel. It is a good idea to have a confidentiality agreement with the seller so that you can freely review all of the documents necessary to begin the change of ownership. After you have completed your due diligence and you and the seller are comfortable with all aspects of the agency, the attorney’s will draft the buy/sell agreement. Included will be such things as the timing of the sale, the assets to be transferred, the price, and of particular importance is who is responsible for the liabilities of the selling agency. The cleanest way to do this is for each party to retain their own liabilities. In regard to the seller’s E&O policy, they will purchase tail coverage and the buyer will add the new agency’s book of business to their current E&O policy.

The reason this is the cleanest way to make the change is because the seller will have the peace of mind of knowing that should a claim arise after the sale for acts while they owned the agency, their E&O policy will provide coverage for them. For the buyer, they know that they will not be responsible for any acts that may have occurred prior to the purchase of the agency. This is true whether or not the selling agency will continue as a separate entity or location for the buying agency. In most cases, even if the buyer maintains the new agency as a separate entity or location, it can be included on their current E&O policy for errors and omissions that are made after the sale. Another option, while not the best way to transfer the ownership, is for the purchasing agency to agree to accept responsibility for prior acts. This is accomplished by adding the selling agency to the buying agency’s E&O policy. However, please remember that this must be approved by the E&O carrier before the sale is completed. It is imperative that you contact your E&O agent as soon as you begin the buy/sell process. You will be required to provide a loss history of the seller, and the carrier may require an application providing information about the mix of business, gross annual premium, commissions, staff, etc. In some cases the carrier may not agree to provide prior acts due to claims history, nature of the book of business, etc. In that case the seller should purchase tail coverage from their current E&O carrier.

One thing to keep in mind is that the cost of tail coverage or additional premium expense if the prior acts are provided by the buyer can, and should, be considered in determining the sale price of the agency.

Selling an Agency

As a seller of an agency, you may feel
that it is important to maintain your agency’s legacy. If this is important to you, be sure to discuss this with your attorney so that it is properly addressed in the agreement. If you have valued employees that you wish to provide for, you should include how they will be taken care of in the agreement. This may be a source of negotiation as the buyer may not wish to add any permanent staff, so make sure this is brought up in your discussions with the buyer.

An important aspect that was mentioned previously is protection for you if a claim should arise after the sale. As stated before, the best way to ensure this is to purchase tail coverage from your current E&O carrier. While you may not want to add the expense of tail coverage and you believe you are protected because of your agreement with the buyer that they will provide coverage for prior acts and will maintain an E&O policy, you have no guarantees that it will be done. It is not unheard of after an agency sale for the buying agency to either go out of business, sell their agency to another party who will not agree to provide prior acts, or have their E&O policy terminate voluntarily or involuntarily. In each of these cases you could be left without coverage.

Another thing to consider should your agency be added as an additional insured on the buyer’s policy is that any claims, whether they are for your agency or the buyer’s agency, will be subject to the policy limit of the buyer’s policy, regardless of whether there are multiple claims as a result of either agency. In other words, are you comfortable that the policy limits of the buyer’s E&O policy are sufficient to cover both your and their claims? Also, it should be made clear who will be responsible for any deductible payment.

Mergers
If you are merging with another agency to either form a new agency or be a continuation of one of the two, there are a couple of different ways to handle this in regard to your E&O coverage. One way is to have a new E&O policy for the newly created entity. This ensures a clean slate for all involved. If a new policy is created, each of the former agencies can purchase tail coverage or they can be added as additional insureds on the new entity policy. Again, keep in mind that any claims will be subject to the limits of the remaining policy and remember that this must be approved by the E&O provider prior to the completion of the agreement to ensure that the carrier can comply with your wishes. Another way to handle a merger is to terminate one policy and have that agency added as an additional insured to the policy of the “surviving” agency. The agency that is terminating their policy can either purchase tail coverage or be added as an additional insured upon approval by the E&O provider.

Internal Sale
Many times an owner has a key agency employee who they believe is qualified to take over the agency. Everything that has been stated before applies just the same in these situations. There should be due diligence by both parties, attorneys should be retained, agreements drafted and entered into, and all other aspects of the change of ownership should be carefully contemplated and resolved.

Transfer of a Book of Business
Remember that even if all you are doing is transferring a book of business, either as a buyer or a seller, all of the things mentioned previously apply. While you might think that a transfer of only a small book of business should be uncomplicated, as soon as a claim is made it can become very complicated.

Key Points to Remember
1. Consult your attorney and have a formal written agreement outlining the duties and responsibilities of all of the parties.
2. Contact your E&O provider as soon as you can to ensure that coverage can be provided as you intend and that there are no gaps in coverage.
3. Giving timely notice to your E&O provider is of utmost importance as many carriers may be unable to comply with your intent after the transaction has already been completed.

You spent your professional insurance career building a business that has provided you with a livelihood and personal fulfillment. If you are either growing or selling your agency, you want the peace of mind of knowing that you have adequately protected yourself.

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Blunt Talk about Cannabis and Insurance

I have been in a haze recently due to marijuana. Granted, I do not smoke, toke, or even eat pot laden brownies—I truly never have. But each insurance conference I go to and each insurance journal I read, I find articles regarding cannabis. My clients are starting to ask me about coverage and employment issues regarding joints, pot plants, and cannabis candies. In my lifetime, marijuana has gone from being that substance that strange long haired guys with torn Jimi Hendrix T-shirts smoked to being a multi-million dollar industry which now borders on being respectable. Being a “stoner girl” is no longer disreputable—in fact there is even a weekly YouTube program where two young women “stoners” review pot products and how to use them. (Who knew that there were marijuana pipes devices that would allow you to smoke and blow bubbles at the same time!)

So I am no longer surprised when I have a client call me up and ask me “Pat, what do you know about pot?” I am surprised at the exploding number of issues that marijuana now creates both for the insurance industry and employers. It seems now that we all need to consider how pot impacts our business and professional lives. There are now 28 states and the District of Columbia that have legalized marijuana in some form and at least eight states have legalized recreation use of the once forbidden drug. Despite this state trend, marijuana is still a defined, controlled substance under federal law—a Schedule 1 illegal drug under the Controlled Substance Act with supposedly a “high potential for abuse”. Thus, many states have a ‘go ahead and toke’ state approach and the federal government has an ‘its forbidden fruit’ approach.

So what are the insurance issues that are developing over marijuana? Here are a few:

- **Homeowner’s Insurance:** I smile when I wonder if the arson exclusion would apply to the intentional burning of marijuana leaves in a joint or bong. But more seriously, is there coverage for marijuana plants that are stolen in a home or does the “trees, shrubs, plant or lawn provisions” limit recovery? Would growing marijuana plants be covered under a ‘business pursuits’ exclusion if some part of the plants were sold or used to make a sellable product? Would harvested marijuana be treated like alcohol or tobacco? What happens when a live in stoner accidentally burns down a house while inhaling? What about a tenant who rents out a single room in the house? In my unhazed view, insurers need to clarify language of policies to deal with marijuana issues. And insurance producers need to consider whether they need to ask homeowners do you have marijuana in your home that needs to be protected from loss?

- **Commercial Policies:** The first thing that comes to mind for these policies is “how the heck are insurers going to do underwriting for this growing (pun intended) industry?” Will the industry require brokers to check out the operations and express their opinions as to whether it is a low-risk or high-risk pot operation? Will products be tested for quality by someone in risk management? And how will rates be set when I suspect that there is limited experience with cannabis operations? (Of course, there must be some actuaries somewhere that understand pot!) Insurers will need to struggle with whether the ‘contraband’ exclusion applies, particularly when the federal government’s approach to enforcement seems dazed and confused. There are also issues that arise under Employment Practices and Liability Insurance Policies and Worker’s Compensation Policies. Do employers have to give ‘reasonable accommodation’ to employees using medical marijuana? Can worker compensation claimants have insurers pay for their pot? The scope and breath of these commercial insurance issues are mind-blowing.

- **Liability Policies:** My concern here, from both a coverage and employment practices viewpoint, is how much pot is too much? Will insurers take a zero-tolerance approach to marijuana claims and attempt to use the intentional acts exclusion or provisions relating to illegal activities to deny coverage for some liability claims? And how will insurers defend liability claims where the insured had legal authorization to use marijuana

(Con’t on page 10)
That’s right…Consumer Reports, trusted and read by many, gave Trusted Choice® the ‘thumbs up’ in their August 2017 issue. The article, “What you don’t know about homeowners’ insurance could cost you” outlines 10 considerations for homeowners and renters and begins by leading the consumer to Trusted Choice®. That’s right, Numero Uno on the list:

“What we recommend working with an independent agent who can compare premiums and isn’t beholden to just one company. Direct-to-consumer sellers, such as GEICO and USAA, and captive-agent companies, such as Allstate, Farmers and State Farm, offer only their own brand. You can find an independent agent at Trusted Choice®, a website run by the Independent Insurance Agents and Brokers of America, a trade association.”

Read the article and share it with your insureds: http://tiny.cc/961omy.
“Like a good neighbor…”, “You’re in good hands…”, “You can save 15% in 15 minutes.” Each year exclusive and direct carriers spend billions in advertising and branding initiatives vying for a bigger share of the over $550B property/casualty marketplace. It’s been over 15 years since the Big “I” national association endeavored to combat the marketing efforts of exclusive and direct carriers by creating the Trusted Choice consumer brand with the goal of capturing a greater share of the personal lines marketplace. Today, nearly 75 carriers partner with Trusted Choice to promote the brand and every member is able to take advantage of the resources Trusted Choice offers, including TrustedChoice.com and Agency Nation. This article will highlight some of the latest valuable resources from Trusted Choice that IIAM members of all sizes can benefit from.

*Digital Review of Websites/Social Media:* Ever wonder how your website stacks up? Free of charge the Trusted Choice team will perform a thorough review of your agency’s website, looking at key factors that influence visibility and usability. From search engine optimization (SEO) and blogs, to broken links and website analytics tools, the review will surely be eye-opening for your agency. Contact Madeleine.Stern@iiaba.net and Demarcus.Johnson@iiaba.net.

*Advertising materials:* To promote your agency, members have access to a library of professionally produced and consumer-tested marketing and advertising materials. These are completely customizable and include print ads, direct mail templates, postcards, and television, radio and website ads. Be sure to check out the “Why Use a Trusted Choice Agent?” taggable, imagine video which is a great addition to any agents website. It is now also available in Spanish as well. Visit www.trustedchoice.com/agents.

*Graphic Design Services:* Bringing big company resources to small town agents, Trusted Choice announced that members now have access to a full-time graphic designer on staff that stands ready to customize marketing materials for your agency. Reach out directly to Madeleine Stern at Madeleine.Stern@iiaba.net to learn more.

*Marketing Reimbursement Program (Co-op):* As an incentive for members to incorporate the Trusted Choice logo, the Big “I” will reimburse a portion of the expense to co-brand advertising and marketing materials and in creating/updating a digital presence. Specifically, members have the potential to get up to $750 (50% of invoice amount) for advertising collateral material and up to $500 for a digital upgrade (websites, social media, or mobile app) using a web developer or vendor. Contact TrustedChoice@iiaba.net for more information on the national reimbursement program and the application.

*TrustedChoice.com:* A turn-key solution for members interested in generating more online customers. Having a digital presence can be daunting and TrustedChoice.com has figured out the recipe for member agent search optimization generating opportunities for both personal and commercial referrals for members that subscribe. The monthly cost is $59 for personal, $89 for commercial, and $128 for both. Call (855)-372-0070 to learn more.

*Sales and Marketing Training:* Trusted Choice has created training called “The Power of 30 Seconds” to improve the inbound sales skills of agency staff. Other training includes “Advertising 101” which provides step-by-step instruction for creating an advertising plan. It’s all available by logging into www.trustedchoice.com/agents.

*Agency Nation:* Looking for information on how to improve your agency’s digital marketing efforts? Trustedchoice.com has created www.agencynation.com which has articles, videos, and podcasts to help member agents connect with new customers and grow their businesses. There is both free and subscription services to marketing and sales education.

*Trusted Choice Disaster Relief Fund:* The fund was established to assist agency staff and members of the community who have suffered losses due to natural and man-made disasters. It provides a vehicle for cash grants to help families get back on their feet. Take some time to review these resources available to your agency and be sure to share this article with staff. From the free marketing resources available from Trusted Choice, to the online referrals of TrustedChoice.com and Agency Nation’s content to help you grow the agency efficiently through digital marketing – I guarantee you will find value. Please call IIAM staff with questions – 410-766-0600.
Trusted Choice® is the national marketing brand created exclusively for Big "I" members to help consumers understand the value that an independent agent offers. This is not a market access program but a brand that is designed to highlight the strengths of independent insurance agents:

Choice, Customization, and Advocacy.

TRUSTED CHOICE AGENT BENEFITS

- Licensed use of the consumer tested logo and Pledge of Performance.
- Exposure through national advertising and public relations campaigns.
- Customizable advertising materials.
- Inclusion on the online Agency Locator, so that consumers can find your agency when visiting www.trustedchoice.com.
- Informative consumer articles that can be used in agency newsletters, websites, social media or mailing.
- Customizable press release templates which help garner local press coverage for your agency.
- Syndicated content feed (RSS) for your website or blog.
- Support from many Trusted Choice industry partners.
- Marketing Reimbursement Program - receive up to $500 for co-branding with Trusted Choice.

Maryland agents can become Trusted Choice Agents by joining the Independent Insurance Agents of Maryland (IIAM) and agreeing to the Trusted Choice Pledge of Performance.

www.trustedchoice.com/agents

CONNECT TO TODAY'S CONSUMER

TrustedChoice.com is unlike any other website currently available to insurance prospects. While some may offer consumer research and rate comparisons, none present the unique combination of benefits found here.

Aside from the ability to evaluate multiple insurance companies, the chance to select an independent agent who’ll advocate on their behalf is an advantage many consumers find irresistible.

WHY CONSUMERS ARE CHOOSING TRUSTEDCHOICE.COM:

⇒ Tools & filters allow them to find an independent agent that fits their unique needs.
⇒ Personal lines quoting for Auto & Home help form an idea of what kind of pricing they can expect.
⇒ Exhaustive resources for research on specific lines of insurance.
⇒ Engaging blog written by trusted internet authors.
⇒ Educational content to help consumers understand the value of the independent agent.

IIAM TRUSTED CHOICE CHAIRMAN

Don Grauel, CIC don@goldsborough.com or 410-377-2111
An Agency Management System (AMS) is the largest technology expense for an insurance agency, regardless of the particular vendor or platform. When managed well, these systems help an agency maximize staff productivity, provide a better customer experience, and increase agency profitability.

Selecting and implementing a new system is a massive undertaking. However, there does come a time when moving to a new AMS is worth the effort. What are the signs that the agency should start looking at options? The following is a list of some indicators.

**You’ve been using your existing system for more than 10 years.**

What was state of the art 10 years ago is likely old today. Your existing system may work just fine for your agency, but what opportunities might you be missing? Newer web-architected systems are easier to navigate.

**Training takes too long for new staff.**

Older, menu-driven systems take longer to learn. Each person has to learn to navigate the system and learn where functions are located. It takes time—a lot of time. Newer, web-architected systems rely on simple website navigation and user interface techniques. They make extensive use of hyperlinks to access specific information. Due to their use of sites, newer staff may be much more comfortable with this type of navigation and user interface. Vendors for these systems often have a design philosophy of accessing any piece of information in

**Existing servers need to be replaced.**

Needing to replace agency hardware is a great time to evaluate other options. If the agency needs to spend thousands of dollars to upgrade equipment, it’s a good time to evaluate cloudcomputing options.

**Desktop computers are three years old.**

The type of hardware you need at each desk will be based on whether your existing system is in-house or cloud-based. The in-house system typically requires more powerful computers.

**The agency doesn’t use or can’t use all industry carrier communication options.**

How well does your existing AMS system support industry carrier communication standards and processes? Large productivity gains are available to those organizations that maximize their use of download and real-time communication options. The easier it is for staff to use these, the more likely the agency will see productivity gains.

**Paper is everywhere.**

The move from paper to electronic document management can help an agency be more efficient. Those agencies that continue to rely on paper copies of policies and other documents may have a people problem (staff likes the paper), or they may have a system problem. How easy is it to capture electronic records into your system? How many steps does it take to “attach” a document to the policy file? Hundreds of electronic documents are attached every day. If the process is not easy and smooth, staff will rely more on paper to get work done.

**Agency staff complains about a backlog.**

Again, the reason for the backlog may be a platform issue. There are a limited number of processes that agency staff complete. New business, renewals, policy changes, certificate processing, audit processing, and claims reporting and tracking are a few. If your current agency management system requires extra and unnecessary keystrokes to complete each task, backlog will inevitably build. This frustrates staff and lowers morale. One way to measure how well your existing system helps staff complete these transactions is to measure how many steps it takes, thus how much time.

(Con’t on page 15)
as few clicks as possible.

**You use a third-party system for accounting.**
This is a bit of a technical subject, but accounting should be built into the agency management system. Third-party, general-ledger based accounting systems have a difficult time helping an agency keep track of insurance premium trust accounting. At a minimum, your agency management system should allow you to invoice, track receivables, track company payables and maintain a separate premium trust account. The agency general-ledger can then be handled by a third-party application.

**You are not able to easily support remote staff and additional locations.**
Cloud-based, web-architected platforms make it easier to support remote staff and locations. Because a cloud-based AMS platform is available wherever an Internet connection is available, staff can log in from anywhere. This is becoming an important consideration when recruiting new and retaining existing staff. The same principle applies to setting up additional locations. Either acquiring an existing agency or expanding to a new location becomes much easier when you only add more users to the current platform.

**The AMS doesn’t support marketing and sales.**
I am receiving more questions and hearing more comments from agency owners regarding this topic. Customer relationship management, sales pipeline management, marketing automation and campaign management are tools agencies need to connect and build relationships with prospects today. The agency of the future requires a platform with a disciplined process to build client and prospect relationships.

This list is presented as a way to help you evaluate whether your agency is getting the most out of your existing system. The more items that apply to your organization the more likely you need to take a look at what other options you might have. There are about 35 different agency management system platforms available.

As I wrote in the beginning of this column, selecting and then implementing a new agency management system is a massive undertaking. It should not be taken lightly. At the same time delaying upgrading to a new system could cost the agency dearly.

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For more information visit: www.SteveAnderson.com*
What is your Client’s Most Important Asset?

by Scott Zilber

This is a pretty simple, straight forward question…. Or is it? Most clients will respond with a very tangible answer such as; their property, car, savings or retirement accounts. If your client is not currently retired, then all of these answers are incorrect. The most important asset for working adults is in-fact their ability to work and earn an income. If your client’s ability to work was suddenly diminished or completely taken away would your client be able to continue to afford their mortgage payment, car payment or fund a retirement plan?

How will they pay those expenses? The major Disability Insurers paid claims totaling $9,800,000,000 in 2013. This was an increase of 1.6% over 2012. The average disability claim, group coverage or individual coverage, is almost 3 years. How many clients have three years of expenses saved in case of an emergency? What happens if they experience a disability of 3 years? 10 Years? Or for the rest of their lives?

When young and healthy with the world at our fingertips we feel invincible and not until tragedy hits close to home do we think about our own mortality or morbidity. It’s never too early to starting emergency planning. The Social Security Administration estimates that currently 1 out of every 4 20-year-olds will become disabled and unable to work at some point prior to retirement age. The risk of disability to that same group can increase 10 – 15% for individuals using tobacco products or those 30-40lbs overweight.

By the Numbers

<table>
<thead>
<tr>
<th>$9.8B</th>
<th>The amount of Long Term Disability claim payments made in 2013 (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>56%</td>
<td>Women made up 54% of all new Long Term Disability claims made in 2013 (2)</td>
</tr>
<tr>
<td>67%</td>
<td>The percentage of private sector works that don’t have long-term disability coverage. (3)</td>
</tr>
<tr>
<td>$1,171</td>
<td>Is the average disability payment from the government? What expenses will this cover? (3)</td>
</tr>
</tbody>
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Women typically have a greater life expectancy than men but they also have a higher probability of disability. In 2012 54% of all new claims were females and that number increased to 56% in 2013. Women are subject to the many of the same disability risks as men but also run the risk of pregnancy related complications that may result in the inability to work.

Workers compensation policies that employers are mandated to carry may give employees a false sense of security. Traditionally, these policies will only pay if an injury happens in the workplace and according to a recent study by the Council for Disability Awareness only 5% of accidents and illness are work related.

Individuals can insure their risk of disability through employer sponsored or individually purchased disability income insurance.

Types of Disability Income Policies and Agency Market

(GDI) - Group Disability Income Coverage

Market: Commercial

Many clients will be offered disability benefits through their employer but don’t understand how much coverage they will actually receive at the time of disability. Group policies are often offered as an employer paid benefit for all employees or as a...
voluntary employee benefit where the insured opts-in and the premium is automatically deducted through payroll. Long Term benefits are paid monthly and are usually calculated as a set maximum amount or 60% of gross income. In most cases, premiums that are paid by the employer will have a taxable benefit while premiums paid by the employee will be tax free.

(IDI) - Individual Disability Income Coverage

**Market: Commercial / Personal**

These policies are paid by the insured and the benefits are typically tax-free to the insured when on claim. Coverage periods can range from 2 years to the insured's age 70 and in most cases the policies are guaranteed renewable and cannot be canceled by the carriers. Individual plans offer flexibility and portability, If you leave your job you can keep your policy and if your raise your income you can increase your benefits. IDI policies may cover up to 65% of the insured's gross income before taxes. Insureds can also purchase riders that offer cost of living adjustments when on claim so that their benefits keep pace with inflation.

Business Overhead Expense Coverage

**Market: Commercial**

This type of coverage is ideal for owners of small and medium size businesses whose personal service is key to the continued earning of the business. This is not a substitute for Individual Disability coverage as it reimburses a business owner for business expenses incurred during a disability. Premiums for this policy can be deducted as a necessary business expense.

Key Person Replacement Coverage

**Market: Commercial**

What would your business look like if one of your top people wasn't there due to illness or injury? Key Person replacement gives you a cushion to help handle the loss of key employees. The business takes out a disability policy on the key employee then, if they become too sick or injured to work, you can use the payments to help your business.

Disability Buy-Out Insurance Coverage

**Market: Commercial**

Disability Buy-out helps provide the funds needed to purchase a totally disabled business owner's interest under a buy-sell agreement.

Retirement Income Insurance Coverage

**Market: Personal**

If you become disabled, this type of coverage can help you still contribute to your retirement. Upon disability, benefits are paid to an irrevocable trust designed to pay out benefits to you at your retirement age.

Advisors working with business and individuals should talk to their clients about the benefits and protection of disability income insurance. If you don't offer these products to your customers someone else will.

To learn more about marketing Disability Income Insurance to your clients please contact:
Scott A. Zilber, 410-730-8242 x 103, szilber@belmanklein.com

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1 U.S. Social Security Administration, Fact Sheet 2/7/13
2 Council for Disability Awareness, Long-Term Disability Claims Review 2013
3 Social Security Administration, Fact Sheet Dec 2016
You carry professional liability insurance to protect you in the event of a claim. But is your carrier helping you to prevent a claim in the first place?

The Big “I” has dedicated significant resources to bringing the best claims prevention information and strategies to your agency. And while we won’t really make you write it out on a chalkboard, we believe that the best way to protect your business is to help you protect yourself.

Visit us online at www.iiamd.org/professionalliabilitywestport.

To learn more about Big “I” Professional Liability, contact Carla McGee at carla@iiamd.org.
Big “I” Announces Leadership Changes
Charles Symington to also head industry relations.

ALEXANDRIA, Virginia, July 13, 2017–The Independent Insurance Agents & Brokers of America (IIABA or the Big “I”) announces that Charles E. Symington Jr. will now serve as the association’s senior vice president for external, industry and government affairs.

“The Big ‘I’ is proud to announce that Charles Symington’s responsibilities have been expanded to include industry relations,” says Bob Rusbuldt, Big “I” president & CEO. “Charles’ leadership is imperative on our team and will be instrumental as we continue to develop and expand our relationships with our industry partners.”

Symington joined the Big “I” team in 2004 as vice president of federal government affairs and has risen through the ranks. In addition to his new duties, he oversees federal and state government affairs, political affairs, grassroots, public relations and communications for the association.

Previously, Symington served as a senior counsel to the U. S. House of Representatives Committee on Financial Services from 2000 to 2003 where he was responsible for insurance issues. He also served as majority counsel for the House Committee on Energy & Commerce where he concentrated on health care policy and oversight. Prior to his time on Capitol Hill, Symington was an attorney with the law firms of Matricardi & Moylan in Springfield, Virginia, and Drew, Eckl & Farnham in Atlanta, where he specialized in insurance defense litigation. He earned a Bachelor of Arts degree from the University of Virginia in Charlottesville, Virginia, and a Juris Doctorate from Emory University, School of Law in Atlanta. Symington also serves on the board of the National Down Syndrome Society.

Trusted Choice® Announces New Executive Director
Association promotes Kevin Brandt.

ALEXANDRIA, Virginia, Trusted Choice®, the consumer branding program for the Independent Insurance Agents & Brokers of America (IIABA or the Big “I”), has promoted Kevin Brandt as its next executive director. Dave Evans has served in this role since 2006 and the association since 1998.

“Trusted Choice® is excited to announce that Kevin Brandt will succeed Dave Evans as executive director,” says Bob Rusbuldt, Trusted Choice® president. “He is prepared to fill huge shoes and to take the wheel for Trusted Choice® at this exciting time for the program. Kevin will be working closely with the TrustedChoice.com team and Trusted Choice® carriers to ensure Big ‘I’ members and all of the Trusted Choice® players are evolving along with consumers and the marketplace. Trusted Choice® and TrustedChoice.com are in business for one reason – to drive business to Trusted Choice® Big ‘I’ members and Trusted Choice® carriers.”

Brandt joined the Big “I” team in 2003 as a software developer and has risen through the ranks. Since 2007, he has run the Trusted Choice® day-to-day business as director of operations. He previously worked for a think tank, World Webmasters, in Fort Lauderdale, Florida. Brandt earned a Bachelor of Arts degree from Elon University in Elon, North Carolina. He also holds a graduate certificate in eMarketing from the University of Virginia.

“The Big ‘I’ and Trusted Choice® are grateful to Dave Evans for his 19 years of excellent service,” continues Rusbuldt. “Dave was instrumental in the birth and development of Trusted Choice® and has been a wonderful colleague in his numerous roles at the association. We wish him all the best in his future endeavors.”
It’s Official NAPSLO & AAMGA Merge

The merger of AAMGA (American Association of Managing General Agents) and NAPSLO (National Association of Professional Surplus Lines Offices, Ltd) has been approved and is effective as of August 1, 2017. The AAMGA received 270 of 348 eligible member votes which represented a 78% quorum of its membership and NAPSLO received 241 of 452 eligible member votes representing a 53% quorum of its membership. AAMGA’s 89% and NAPSLO’s 93% shows that the members overwhelmingly supported the merger.

The merger will result in the formation of WSIA (Wholesale & Specialty Insurance Association), which was created to meet the needs of both organizations and serve the wholesale, specialty and surplus lines industry.

A new WSIA website is under development, and will launch in October. In the meantime, you can find information about upcoming and additional information at www.wsia.org.

V. Rocky Gonzalez Elected Board Chairman of Chesapeake Employers Insurance

(TOWSON, Md.) — Members of Chesapeake Employers’ Board of Directors elected V. Rocky Gonzalez to be Chairman, effective immediately. Mr. Gonzalez succeeds Charles Dankmeyer as Chairman, who is now serving as a member of the Board.

Other officer changes that are effective immediately, include:

- Leonard Schuler, Jr., Vice Chairman;
- Paul V. Gill, Sr., Treasurer;
- Suzanne Carter Thompson, Secretary.

In addition to Charles Dankmeyer, the following are members of the Board:

- Joseph M. Coale;
- Wayne Gioioso, Sr.;
- Lewis C. Powell;
- Maria Tildon.

Chesapeake Employers Insurance is headed by a nine-member Board of Directors appointed by the Governor of Maryland.

Documenting Text Conversations

For a growing number of clients, email is simply too inconvenient and too slow. Their preference is to communicate with you using a text conversation. Agencies need to be able to respond to this customer preference by embracing text conversations as a viable communication option.

And, policies and procedures need to be put in place to make sure these conversations can be consistently and accurately documented. Capturing these conversations is not easy.

While a few agency management system platforms are incorporating outbound and inbound text messaging functionality, you still have the problem of clients texting individual producers’ mobile phones. These messages are outside of the current documentation capture process.

(Con’t on page 20)
Putting a procedure together, and training each producer on how to manage text messages consistently, is an ongoing problem for agencies.

One possible solution is iExplorer – a software program from MacroPlant. iExplorer is a multipurpose tool that allows you to manage your iPhone and iPad better. Steve Anderson offers some great tips on documenting text messages we encourage you to read and share it with staff. Read the article by following this link http://tiny.cc/nfbyly.

Laura Kellner awarded the 2017 Maryland ‘Outstanding CSR of the Year’ Award from the National Alliance

Maryland CSR awarded the 2017 Maryland ‘Outstanding CSR of the Year’ Award from the National Alliance for Insurance Education and Research. Laura Kellner, ACSR, who is employed by the Henry Murray Insurance Agency in Annapolis received the honor in June. She will now be entered into their National CSR of the Year.

Laura submitted her essay on “A friend who is a CSR has come to you for advice about a new customer service job opportunity in another agency in another city. What five factors about the employer and the position would you advise them to consider before accepting the job? Please discuss the most important factor first”

The award, similar to our ACSR of the Year, recognizes those that provide exceptional customer service and are true assets to their agencies.

IIA Maryland congratulates Laura on her accomplishment.

Agents Council for Technology Releases Agency Cyber Guide

Resource helps Big “I” agencies protect customer data.

The Independent Insurance Agents & Brokers of America’s Agents Council for Technology (ACT) has released the ‘Agency Cyber Guide 1.0’ which addresses cybersecurity regulations and provides corresponding compliance resources.

“ACT has created the ‘Agency Cyber Guide’ to help address one of the highest priorities for every agent and broker: keeping customer data protected,” says Ron Berg, ACT executive director. “Having to communicate to customers that their private information has been breached can cripple a business and incur thousands of dollars of costs and penalties. With such high stakes in mind, the ACT Security Issues Work Group has complied this resource for Big ‘I’ members.”

The Agency Cyber Guide is offered at no cost to independent agents and brokers. Some individual regulatory resources listed are also free, such as an updated Agency Cybersecurity Policy template - which agencies can download, brand and be in compliance for having a written security policy. ACT will monitor the changing cybersecurity regulatory environment and update the guide as needed.

Unemployment Compensation Eligibility During Closure
On April 18, 2017, Maryland Governor Larry Hogan signed legislation (S.B. 17) authorizing the Maryland Secretary of Labor, Licensing and Regulation to exempt an employee from being required to actively seek work to be eligible for unemployment benefits when his or her employer closes its entire plant or business operations (in part or entirely) for inventory, vacation, or another purpose, thus causing the employee to be unemployed for up to a maximum of 10 weeks. The law is effective October 1, 2017. Read MD S.B. 17

Our Umbrella Programs Give You More Options
Preferred Property Program gives you broader, more flexible coverage with a range of limits

Fast service and more security are what you get with Preferred Property Program. Our umbrella liability policies are written by XL Insurance with Chubb Insurance Group for excess layer – two of the industry’s most highly rated carriers.

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Agency Risk Management Essentials:
Is your website doing more harm than good?

Your agency's website is your "business card" to the world. Well managed, it can be the cornerstone of your operational and marketing strategy. If not, it can and will be used to strengthen a claimant's E&O case against you.

The Swiss Re Corporate Solutions claims team has seen an increasingly emerging issue stemming from this evolving part of your business. Seemingly harmless content on your website, emphasizing competitive advantages or certain expertise, can very quickly and unintentionally increase the agency's standard of care resulting in a higher duty than normally required. That can be detrimental to your defense in a claim situation. To help mitigate the risk of an increased standard of care, we consulted risk management professionals with expertise in this area. Their suggestions are shown below. We hope you find these useful in creating and reviewing your agency website's content.

- **Do** clearly specify in which states the agency is licensed.
- **Do** clearly state the lines of coverage the agency writes (or does not write). For example: not all P&C agencies handle benefits lines.
- **Do** clearly state that misstatements or omissions of relevant information by the client can lead to price variation or even declination or rescission of coverage.
- **Do** clearly state that information requested to provide a quote or work on coverage will not be shared with carriers or with any other entity without the applicant's permission.
- **Be clear**: requesting coverage does not guarantee coverage can be provided. Coverage can begin only with specific statement by a licensed member of the agency staff.
- **Do** clearly state by including a disclaimer that none of the information provided in the website is a guarantee that insurance will be provided or that the agency is obligated to procure insurance for the website visitor.
- **Do** obtain express written consent from your carrier(s) or any other entity(s) if you use their name or logo on your website.
- **Do** use a Privacy Statement on your website and be sure to encrypt any pages that collect Personal Identifying Information, such as an online quote form.

- **Don't** say the agency does things or provides services it does not do or provide.
- **Don't** say that you can ensure that any claim will be fully covered.
- **Don't** use terms such as "expert", "specialists", "best price", "most comprehensive", "fully covered", or "partner".
- **Avoid** terms promising absolutes such as "immediate response time", "ALL lines of insurance", "all risk", "24/7", "all carriers", "addressing ALL of your coverage needs", "constantly reviewing".
- **Don't** include client testimonials that show the clients' names and identifying information without being sure the testimonial is specific to their experience thus avoiding an increase in your standard of care. Be sure to have their express written permission, along with a procedure to remove their testimonial if they are no longer a customer.
- **Don't** launch a website without carefully reviewing the language, with an E&O risk management eye. Template agency websites or advertising firms simply may not have E&O on their radar. Involve your legal counsel in reviewing the language.
- **Don't** have a quote mechanism (form-fill or Rater) and then fail to respond in a timely manner.
- **Don't** use open text boxes for customers to type messages to you unless adequately encrypted. You have no control over the information entered in the text box. If a breach occurs during transmission of that message, your agency may be held liable for the release of Personal Identifying Information.

**REMEMBER: Risk Management starts before the sale**
Getting to Know the New YAC

Kelly Eick
Secretary

Employer: Maury, Donnelly & Parr
Title: Client Manager
Years in Industry: 7
Email: keick@mdpins.com
Phone: 443-529-0369

How Did You Get Into Insurance?
I started as a “Director of First Impressions” (aka a receptionist) for a small agency in 2010. Soon after, I started working with small clients and the rest is history!

What Is Your Favorite Thing About Your Job?
Working in commercial lines keeps me on my toes. One minute I am working with a contractor, and the next I’m working with a school. Like Forrest’s mother said, “Commercial insurance is like a box of chocolates; you never know what you’re gonna get.” She said something like that, anyway.

Who/What Has Been Your Greatest Resource in the Industry?
My colleagues have been a great resource for me over the years. I have (and still do) worked with so many bright people. I am constantly learning from them and as a result, I am always getting better at my job.

What Are Three Tips You Would Give to New Young Agents?
1. Never stop learning.
2. Be perpetually optimistic. Drowning/surrounding yourself with negativity will get you nowhere.
3. Surround yourself – in both your personal and professional life – with people who make you a better version of yourself.

Favorite spare time activity?
Traveling, playing sports, cooking and spending time with my very large family

Dream concert?
The Rolling Stones or Led Zeppelin

What is your personal philosophy or mantra?
“It is what it is.”
Speaking of his experiences in space, Neil Armstrong said, “I think we tried very hard not to be overconfident, because when you get overconfident, that’s when something snaps up and bites you.”

Knowing what you can and can’t do isn’t rocket science—-it’s one of the core pillars of professionalism.

In the pantheon of avoidable professional liability errors, a place of honor is reserved for “dabbling.” In an insurance context, that means wandering into unfamiliar territory with your client’s property, wealth and reputation in your uncertain grasp, armed with the optimistic conviction that “This can’t be that hard!”

Imagine that a new customer comes to you in your Midwestern office and tells you they need homeowners coverage because they’re planning to sign the purchase papers on a vacation home that afternoon. You smile broadly because you’re the King of Personal Lines in Topeka (according to your website) and turn to your computer to begin the application process.

But do you have a moment’s hesitation when the client tells you the new property isn’t located in Kansas, but rather on the Florida coast? Do you know, for example, whether the HO policy form there covers wind? What about flood? How does the cost of coverage compare?

You’re drawn from your musings by a new word: “boat.” Of course there’s a boat associated with the new oceanfront property. That’s not a problem for you, though, because you insure lots of boats on various Kansas reservoirs. But might there be some new issue with a boat docked on the Gulf of Mexico?

As your customer makes their way to the parking lot, a voice in back of your mind tells you this may be a lot to handle, so you consider two alternatives. Option 1: Give it to your veteran CSR---she’s seen it all! Like you, she knows the Topeka personal lines market backwards and forwards. Also like you, she’s a stranger in paradise when it comes to these new coverages and exposures.

Which brings you to Option 2: Place these new coverages through a third party broker who has access to the markets in question, along with the requisite knowledge to place the right coverage. Or, refer the business to a known and trusted colleague.

Nobody likes to tell a customer “No,” especially one who’s offering new business. But sometimes you have to for both your sakes. Plato once said “When a man is out of his depth, whether he has fallen into a little swimming-bath or into mid-ocean, he has to swim all the same.” Before jumping in, ask yourself: How far away is the shore, and how long can I tread water?

The best answer: Stay within the borders of your expertise, and avoid the question altogether.

Matthew Davis is vice president and claims manager at Swiss Re Corporate Solutions and works out of the office in Overland Park, Kansas. Insurance products underwritten by Westport Insurance Corporation, Overland Park, Kansas, a member of Swiss Re Corporate Solutions.

IIA Maryland extends their deepest sympathies to the family and friends of Albert Gettier. Mr. Gettier was IIA’s 50th President serving in that capacity in 1986. He was a loyal member also serving as President of the Independent Insurance Agents of Metropolitan Baltimore. He was active in the Maryland Chapter of CPCU, serving as their President as well.

Mr. Gettier, “Al” was President of Hallmark Insurance in Timonium. He was active in the creation of Richey House, opening in 1987 as Maryland’s 1st freestanding hospice care facility (now part of Gilchrist Hospice services).

Al served in the U.S. Army, a veteran of the Korean War. He was a Freemason, private pilot, skydiver, scuba diver and lifelong hockey player, playing with the Gerihatricks, winner of the 2002 Senior Olympics.

Al is survived by his wife Jean, sons Albert and Michael, grandchildren Katherine, Michael, Laura and Giuliana. He is also survived by his brothers Edmund and John. A memorial service was held on Friday, July 14th at Church of the Redeemer in Baltimore. He will be missed.
Meeting my customers where they work. Crafting each policy to meet different needs. Partnering with Builders Mutual insurance.

That's how I get the job done right.

BuildersMutual.com
September 12, 2017  
E&O Risk Management  
Meeting the Challenges of Change  
Stanley Lipshultz, CPCU  
9:00 AM - 3:30 PM

September 13, 2017  
Commercial Automobile Insurance  
Don Dudey, CPCU  
9:00 AM - 3:30 PM

September 20, 2017  
The Basics of Flood Insurance  
Annette Winston  
10:00 AM - 12:00 PM

September 20, 2017  
The Basics of Flood Insurance  
Annette Winston  
1:00 PM - 3:00 PM

September 28, 2017  
Principles of Agency Management  
Nancy Nicklow, CPCU, AAI  
9:00 AM - 4:30 PM

October 11, 2017  
Personal Lines Related Coverages  
Pamela Dodge, CIC, CPIA  
9:00 AM - 3:30 PM

October 12, 2017  
Commercial Lines Related Coverages  
Sharon Gardner, AAI, ACSR  
9:00 AM - 3:30 PM

October 16, 2017  
Property & Casualty Pre-Licensing  
Joseph Conroy, ACSR  
9:00 AM - 4:30 PM

October 26, 2017  
The Insurance Production Environment  
Nancy Nicklow, CPCU, AAI  
9:00 AM - 4:30 PM
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