

# SURPLUS LINE REPORTER & INSURANCE NEWS

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## NEWS IN BRIEF PEOPLE

**Ian Bush has joined Johnson and Johnson as its new Louisiana marketing representative.** Bush joined Johnson and Johnson in 2018 as inside sales representative for American Modern. He is originally from Baltimore and grew up in Charleston, where he graduated from college in 2018, earning a bachelor's degree in finance. He met his future wife, a Louisiana native, while attending college and looks forward to enjoying the Louisiana culture. Bush spent last year working in Johnson and Johnson's Charleston office. He plans to visit all of Johnson and Johnson's Louisiana partner agents soon. In the meantime, he can be reached at Ian.Bush@jjins.com or 843-860-0522.



Bush

**Three insurance industry professionals are among the members of the Louisiana Association of Business and Industry** either nominated for the first time or re-nominated to LABI's 100-member board of directors. **Jeff Albright**, executive vice president, Independent Insurance Agents and Brokers of Louisiana (IIABL); **Kristin Wall**, president/CEO, Louisiana Workers Compensation Corporation (LWCC), and **Meagan Shields** (ex-officio) chairs LABI's Emerging Leaders Council and is Investment Portfolio Manager and Enterprise Risk Specialist at LWCC. All three are from Baton Rouge. LABI announced Feb. 11 the officers and board of directors for 2020, which were elected at LABI's annual meeting, also on Feb. 11. **Tom O'Neal**, president of O'Nealgas Inc., Chaudrant, who was elected to chair the board, said that chief among the



Albright



Wall

See **NEWS IN BRIEF** Page 4

## The battle over tort reform is gearing up as the session nears

### ANALYSIS

With business interests, including independent insurance agents, coalescing on one side of the issue and the trial bar on the other, the Regular Session of the Louisiana Legislature which begins March 9 will undoubtedly center on tort reform and will undoubtedly be contentious.

Last year, after vitriolic testimony from some committee members, the Senate Judiciary A Committee defeated the tort reform legislation backed by the insurance industry and the Louisiana Association of Business and Industry. This year, a different finding will likely result as the makeup of the committee has changed. Two members of the committee, one a Democrat from Shreveport and the other a Re-

publican from Bossier City, both vocal opponents of the reform measure, were defeated at the polls. A third committee member from Alexandria, who frequently slams the insurance industry, returns to the committee, despite conservatives' efforts to defeat him at the polls.

This year, the Senate Judiciary A Committee is chaired by a Republican from Shreveport and is composed of four Republicans, including the chairman, and three Democrats.

All this means that the supporters of tort reform are in a better position to get their legislation passed. They have pre-filed bills that mirror the tort reform legislation proposed last year. Getting the legislation passed won't be as tough a sell as last year,

See **TORT REFORM** Page 12

## Filling out an app is like painting a picture: More detail is better

When an artist paints a picture, the more details that go into the painting the better the picture becomes. Think of the agent as the artist and the application for insurance as the painting. The more details that the agent puts into the application, the better the application becomes. That was the message that Wayne Forest Jr., Forest Insurance Facilities, presented to attendees of the YIPs Winter Conference at the Hilton Baton Rouge Capital Center.

During the application process, breakdowns in communications can occur because the parties involved fail to communicate clearly and specifically, do not know what information is needed, or because of depersonalization due to technology and a "cookie cutter" approach.

When there are many factors involved, including phone calls, emails, online systems and many different people involved, sometimes details get lost in the shuffle. "It

is important to get the details correct and to make sure they are not forgotten or lost during the application process," Forest said.

If there has been a string of three or more emails about a single issue, the parties involved are not understanding each other. "Pick up the phone and call that person," Forest said.

The presentation of the application is very important. The picture that is being painted is being seen from more than one point of view. "Details matter," Forest said.

Is it better to hand write the application or to type the application?

Even written neatly, handwritten applications can be difficult to read. People have their own handwriting style and some people may not be able to read yours. "Just because you can read your handwriting, others may not understand some letters or numbers the way

See **FILLING OUT THE APP** Page 11

## Preston to lead local chapter of NAAIA

Clarissa Preston was sworn in as president of the Southeast Louisiana Chapter of the National African American Insurance Association during a function held Jan. 14 at the New Orleans Marriott.

The installation was conducted in conjunction with the 2020 Big I Level Up Agent Summit, focusing on diversity and inclusion strategies, where Preston was on the program. Preston appeared on the panel in the breakout session titled, Are You Plugged In? Engaging Multicultural Networks.

Preston was installed by Jerald L. Tillman, Cincinnati, who founded the Na-

tional African American Insurance Association in 1997 to "create a network among people of color and others employed in or affiliated with the insurance industry."

In addition to Preston, other officers are Kendrick Slan, Shelter Insurance, Baton Rouge, vice president; Kristin Swanson, Swanson Insurance Agency, New Orleans, corresponding secretary; Sherman Pittman, HGI Insurance, Baton Rouge, recording secretary, and Sabrina Bush-Hillard, Insurance Design and Placement, Baton Rouge, treasurer.

The Southeast Louisiana Chapter is one

## Clayton installed YIPs president for 2020 term

Jessica Murillo Clayton, Classic Insurance Agency, was installed president of the Young Insurance Professionals Jan. 16 during ceremonies held during the YIPs Annual Winter Conference at the Hilton Baton Rouge Capitol Center.

Clayton succeeds Brandi Lamonte, Riverlands Insurance Services, Luling, who remains on the YIPs board of directors.

Clayton has been active in the family-owned agency almost since its incep-



Brandi Lamonte, left, hands the YIPs reins to Jessica Clayton at the association's Annual Winter Conference in Baton Rouge.

tion in 1994. She was a student at Tulane University and working for an attorney when her brother called on her to help out at the agency. Her brother had earlier been called upon by their mother to help out in the agency. He left his restaurant job and studies at the University

See **YIPs OFFICERS** Page 6

What we have is failure to communicate  
See Page 3

London insurance museum to be created  
See Page 14

Brexit: A fish problem could queer a deal  
See Page 17

List of state legislators on insurance committees  
See Page 20







# What we have here is failure to communicate

By Michael G. Manes  
Manes and Associates

“What we’ve got here is failure to communicate!” is one of the most famous and most memorable lines from the movie Cool Hand Luke, a classic from 1967. Remove the quotation marks, and you have a textbook explanation for many failures in planning, marketing, leadership, marriages, organizations, relationships, and so on. Communication is more important than most of us realize most of the time.

A major reason for our frequent failure is that we focus on words and not on how they are being said. Albert Mehrabian, professor emeritus of psychology at UCLA, developed a communication model in which he demonstrated that only seven percent of what we communicate consists of the literal content of the message, the words. The use of one’s voice, tone intonation and volume take up 38 percent, and as much as 55 percent of communication consists of body language, including facial expression, gestures and postures. This is the Mehrabian 7-38-55 rule of personal communication.

Clinical speech-language pathologist and noted counselor in Baton Rouge, Jim Barton, Ph.D., received patient referrals in the 1980s from psychologists and psychiatrists when their treatments weren’t working. He had a simple philosophy on communication: “Effective communication is getting what’s in your heart out through your mouth or some other socially acceptable means.”

He theorized further that if you don’t transmit communication in a positive method, such as conversation, words, song, dance, art, or poetry, the thoughts and feelings in your heart would emerge as stress, anger or violence or harm the lining of your stomach, collapse your arteries, or even cause cancer.

George Bernard Shaw once said, “The single biggest problem in communication is the illusion that it has taken place.” I have experienced Mr. Shaw’s wisdom.

Once, I heard a speaker explain, “If I tell my wife, ‘When I look at you, time stands still,’ she’ll love me. If I say, ‘Your face can stop a clock,’ she’ll divorce me. By literal meanings of the words, I’ve said

the same thing.” To me this is evidence of the correctness of Mr. Shaw’s statement.

If you ask a group of folks to punctuate the following sentence, “Woman without her man is nothing.” Chances are you’ll get two entirely different responses.

Women will answer, “Woman, without her, man is nothing.”

Men will respond, “Woman, without her man, is nothing.”

These responses are entirely consistent with an insight from Anaïs Nin, 19th century essayist, diarist and novelist: “We don’t see

things as they are; we see them as we are.”

Here are two brief stories to reinforce these theories on the power and importance of communications.

Boudreaux was a baseball umpire. After a game, he and his friends Arceneaux and Comeaux went to get a beer. Arceneaux started by saying, “Boudreaux, you’re a great umpire because you call them like you see them.”

Comeaux corrected that statement with his own opinion: “Boudreaux, you’re so good because you call them like they are.”

Boudreaux corrected them both by saying: “Y’all are both wrong. They are nothing until I call them.”

In the mid-1980s, I coached youth soccer. One year I coached four- and five-year olds. The two youngest, smallest and slowest kids on the team were Jeremy and Ryan. The ball reached to the bottom of their shorts.

Every time Jeremy kicked the ball, he kicked it in the wrong direction since his slowness had him going against the flow. In the last game of the year, the ball accidentally ended up at his feet as he was running toward the goal. His short legs did not allow him to kick it away, so the ball stuck to him, and he ran it into the goal.

His mama cried tears of joy, as did most

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## Failure to communicate

of us on our side of the field. Across the way, the other team was celebrating Jeremy’s newfound success. Jeremy was now a winner. The next year, Jeremy returned to the soccer field a much better player, changed by a newfound confidence created by his accidental success.

Sadly, Ryan’s story is different. Ryan, too, was a good kid who just wanted to be on the field running with his buddies. His dad was at every practice, and he hovered over Ryan with unrealistic expectations.

Once when the ball rolled toward Ryan he missed it and flipped over backwards. This is fairly common among four year old players.

In a moment I’ll never forget, his dad bent down, got in his son’s face and screamed, “Boy, you’ll never be worth a (expletive deleted).”

Ryan was hurting, and I was shocked. I picked Ryan up and sent him to join the team. I pulled his dad off to the side for a private conversation. I said simply, “And you just guaranteed it, (expletive deleted)!”

To this day, I pray that my message to the dad impacted his future behavior, and I pray that Ryan forgot his dad’s rebuke. Unfortunately I fear the worst happened. My fear is that Ryan never became the player he might have been with time and practice because he was labeled by negative emotion rather than reinforced by the positive that we all so hope for.

Whether you’re a 90-year-old member of the Greatest Generation, an aging Boomer like me or a much more tech-savvy individual member of Gen X, Y, or Z, please remember that communication is important. Words matter. Meaning is even more im-

portant. You haven’t succeeded until what you and the person you are communicating with have “connected.” Communication isn’t successful until the message transmitted is the same as the message received.

Special cautions are needed in today’s day of electronic communication. With an email, a text message and much of social media, you send or receive only the words, which is likely only seven percent of the message and, therefore, easily miscommunicated.

*MICHAEL G. MANES is the owner of Manes and Associates, a New Iberia, Louisiana-based consulting business focusing on planning, sales and operations, and change. He has over 46 years of insurance industry experience, including serving as an instructor of Risk and Insurance at Louisiana State University.*

FROM PAGE 3

## NEWS IN BRIEF

FROM PAGE 1

state’s most pressing issues is “the need to pass meaningful legal reform legislation, a desire shared by many across this state. Working together, I am confident we can get something done.”

### FUNDRAISERS

**The University of Louisiana at Monroe’s Risk Management and Insurance Alumni Club recently announced the scheduling** of its first RMI Golf Tournament to be held on April 2 at Frenchman’s Bend Golf Club in Monroe. Lunch will be at 11:30 a.m., and the shotgun start begins at 1:00 p.m. Play is a four-man scramble. The cost is \$100 per player and \$400 per team, including lunch and dinner. A social will follow the golf tournament providing golfers the opportunity to network with ULM’s RMI students. Proceeds from the tournament will directly benefit the ULM Risk Management and Insurance Program and its students. Sponsorships are available at various levels, several of which include entry for one team. For online registration, go to [www.ulm.edu/alumni/events](http://www.ulm.edu/alumni/events). For more information, contact **Jennifer Hisaw** at 318-855-2514 or [rmialumni@ulm.edu](mailto:rmialumni@ulm.edu).

### HEALTH CARE SHARING

**The Louisiana Department of Insurance issued a statement in December clarifying that faith-based health sharing ministries** are not recognized insurance products; therefore, they are not subject to the same regulations as traditional health insurance or oversight by LDI. Health care sharing ministries collect monthly payments from members under the agreement that the money will be used when a member has medical bills. However, these programs do not have to follow the same rules as insurers, and there is no requirement that they pay. While consumers who have problems with traditional insurance can get assistance from LDI, the department can do nothing to assist customers who have problems with health care sharing ministries. Under Louisiana law and the Affordable Care Act, health care sharing ministries are not required to register or be regulated.

### NIICA /PIA

**The Nationwide Insurance Independent Contractors Association has entered an agreement with the National Association of Professional Insurance Agents, PIA** National announced Feb. 4. Under the agreement, NIICA agents transitioning to independent status will become members of PIA National. Based in Columbus, Ohio, Nationwide announced April 16 that it would shift to an independent agency distribution model by July 1, 2020. At the time of the announcement, Nationwide already had relationships with more than 10,000 independent agents across the United States.

### JOBS REPORT

**In January, the U.S. Bureau of Labor Statistics released the last jobs report of the decade.** The report showed that the economy has now added jobs for 111 straight months at a rate of about

See **NEWS IN BRIEF** Page 14



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# Claims association president installed as The 1752 Club president

Lyndsey Manalla Graham, Servpro of Metairie, was installed president of The 1752 Club during ceremonies held Jan. 15 at The River Room, a venue in Baton Rouge.

She succeeds Lucy Lindsey, Capital Premium Financing, who remains on The 1752 Club's board of directors.

Graham is the marketing manager for Servpro of Metairie, where she has been employed for six years. In addition to marketing for the three locations in the Greater New Orleans area, she will be marketing for two locations in El Paso, Texas, that were recently acquired by Servpro of Metairie.

She is a graduate of the University of New Orleans with a general studies degree after her college career at Spring Hill College in Mobile, Alabama, was interrupted by Hurricane Katrina. At Spring Hill, she majored in biochemistry but did not think that a career in laboratory research was for her.

After college, she worked for three years at Archbishop Chapelle High School doing fundraising and as a volleyball coach.

She has been around the insurance business most of her life because of her parents, Leeann and Vince Manalla, who are both in the insurance business. "So starting her career in the insurance industry was an

easy choice," Graham said. She began her insurance career 10 years ago with Paul Davis Restoration before moving to Servpro of Metairie.

In addition to serving as the president of The 1752 Club, Graham also serves as the president of the New Orleans Claims Association and is the president-elect of PIA of New Orleans.

One of her main goals for her term as president is to let insurance marketing representatives that are not members of The 1752 Club know the benefits of the organization. She feels that there is a lot to learn from other members of The 1752 Club.

Taking office along with Graham are Shay Robinson, UPC Insurance/Family Security Insurance, president-elect, and Jason DiMaggio, SageSure Insurance Managers, secretary-treasurer. Assuming positions on the board of directors are George Bernard, Gulfstream Property and Casualty Insurance Company; Trish Bump, Foremost Insurance Group, and Darren King, Progressive Insurance Company.

The 1752 Club's membership consists of field representatives and/or inside company marketing managers and others who engage in appointing independent agents, including general agents, surplus line brokers, property and casualty adjusters, along with marketing representatives for service



Lyndsey Manalla Graham, right, succeeds Lucy Lindsey as president of the 1752 Club, an organization named after the year the first insurance company was founded in North America.

industries such as defense attorneys, premium finance companies and insurance software companies.

The 1752 Club meets four times a year: in February for its annual meeting, in May for a Day at the Races; in July during the PIA Convention, and in October or November for a Saints tailgate party.

The name of The 1752 Club is a reference to the founding date of the first property insurer in North America, March 26, 1752. Benjamin Franklin was among the founders of the company, The Philadelphia Contributionship for the Insurance of Houses from Loss by Fire, which survives to this day.

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To see photographs of The 1752 Club Annual Meeting held in February turn to page 22.

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## YIPs officers

FROM PAGE 1

of New Orleans to help with the agency. Neither Clayton nor her brother ever left the agency. Now, Clayton and her brother are co-owners along with their mother, and Clayton is in charge of administration and retention at the New Orleans office.

There are three Classic Insurance Agency offices in the New Orleans area, Clayton explained, the oldest in Kenner, one on the Westbank and another in New Orleans. The New Orleans and Gretna offices do a lot of personal lines business, she said, but the lion's share of the business is in Kenner.

Everyone in all of the Classic offices is bilingual, with 80 percent of the business coming from Hispanic people. Her mother, who started the agency, and father both emigrated from Honduras.

Since most of the agency's customers are

Hispanic, personnel at the agency often have to educate the agency's customers about the insurance laws in Louisiana, according to Clayton. She appears to consider educating customers an opportunity and the first step in making a "customer and friend for life," as Classic's website says.

Clayton credits a number of insurance professionals with contributing to her insurance education. She mentioned Mike Lane and Patrick Long of Lane and Associates, Anthony Musso of Safeway of Louisiana and the underwriting staff at National Automotive. When she trains Classic's new employees, she passes on what those folks taught her.

A 20-plus year member of PIA, Clayton said she has learned a lot from being active with PIA. In addition to honing her management skills, she has acquired "great

friendships" among other agents and "strong relationships with company reps."

This year, Clayton is on the PIA of Louisiana and PIA of New Orleans boards of directors in addition to serving as president of YIPs.

Her primary goal as YIPs president is growth. "Growth is the keyword," she said, growth in agent to agent relationships, growth in education and growth in agent attendance.

In addition to Clayton's professional involvement, the agency belongs to the Kenner Business Association, participates in food drives and sponsors sports teams in the Hispanic community. Her family participates in HISPAC, which provides political endorsements. Clayton and her husband have two children and are involved in the children's education and activities.

She holds the CPIA designation.

Officers installed along with Clayton are Ryan Page, Page and Sons Insurance Agency, Houma, president-elect, and Eric C. Vocke, Capstone Insurance Agency, secretary/treasurer.

Board members installed were Baylie Babin, Imperial PFS, Metairie; Victoria Caldarera, Acosta Insurance Agency, LaPlace; Guy Chabert, Chabert Insurance Agency, Thibodaux; Mary Dias, Dan Burghardt Insurance, Metairie; Jason DiMaggio, SageSure Insurance Managers; Jersey City; Britt Grieme, AmWINS Access, New Orleans; Chad Harrington, Hull and Company, Metairie, and Kristin Swanson, Swanson and Associates, New Orleans.

The officers were installed by PIA of Louisiana President Bryan Duplantier, Alpha Insurance Agency, Gretna.

## Laurie Whipp is inducted into the YIPs Hall of Fame

Laurie Whipp, Gulf States Insurance Company, was inducted into the Young Insurance Professionals Hall of Fame during the YIPs 2020 Annual Winter Conference held Jan. 16-17 at the Hilton Baton Rouge Capitol Center.

Whipp is Business Development Manager at Gulf States, the Lafayette-based insurer where she went to work last year.

Previously, Whipp was director of marketing for the Professional Insurance Agents of Louisiana where she worked for eight years. In addition, she was PIA of Louisiana's liaison to YIPs, an affiliate of PIA.



Whipp

Whipp landed her first job in the insurance business when the mother of her daughter's friend invited her to submit a resume for a job opening at PIA. As it happens the invitation came from Coleen Brooks, who still works for PIA.

Whipp is a certified vacation planner and travel agent specializing in Disney adventures.

She holds a bachelor's degree in microbiology from LSU in Baton Rouge. Prior to going to work for PIA of Louisiana, Whipp worked for the Pennington Biomedical Research Center doing medical research.

After taking a hiatus from work when her children were young, she worked for the school her three children attended and later for a podiatrist; her duties at both places included designing their web presences.

While working at PIA, Whipp was a member of the Louisiana Society for Association Executives. In addition to YIPs, she is a member of PIA and Big I.

She holds the CISR Elite designation. An avid runner, Whipp coaches the track and cross country team at Parkview Baptist School, where her daughter is a participant on the team. Whipp is a Hero for the half-marathon benefiting St. Jude Children's Research Hospital. That means she ran the half-marathon and earned more than \$2,500 in contributions for St. Jude, which earned her Hero status.

Whipp participates in community service projects with members of the track and cross country team as they are required to perform community service hours.

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## YIPs hosted its Annual Winter Conference at the Hilton Baton Rouge Capital Center



Lyndsey Manalla Graham, Servpro of Metairie, with Eric Vocke, Capstone Insurance.



Dianna Sessums, left, Wright Flood, with Jessica Clayton, Classic Insurance Agency.



Seth Swanson, Orchid Insurance, with Jessica Bankston-Miller, Powell and Associates.



Wayne Forest Jr., Forest Insurance Facilities, with Nikki Dailey, center, The Lincoln Agency, and Courtney Donato, Forest Insurance Facilities.



Andrew Strohm, Agile Premium Finance, with Jamie Renton, Imperial PFS.



Ruth Damaré, left, UIG, with Jessica Gibbs, Standard Mortgage Insurance Agency.



Jack Pitts, left, and CJ Nash, both with CRC Group.



David LeBlanc, Peachtree Special Risk Brokers, with Brittany Schule Orlando, Emergency Restoration.



From left are Jennifer Clements and Mary Dias, both with Dan Burghardt Insurance, and Brooke Bouy, First Insurance Funding.



# LEGION

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From left are Jamee Sellier and Johnette Drago, both with Access Home Insurance Company, and Brittany Stoudt, Emergency Restoration.



With AmWINS Access are, from left, Chance Defriend, Britt Grieme and Drake McEachern.



Jason DiMaggio, left, SageSure Insurance Managers, and Nick Farly, Ann Sagona Insurance.



From left are Keith Summers, LCI Workers' Comp; Tim Clements, Clements Insurance Services; Jordana Richmond, Acadian Insurance Managers, and Jay Jodah, LCI Workers' Comp.



Laurie Whipp, left, and Noel Bunol, both with Gulf States Insurance Company, and Natalie Cooper, PIA of Louisiana.



From left are Dawn Duhé, Stiel Insurance; Vicki Hill, John Dupuy and Ian Bush, all with Johnson and Johnson.



Tensey Pricer, left, LWCC, with Danny Gendusa, center, RT Specialty, and Chris Bishop, LWCC.



Eddie Story, left, Allied Trust Insurance Company, with David Bulloch, Bankers' Insurance Group.

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From left are Shay Robinson, UPC Insurance; Victoria Calderera, Acosta Insurance, and Danielle Gendusa Wagner, Gendusa Insurance Agency.



Chad Harrington, Hull and Company, with Brandi Lamonte, Riverlands Insurance.



Courtney Dupuis, left, and Allison Parsons, both with RPS – Covington.



From left are Baylie Babin and Linda Berndt, both with Imperial PFS, and Debbie Harrington, Americas Insurance Company.



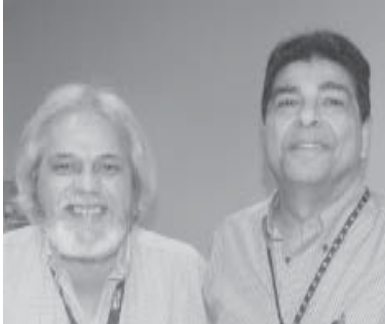
Darren King, left, Progressive Insurance Company, with Holly Fontenot, Fontenot Insurance, and Brad Sanders, American Modern.



Mike Rodrigue Jr., left, RODCO Worldwide, with Brent Lawson, Daul Insurance Agency.



With Alpha Insurance Agency are, PIA of Louisiana President Bryan Duplantier and his daughter, Casey Duplantier.



Dean Basse, left, Dan Burghardt Insurance, with E.J. Ackal, Anchor Insurance Company.



Al Pappalardo Jr., left, Pappalardo Insurance, and David Dupuy, Johnson and Johnson.



Kris Wilkerson, left, Amerisafe, with Heather Kendrick and Dustin Miller, both with Select Insurance Markets.



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# Filling out the app

FROM PAGE 1

they are written,” Forest said.  
When the application is scanned to be emailed, resolution can be lost and made even more difficult to read. “That can lead to some problems if an underwriter mistakes a two for a seven,” Forest said.

Properly completed applications make it easier to quote. The more information that is provided up front means less information is needed later. “In a hard market, the easier you can make it on the underwriter to quote the risk, the more likely you are to get a quote from the underwriter,” Forest said.

The ACORD 125 Commercial Insurance Application provides general information about the applicant, premises and business.

The most important part of the ACORD 125 is the Nature of Business/Description of Operations section:

- What is their product/service and who is their consumer?
- What is their expected revenue and payroll (annual)?
- What experience/training do they have?
- How long have they been in business?
- Do they manufacture or distribute anything?
- Do they have any incidental revenue sources?
- Do they subcontract any work and how many employees?

The Business Operations section is crucial because this is the underwriter’s first impression of the risk.

The underwriter also wants to know insurance history for the insured. The ACORD 125 should show any policy or coverage declined, cancelled or non-renewed during the prior three years. The ACORD 125 should also show the insurance carrier’s information as well as previous premiums paid by the insured.

It is also important to provide loss history, proposed effective date and expiration date and any named insureds.

The ACORD 126 Commercial General Liability Section provides specific information about the business operations. The important parts of this section to fill out are coverage and limits, schedule of hazards and additional insured’s.

The ACORD 126 should have the requested limits, the schedule of hazards and list any additional insureds.

In the schedule of hazards, identify ex-

posures/classes and the premium basis for those classes. “Answer all of the questions to the best of your knowledge,” Forest said. If writing a contractor and any work is subcontracted out, make sure that this section is completed. If no work is subbed out show zero percent.

When filling out the portion of ACORD 126 showing additional insureds, make sure you give a description of the interest of the additional insureds. “Again answer all of the questions to the best of your knowledge,” Forest added.

The ACORD 140 Property Section provides specific information on the premises and the building personal property (BPP).

The important areas of the ACORD 140 are premises information and structural underwriting. The premises information should contain limits, valuation, coinsur-

ance, coverage form, etc. The structural underwriting section should contain construction, protection class, age, area, etc.

One page should be used for each building.

For the ACORD 125 Commercial Auto Insurance application, some information to be filled out will be the same as the property and casualty application but must have the business phone number and the federal employer identification number (FEIN) or the social security number.

It is important to have the contact type, name, telephone numbers, and email (if available). The application should include the garaging location, description of operations and the Department of Transportation Motor Cargo number (if applicable).

The ACORD 125 Auto application should include safety information, danger-

ous exposures, cancellation or non-renewal information, and other business information for which coverage is not requested.

“Complete this information on this page to the best of your abilities where the information is applicable,” Forest said.

Some additional information needed for auto applications are MVRs, loss runs and a list of vehicles.

There are some risks that may need supplemental applications: contracting risks, bars and restaurants, liquor liability, garage liability, day cares, beauty salons, and special events.

“A properly filled out application will make it easier for you to get a quote from the underwriter, and the underwriter will help you with the other information that may be required to bind the policy,” Forest told the attendees.

## GEICO criticized for patriot penalty

The Berkshire Hathaway subsidiary, GEICO, adds a surcharge to the auto insurance premiums of soldiers who dropped their coverage while they served abroad, according to a televised report by investigative reporter Lee Zurik.

The Consumer Federation of America verified the patriot penalty through its own research, and in a letter sent Feb. 11, called on the nation’s insurance commissioners to investigate the practice and block companies from imposing the penalty.

According to Zurik’s report on InvestigateTV, the surcharge on returning soldiers can be as high as \$500 every six months, even with a clean driving record.

Louisiana is among the 22 states that appear to have a patriot penalty, CFA said. Indeed, Zurik reported that auto insurance in Louisiana can increase by 45 percent for someone who returns from deployment

If a commissioner feels he or she lacks the authority to block the penalty, then lawmakers should take up legislation to do so, CFA wrote in the letter.

State Sen. Jay Luneau, D-Alexandria, pre-filed a bill that will block the penalty.

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# Tort reform

FROM PAGE 1

but it won't be easy. The opponents to tort reform have created an organization called Real Reform Louisiana to maneuver against business and industry's proposed tort reform legislation.

According to the Greater Baton Rouge Business Report, Real Reform Louisiana has "strong ties" to the Democratic Party and is led by the Washington, D.C. native who is the former communications director of the governor's campaign and has worked as a campaign communications director for the Louisiana Democratic Party. Another of the group's leaders is the former executive director of the Louisiana Democratic Party, who is also said to be behind Gumbo PAC. Yet another operative has been involved in Democratic politics for 15 years, the Business Report said.

On its website, Real Reform Louisiana says it is "dedicated to lowering Louisianans' household costs, driving down car insurance rates, and stopping insurance companies and big corporations from rigging the court system," whatever that means. The organization promises to "raise awareness about the real causes of the cost of high auto insurance rates" and "inform the public about the negative impact of tort reform and other efforts that will boost corporate profits at the expense of Louisianans."

The hitch is that it isn't clear what the organization actually plans to do except challenge business groups and insurance companies in their tort reform movement.

In its press release of Feb. 5 introducing the organization, it said it will advocate for forcing insurance companies to base insurance premiums on driving records, demanding more transparency in insurance rate-

setting and expenses, and holding the insurance commissioner accountable in his job regulating the insurance industry.

Sen. Jay Luneau, D-Alexandria, has pre-filed four bills dealing with determining insurance rates. The four bills prohibit rates based on gender of an insured over 25 years-old, on credit scores, on the fact that the insured is a widow or widower and on the fact that the insured is deployed in the military for more than six months.

The Real Reform Louisiana organization describes itself as a 501(c)(4) corporation, which is a social welfare organization, such as a civic organization or a neighborhood association.

On the business and industry side of the issue, proposed tort reform legislation was pre-filed in January that reformers believe will bring down automobile rates.

Among the earliest pre-filed bills is the Omnibus Premium Reduction Act of 2020, HB 9, filed Jan. 24 by Rep. Raymond E. Garofalo Jr., R-Chalmette, a commercial developer and owner of Garofalo Investments. The bill tracks legislation proposed last year sponsored by then Rep. Kirk Talbot, R-River Ridge who chaired the House Insurance Committee and now is a senator. The 2020 bill was referred to the House Civil Law and Procedure Committee, which is chaired by Rep. Gregory A. Miller, R-Norco. Ten Republicans, including Miller, and five Democrats serve on the committee.

If passed the measure would increase the one-year prescriptive period for lawsuits to a two-year prescriptive period, reduce the threshold for jury trials to \$5,000 from \$50,000, provide for reduced damages for amounts paid or payable from collateral

sources and repeal the right of direct action against an insurer.

Another pre-filed bill authorizes the introduction of evidence of failure to wear a safety belt in order to establish comparative negligence and damages, except in the case of vehicles manufactured prior to Jan. 1, 1981, and farm vehicles, rural letter carriers, utility workers and occupants with physical or mental disabilities. The seatbelt bill, HB 39, sponsored by Rep. Mike Huval, R-Breaux Bridge, was also assigned to the House Civil Law and Procedure Committee.

Also sponsored by Huval is HB 46 which provides for an expedited jury trial, if both parties agree, even when the cause of action does not exceed \$50,000.

Whether or not the proposed tort reform legislation if passed will bring down auto rates in Louisiana is an open question. No one can say for sure if or how much.

Still, it makes no sense for Louisiana to have a \$50,000 jury trial threshold, when no other state in the country comes close and most states have none, and it makes no sense

for Louisiana to be one of only two states permitting direct action. Also, moving the prescriptive period to two years should take some of the urgency out of filing lawsuits before a settlement can be agreed to.

In support of the position that proposed tort reform may not make much difference in auto rates is past experience with the No Pay, No Play measure that Commissioner of Insurance Jim Donelon helped pass when he was a state representative. Passing the bill was supposed to bring down private passenger automobile rates, and it did, but only by a disappointing negligible amount.

Where tort reform proposals fall short is that the main driver of high automobile rates is not addressed. The problem is a litigious society and citizens who think it's perfectly all right to bilk insurance companies out of as much money as possible. Changing the culture is practically impossible, as one attorney standing on a truck and another using the motto "one call, that's all" exacerbates the problem, and the insured driver ends up paying through higher rates.

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  - **What are your options?**

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# Effort underway in London to create insurance museum

An effort is underway in the City of London to create an insurance museum to showcase artefacts that the Chartered Insurance Institute collected over the last 100 years.

Industry veteran, Reg Brown, and brand consultant, Jonathan Squirrell, are behind the project, according to an article in the Jan. 24 edition of the Financial Times. They believe that the museum would do wonders for the insurance industry's reputation. The project has already drawn start-up contributions from a number of insurance companies, including Hiscox, Aviva, Aon, Axa and Swill RE.

Brown spent decades working at Lloyd's of London and was also president of the Chartered Insurance Institute.

Squirrell is project manager for the future museum. He has no background in insurance, according to the Financial Times,

but became involved after proposing to the Chartered Insurance Institute that it should make a documentary to showcase the industry's skills.

The museum idea was born out of a mixture of jealousy relative to the success of the Bank of England's museum, which gets around 100,000 visitors each year, the Financial Times reported.

Brown is a regular visitor of the bank's museum and believes the insurance business is as important to the City of London as the bankers are. "We could tell lots of stories," he told the Financial Times.

The idea took shape when the Chartered Insurance Institute moved out of its historic building in Aldermanbury to smaller premises in Lombard Street and needed a place to display the artefacts it had amassed over the past 100 or so years.

While the organizers are not settled on a name for the attraction, the Insurance Museum is the working title, but the Museum of Risk is another possibility.

There is no shortage of material to display since insurance and risk management has been around for thousands of years, going back to Mesopotamia and China. In London, insurance goes back to the 1680s when the market began at Edward Lloyd's coffee house.

Among the possibilities for artefacts to display are the Titanic's insurance policy, fire engines and fire marks – plaques that were placed on the outside of buildings hundreds of years ago to let the insurance company-owned fire brigades know the building owner had paid for fire protection. No fire mark. No fire suppression.

In addition, there should be some sort

of marquee attraction, Squirrell told the Financial Times. The Bank of England museum has gold bars. Squirrell mused that an insurance museum could feature a Virgin Galactic spacecraft, which could be used to illustrate how insurers deal with the risks of space flight. He also wants some modern attractions such as digital games and videos.

Brown hopes the museum will encourage people to work in the insurance business.

Organizers already have a video and are trying to raise £3 million to open a small pop-up museum later this year, to test exhibits, ideas and visitor appetite. If all goes well, organizers want to raise £10.5 million to set up a permanent, 20,000 square foot museum in the City of London. Alistair Brown, policy manager of the Museums Association, said getting people to visit an insurance museum will be "a tricky marketing job, but I'm sure there's a story worth telling."

According to the Financial Times, there already are insurance museums in Milan, Madrid, and Ningbo, China.



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### NEWS IN BRIEF FROM PAGE 4

198,000 new jobs per month on average over that period, according to a news article by Gatehouse News Service published Jan. 27. Job growth was somewhat slower in 2019, with 176,000 new jobs per month on average. Sustained job growth over such a long period has brought the unemployment rate down to 3.5 percent, the lowest rate in 50 years, Gatehouse reported.

### 2019 DISASTERS

After consecutive record loss years for extreme weather, 2019 closed out the costliest decade for natural catastrophes with a below-average economic loss total. At \$232 billion, the year's economic loss total for natural disasters fell three percent below average losses since 2000, and 20 percent below losses of the last decade, according to Aon. Of that \$232 billion, \$71 billion was covered by insurance. There were 409 natural catastrophe events in 2019, but half of the year's global insured loss total was created by the top 10 costliest weather events (\$35 billion).

### P/C RESULTS

Net underwriting gains in the U.S. property and casualty industry rose to \$5.4 billion over the first nine months of 2019, according to Verisk, a data analytics provider, and the American Property Casualty Insurance Association (APCIA). That was up from \$4.7 billion a year earlier. The increase was driven by growth in premiums and a drop in catastrophe losses. Property/casualty industry surplus reached a record high of \$812.2 billion. Net income after taxes declined to \$48.1 billion for the first nine months of 2019 from \$49.4 billion during the first nine months of 2018. Insurers' combined ratio deteriorated 97.8 percent from 97.4 percent a year earlier. Net losses and loss adjustment expenses from catastrophes declined to \$21.5 billion for the first nine months of 2019 from \$26.0 billion a year earlier. Net written premium growth slowed to 2.7 percent in the first nine months of 2019, after jumping 11.4 percent a year earlier.





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# Brexit: A fish problem could queer an EU deal with the U.K.

**London Views**  
**By Len Wilkins**  
**London Correspondent**

Having finally left the European Union on Jan. 31, Lloyd's and the London insurance and reinsurance company markets are waiting to see how things will change.

At the moment, nothing changes because there is a transition period between now and Dec. 31. Until then, an intense game of poker will be played between the U.K. and the EU over the future relationships be-

tween the parties and a trade deal on how they will trade with each other in the future. Meanwhile, EU law applies. The transition period can be extended by two years to allow for further negotiations, but Prime Minister Boris Johnson has said this will only happen over his dead body.

The current legal position is that any EU member state which authorizes a domestic insurer empowers that insurer to trade anywhere in the EU. Domestic insurers and reinsurers in non-EU member states can only trade locally. This is why more than

300 companies were set up in the EU by Lloyd's, U.K. insurers and non-EU insurers. As an EU company they have the right to trade across the EU but ironically not with the U.K. as no deal is done.

While most of the trade talks between the U.K. and EU do not concern Lloyd's and the London company market, the access to each other's financial services markets are of prime importance. The financial services sector is Britain's biggest tax contributor, generating \$98 billion annually in tax.

There will be equivalence tests under which the U.K. and the EU will decide if the other party's rules for financial stability and investor protection are sufficiently aligned with one another to allow access to their territories. The plan is to have completed the technical assessments for equivalence by the end of June. The U.K. wants a permanent deal, but the EU wants an open-ended arrangement with a 30-day cancellation period.

All this because of a problem with fish. U.K. regulators believe they have made the U.K. the most equivalent country in the world, and in a straight "I'll show you mine if you show me yours" negotiation there would be no problem. Unfortunately, the EU made it clear that these negotiations are a combined package and not a sector specific agreement, so London's access to the EU depends on trade-offs in a broader deal that cuts across all economic sectors.

Which brings us back to fish. EU members are demanding that the U.K. must allow them to fish in U.K. wa-

ters for the next 25 years. This has gone down in the U.K. like a lead balloon, and the EU stated its determination that these fishing rights are part of the overall deal. So no overall deal – no access for insurers. It seems that fish could stop Lloyd's and London market companies trading with EU members even though there are other must have items on the EU's shopping list. In practice the U.K. can expect some sort of compromise. A no deal agreement, which would make trade between the EU and the U.K. difficult, is unlikely as the EU sells more to the U.K. than the U.K. sells to the EU.

The problem the U.K. has is that EU negotiators are not worried about trade. As most are lawyers and not business oriented, they are more worried about protecting the EU from fragmenting, and their concern is that, if they give the U.K. too good a deal, other members of the 27-countries strong EU will be tempted to leave.

Lloyd's being Lloyd's, it likes everyone to know where it stands and has issued a market bulletin (Y5278) which sets out the impact of the U.K.'s withdrawal from the EU on Lloyd's insurance contracts and confirms the relevant measures Lloyd's has put into place.

The expectation on Lime Street is that after the transition period is over Lloyd's members will no longer have the benefit of EU passporting provisions and would not be able to underwrite EU or European Economic Area (EEA) reinsurance business.

See **LONDON VIEWS** Page 24

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Steve Wulff, left, O'Connor Insurance Group, with Donnie Holtmann, center, Travelers, and Chris Neyrey, Summit.



Danny Gendusa, left, RT Specialty, with Greg Swanson, Swanson Insurance Agency.



Ruth Damaré, left, UIG, with Chad Harrington, Hull and Company, and Debbie Harrington, Americas Insurance Company.



Laura Donnaway, left, Donnaway Insurance, with Mark Fruchtnicht and Tiffany Fruchtnicht, both with Financial Assurance.



Jeffrey Schwaner, left, Stone Insurance, with Wayne Forest Jr., Forest Insurance Facilities.



Tiffany LeBlanc and Matthew Stone, both with Stone Insurance.



Jamie Newchurch, left, and Francine Berendson, both with IABL.



Katie Wood, left, AmWINS Brokerage of Texas, with Brent Lawson, Daul Insurance Agency, and his wife, Kelly.



Debbie Lee, Americas Insurance Company, and Jay Jodah, LCI Workers' Comp.



Kristin Murphy and Tim Boston, both with RISCOT.



David Duval, left, LWCC, with Alan Case, Lowry-Dunham, Case and Vivien Insurance.



AssuredPartners' Johnny Beckmann with Brittany Stoudt, of Emergency Restoration.



From left are Brittney Parker, Hull and Company; George Bernard, Gulfstream Property and Casualty Insurance Company; Noah Jason Lewis and Noah W. Lewis, both with Noah W. Lewis and Associates, and David LeBlanc, Peachtree Special Risk Brokers.

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Blaise D'Antoni, left, Burns and Wilcox, with Matthew deBlanc, Continental Insurance Service.



Josh Golding, left, and Robby Moss, both with Hartwig Moss Insurance Agency.



Keith Kimble and Debbie Lowe, both with LUBA Workers' Comp.



Keith Summers, left, and Mark Tullis, both with LCI Workers' Comp.



Robert Stone, left, Stone Insurance Agency, and Matthew Forest, Forest Insurance Facilities.



Crystal Bunol, Gulf States Insurance Company, with Chris Paulin, Paulin Insurance Associates.



Britt Grieme, left, AmWINS Access, with Tyler Boudreaux, Paulin Insurance Associates.



Leeann Cannon, left, O'Connor Insurance Group, with Brittany Schule Orlando, Emergency Restoration, and Nick Macaluso, O'Connor Insurance Group.



From left are Bill Odom, Mercury Underwriters; Bryan Duplantier, Alpha Insurance Agency; Eva Odom and Leslie Sallean, both with Mercury Underwriters.



Bonnie Steen, Burns and Wilcox, and Ryan Daul, Daul Insurance Agency.



Jeff Albright, left, IIABL, with Joey O'Connor, center, O'Connor Insurance Group, and David Tucker, LWCC.



Evin Beck, left, United Fire Group, with JV Franks, center, Hull and Company, and Dwayne LeBlanc, Wright Flood.



Peggy Neilsen, Burns and Wilcox, with Jonathan McKenzie, Commercial Sector Insurance Brokers.

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# Third generation agent is president of IIAGNO

Ryan Daul, a third generation insurance agent, was installed president of the Independent Insurance Agents of Greater New Orleans (IIAGNO) during ceremonies held Jan. 24 at the Royal Sonesta Hotel in New Orleans. Daul is a producer at Daul Insurance Agency in Gretna.

He succeeds Robert Stone, Stone Insurance in Metairie, as IIAGNO president.

Daul started working at the agency, founded by his grandfather in 1959, in January 2002, after graduating from Loyola University with a Bachelor of Arts and Sciences degree in communications and a minor in English. His entire career in the insurance business has been with the family agency.

After he graduated from college, Daul wanted to work in the film and television industry writing scripts. “I promised my dad that if I didn’t get a job working in the film

industry, I would go to work at the agency,” Daul told the Reporter. “My dad shrewdly agreed,” he added.

He started at Daul Insurance Agency as an assistant CSR. After earning his agent’s license, he became a producer, a position he has held for almost 17 years.

While working at the agency, he received his Executive MBA from Tulane University, his CPCU designation, and an ANFI (Associate in National Flood Insurance) designation.

Daul has been active with the Big I since he started at the agency. His father and grandfather were involved with the Big I, and his father, Jerry Daul, is a past president of IIAGNO. Daul has served on IIAGNO’s board since 2012.

During his term as president, Daul wants to recruit more people to the board. “I would

like to find new people and nurture them to become involved with the local association and also the board,” Daul said. His focus will be to get more people to come to the meetings and events.

IIAGNO is set to hold a BBQ Social at Central City BBQ on March 26 and the Alvin Shepherd Big I Charity Golf Classic on April 3 at the Audubon Golf Course. The charity which will receive the proceeds from the golf tournament has not been decided.

IIAGNO will also hold a Company Appreciation Event sometime in October.

Daul believes that the biggest benefit to being a member of the Big I is the opportunity to network with other members. “I have met so many good people and formed friendships with them, and that would not

See **IIAGNO OFFICERS** Page 21

## Legislators to lead committees decided in January

Leadership and members of the various committees of the Louisiana Legislature that will deal with insurance related bills during the session that begins March 9 were decided in January.

Rep. Chad Brown, D-Plaquemine, is chairman of the House Committee on Insurance. Brown is an attorney and worked for the Insurance Department as staff attorney, then as deputy commissioner and finally as chief of staff from 1993 to 2008.

Rep. Edmond Jordan, D-Baton Rouge, is the vice chairman of the House Committee on Insurance. Jordan is an attorney and co-owner of Cypress Insurance Agency. He chairs the Financial Services and Multi Lines Issues Committee of the National Council of Insurance Legislators.

Members of the House Insurance Committee and their occupations as listed on their House webpages are: Gerald “Beau” Alphonse Beaulieu IV, R-New Iberia, financial advisor; Mary DuBuisson, R-Slidell, legislator; Kathy Edmonston, R-Gonzales, parent facilitator; Michael “Gabe” Firment, R-Pollock, insurance consultant; Lawrence “Larry” Frieman, R-Abita Springs, attorney; Cedric Glover, D-Shreveport, no occupation listed; Kyle M. Green Jr., D-Marrero, attorney; Paul Hollis, R-Covington, small business owner, author; Mike Huval, R-Breaux Bridge, independent insurance agency owner; John R. Illg Jr., R-Jefferson Parish, manufacturer’s representative; Sherman Q. Mack, R-Albany, attorney; Danny McCormick, R-Oil City, owner M&M Oil, and Matthew Willard, D-New Orleans, management, fluence analytics.

House Speaker Clay Schexnayder, R-Gonzales, owned and operated Car Craft Automotive, and Speaker Pro Tempore Tanner Magee, R-Houma, attorney, are ex officio members of the committee.

### Senate Committee on Insurance

Sen. Kirk Talbot, R-River Ridge, is the chairman of the Senate Committee on Insurance. Before being elected to the Senate last year, Talbot served in the House and chaired the House Committee on Insurance.

Sen. Louie Bernard, R-Natchitoches, is the vice chairman.

Senators who are members of the committee and their occupations if listed in their biographies on their Senate webpages are Joe Bouie, D-New Orleans, a retired professor of social work and former chancellor of Southern University at New Orleans; Stewart Cathey Jr., R-Monroe; Michael “Big Mike” Fesi, R-Houma, businessman and community leader; Katrina Jackson, D-Monroe, attorney; Robert Mills, R-Minden; Barrow Peacock, R-Bossier City, investment manager, and Gary Smith, D-Norco, attorney and businessman.

### Senate Judiciary A Committee

Peacock serves as chairman of the Judiciary A Committee, and Sen. Jimmy Harris, D-New Orleans, is vice-chairman.

Other senators on the committee are Heather Cloud, R-Turkey Creek, former educator and former mayor of Turkey Creek; Cleo Fields, D-Baton Rouge, attorney; Jay Luneau, D-Alexandria, attorney; Patrick McMath, R-Covington, former assistant district attorney, small business owner.

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IIAGNO officers ————— FROM PAGE 20



Robert Stone, left, passed the IIAGNO presidency to Ryan Daul.

have happened if not for the Big I,” he said. Daul currently serves on the board of directors of PIA of Louisiana, and is the immediate past chairman of the Jefferson Chamber of Commerce. He also chaired the Government Committee for the Jefferson Chamber. He served on the board of Plaquemines Association of Business and Industry, the board of the Jefferson Business Council, and was a Nextgen board member for GNO Inc. In addition, he is a member of the Louisiana Workers’ Compensation Appeals Board, the West Bank Business and Industry Association, the Gretna Economic Development Association, and the Jefferson United Mitigation Professionals Multijurisdictional Program for Public Information, which serves as an official strat-

egy for joint education and outreach efforts focusing on flood protection in Jefferson Parish. The biggest challenge facing independent agents today, according to Daul, is the increased ability of an insured to purchase coverage directly from an insurance company online. “The ability of an insured to get a quote in five minutes on an auto and homeowners policy gets easier every day,” Daul said. According to Daul, a very important issue facing smaller independent agents is finding employees, training them, moving them up the employment ladder, and then losing them to larger national independent agencies. The larger national agencies have the resources available to hire employees away from the smaller independent agencies. Installed along with Daul were Evan Kennedy, Kennedy, Lewis, Renton and Associates, Gretna, president-elect; Johnny Fisk, Fisk Marine Insurance International, New Orleans, treasurer, and Steven Wulff, O’Connor Insurance Group, Metairie, secretary. Board members installed were Paul Beckmann, J. Everett Eaves, New Orleans; Alan Case, Lowry-Dunham, Case and Vivien Insurance Agency, Slidell; Betsy Ellis Clement, Gillis, Ellis and Baker, a Gallagher Company, New Orleans; Tiffany Fruchtnicht, Financial Assurance, Metairie; Josh Golding, Hartwig Moss Insurance Agency, New Orleans; Noah Jason Lewis, Noah W. Lewis Insurance and Associates, New Orleans; Clark Zelenka, Eagan Insurance Agency, Metairie, and Jeffrey Schwaner, Stone Insurance, Metairie.



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# The 1752 Club installed officers at The River Room in Baton Rouge



Janice Hopkins and Derek Dodson, center, both with National General Insurance Company, and Mike Swinney, Southern General Agency.



From left are Mary Katherine Brown Leach, Legion Claims Solutions; Shay Robinson, UPC Insurance; George Bernard, Gulf Stream Property and Casualty Insurance Company; Laurie Whipp and Noel Bunol, both with Gulf States Insurance Company.



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Jason DiMaggio, SageSure Insurance Managers, with Debbie Harrington, Americas Insurance Company.



Dianna Sessums, left, Wright Flood, with Blaine LeBlanc, Hull and Company, and Deborah Tobias Reed, The Republic Group.



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Lorna Deville, left, Wright Flood, with Vikki Wilder, Summit.



From left are Warren LaFleur, Access Home Insurance Company; Darren King, Progressive Insurance Company; David Bulloch, Bankers Insurance Group, and Andrew Strohm, Agile Premium Finance.



Coleen Brooks, PIA of Louisiana, with Dwayne LeBlanc, Wright Flood.



Baylie Babin, left, Imperial PFS, with Lyndsey Manalla Graham, Servpro of Metairie.



Danny Gendusa, left, RT Specialty, with Leeann Manalla, SageSure Insurance Mangers, and Eddie Story, Allied Trust Insurance Company.

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# London views

They can, however, write reinsurance to cedants in the EEA (except Germany) provided they comply with local requirements. The EEA is an international agreement which enables the extension of the EU's single market to non-EU member parties. It links the EU member states and three European Free Trade Association states, Iceland, Liechtenstein, and Norway, into an internal market governed by the same basic rules as the EU.

The bulletin reminds members that

Lloyd's EU subsidiary, Lloyd's Insurance Company SA (known as Lloyd's Brussels), is up and running in Belgium and meets the EU's Solvency II formula. It also benefits from the same financial ratings as Lloyd's that AM Best, S&P and Fitch provide. It has 18 branches across the EEA and a branch in the U.K. The company can write all classes of non-life insurance business and facultative and excess of loss reinsurance from EEA member states. Lloyd's reminded its members and managing agents

that authorization to write EU business comes from its EU subsidiary and not from Lloyd's and that they must have a compliant structure in place to gain authorization. Only EEA coverholders can act as coverholders for Lloyd's Brussels, and where the policyholder and the risk location are in the EEA, all intermediaries in the distribution chain must be authorized in an EEA country. If a risk is partly in the EEA and partly outside, two separate contracts are needed, with the EEA risk written by Lloyd's Brussels.

### The Europeans are coming

Much has been made in the U.K. press about the loss of companies and jobs to the EU. Over the whole financial sector some 7,000 jobs will move to the EU, according to consultants EY. What hasn't been reported is the number of jobs being created by the EU insurers moving to the U.K.

Over a thousand EU banks, asset managers, payments companies and insurers are planning to open offices in post-Brexit Britain to serve their existing U.K. clients, according to regulatory consultancy Bovill.

Bovill said figures provided by the U.K.'s Financial Conduct Authority show that many EU firms see the U.K. as Europe's premier financial services hub. How negotiations go between the U.K. and EU remains to be seen. The worst case scenario is that U.K.'s financial companies will not be recognized by the EU – unlikely but possible.

### Coronavirus major losses not expected

Lloyd's and London market insurers are more concerned with catching the coronavirus than receiving large claims from the disease. Coronavirus is not the first pandemic in recent times, and the industry previously responded by writing policies that exclude these risks.

Standard event cancellation policies written in London have a communicable disease exclusion, which excludes coronavirus losses. Likewise, standard business interruption policies will probably have a communicable disease exclusion covering any loss of revenue if premises or factories are forced to close temporarily. Where a contingent exclusion for denial of access or loss of attraction has been agreed, a disease exclusion will apply.

Coronavirus could be a problem for in-

surers covering travel, hospitality and healthcare costs. These are risks that London insurers either don't write or insist on disease exclusion clauses.

One area that could cause insurers concern is the prevention or hindrance of access by a public authority. This may trigger business interruption policy claims irrespective of physical damage. Often BI policies cover interruption caused by any legal authority closing or evacuating all or part of the premises due to the outbreak of an infectious or contagious human disease. There is usually a territorial limit such as "within a 10 mile radius" of the insured building or plant.

### Renewal season was good

Lloyd's and London market insurers have had a good renewal season. The thought that Lloyd's will publish losses for the third year in a row later this year helped underwriters' discipline. Lloyd's and the London market were helped by a reduction in market capacity, which led to improved rates. As with all renewal seasons, things were mixed with some up, some down and some staying as they were.

According to the Insurance Insider, rate increases varied from mid-single digits to around 15 percent.

The good news is that underwriters see this renewal season as the beginning of a new era and predict price increases for the renewal seasons of April, June and July. While this is not a hard market, rates are now closer to their loss exposure, and if things continue, profits will be on the way.

Those insurers celebrating the renewal season are underwriters for cargo (increases in double digits), energy (increases averaging 30 percent), aviation (increases averaging 30 percent), space (between 200 percent and 300 percent) and property (increases in double digits). Aviation and space business saw losses and massive rate cuts recently, so a return to normality was expected.

Reinsurers were also happy with renewals. Contraction in the alternative reinsurance market helped, with ILS capacity dropping by seven percent, according to Guy Carpenter. The result was rate increases of between five percent and 25 percent for

See LONDON VIEWS Page 25



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# London views

FROM PAGE 24

catastrophe renewals and 15 percent to 35 percent for catastrophe renewals that had been hit by losses – ouch! Expect primary carriers to compensate by putting up rates on their direct business.

January’s renewals are mainly U.K., USA and Europe. Since these areas were not impacted by major losses, brokers didn’t have too much trouble placing renewals and even got rate reductions in some European loss free accounts. The real fun will come when Japanese and Australian renewals come up later in the year.

The future is looking bright. Insurance and reinsurance rates have increased; capacity has dropped, and insurers and reinsurers are looking for rate increases for the rest of the year.

## Performance director to leave

Shock waves circulated throughout the Lloyd’s market following the unexpected announcement that Performance Director Jon Hancock is to leave during 2020. Hancock has been a breath of fresh air at Lloyd’s. He led the Blueprint One – Future of Lloyd’s strategy.

It was Hancock who pushed Lloyd’s to center on bottom-line performance. He influenced the implementation of Decile 10, where Lloyd’s managing agents had to identify the worst performing 10 percent of their risks and either not renew or renew on terms that would produce profits. Lloyd’s said Decile 10 will continue under Hancock’s successor.

Hancock joined Lloyd’s in 2016, but is missing the commercial world he grew up in and wants to return to it. No firm date has been fixed for his departure, and both Lloyd’s and Hancock are happy with this.

A global search for his replacement has already started, but Lloyd’s next performance director will have a hard act to follow, especially as the incumbent will have a job with an expanded remit. The market predicts that a former Lloyd’s underwriter will get the job.

## New chief HR officer

With concerns over behavior in the market and a lack of diversity, Lloyd’s decided to strengthen its human resources team and appointed Julia Tyson as chief human resources officer effective immediately. Tyson was HR and communications director at insurer LV from 2013 to 2017, and prior to that, HR director at Wates Group. She joins Lloyd’s at a crucial time and will help to develop an inclusive and innovative culture that attracts talented people to deliver the Future at Lloyd’s.

## Lloyd’s policies for cyber content

Having talked to the market, Lloyd’s now believes that it should adopt best practices for all policies regarding any cyber coverage. Lloyd’s mandated that all policies provide clarity regarding cyber coverage by either explicitly excluding or providing affirmative coverage.

The requirement will be implemented in a phased approach. For first-party property damage policies incepting on or after Jan. 1, 2020, Lloyd’s underwriters are required to ensure that all policies affirm or exclude cyber cover. The requirement applies regardless whether the policy is written on an all risks or named perils basis and applies to new and renewal policies and to policies written on a stand-alone basis or where first-party exposures are combined with other lines within blended products (in

respect of the first-party property damage element of coverage).

For liability and treaty reinsurance, the requirements will come into effect in two phases during 2020 and 2021. Lloyd’s will provide more details on how the requirements should be implemented following a period of further market consultation.

For coverholder arrangements, the requirement applies to binding authority agreements that incept on, or after, Jan. 1, 2020. Lloyd’s does not expect policies bound under binding authority agreements entered into before Jan. 1 to comply until the binding authority agreement next renews.

For the avoidance of doubt, Lloyd’s

views policies where no exclusion exists and there is no express grant of cyber coverage as non-affirmative. In these cases coverage should be clarified.

## Targets upped for electronic placement

From Jan. 1, 2020, the target for risks bound for the first quarter of 2020 is increased to 80 percent. Target for the rest of 2020 remains at 80 percent at present, but watch this space. Fines will not apply if more than 70 percent of risks are placed electronically.

Lloyd’s is short of 100 percent electronic placing, but taking into account the problems of the past and the Luddites who said it would never accomplish any electronic deals, this is a major achievement.



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The Louisiana Claims Association held a continuing education seminar in Shreveport



Past LCA President Beverly Casso and Glynn Young, Hammerman and Gainer, at the continuing education seminar.



David Pettiette, left, Querbes and Nelson; Gary Graham, Neuro Restorative, and Victoria Brittain, Moreman, Moore and Company, attended the Ethics continuing education session.



Michael Creighton, Anzelmo and Creighton, left, updated attendees on workers' comp law. Cacy Waggoner and Clinton Lane, both with LAC Claims, had questions for Creighton.



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Dave Stieffel, left, Sedgwick, and John Alwood, Louisiana Claims Association.




Thomas Peters and Jordan Woodruff represented Genex Services, a case management company, in the exhibit area.

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Michelle Hughes, left, US Forensic, who led the Ethics session, and Linda Alwood, Louisiana Claims Association.



Stephen Trauth, Sedgwick, and Lindsey Beam, BSC Forensics, exhibited at LCA's seminar.



Ami Edwards, Risk Services of Louisiana, attended the seminar despite complications.



At the Ethics session held during lunch are, from left, Elizabeth Felder, CorVel; Glenda Witt, EMC Insurance, and Elizabeth Day, United Built Homes.



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THURSDAY, APRIL 2, 2020  
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11:00 AM CHECK-IN | 11:30 AM LUNCH | 1:00 PM SHOTGUN START

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