Risk Financing

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  - Making the Compensability Determination
  - Determining When To Contest a Claim
  - Communication with Injured Employees
  - Maintaining Continuous Contact
  - The Adjuster's Role in the Communication Process

- Medical Management
  - Selecting Medical Providers
  - Managing Medical Care
  - Using Case Managers
  - Managing Medical Costs
  - Independent Medical Evaluations
  - Utilization Review

- Managing Workers Compensation Litigation
  - Avoiding Litigation
  - Selecting an Attorney
  - The Litigation Process

- Settling Claims
  - The Settlement Process
  - Determining How Much To Pay by Using the Risk Assessment
  - What Is Included in a Settlement?
  - Does the Settlement Set a Harmful Precedent?

  - Mandatory Reporting
  - Medicare Approval and Set-Asides

- Vehicles for the Recovery of Claim Costs
  - Subrogation
- Second Injury Funds
  - Summary
  - Service Providers
    - Alternative Risk Financing Facilities
      - The Nature of the Alternative Market
      - Evaluating Alternative Risk Financing Facilities
    - Risk Management Services
      - Claims
      - Information Systems
      - Loss Control
      - Risk Management Consulting
      - Captive Management Services
    - Risk Management Service Providers
      - Business Insurance Magazine
      - Risk Management Consultants
      - Safety and Loss Control Professionals
      - Captive Insurance Services
      - Selecting and Evaluating Service Providers
      - Using the Service Provider Checklists
    - Service Providers Checklists
      - References
      - General Information
      - Claims (Except Claims Audits)
      - Claims Audits
      - Risk Management Information System (RMIS)
      - Loss Control
      - Risk Management Consultants
      - Captive Management
  - Risk Management Information Systems: An Essential and Practical Tool
    - History
    - Definition of an RMIS
    - Key Functions of an RMIS
    - Homegrown versus Commercial RMISs
    - Bundled versus Unbundled RMISs
      - RMIS-Oriented
      - Claims Administration-Oriented
      - Comprehensive or Hybrid
    - Providers of RMISs
    - Cost of an RMIS
    - Implementation Time for an RMIS
    - Selecting the Appropriate RMIS
      - Conduct Needs Assessment/Business Process Review
- Conduct an Issues Review
- Determine Scope
- Conduct a Preliminary Review of Potential Systems
- Conduct SWOT Analysis
- Conduct ROI Analysis
- Obtain Senior Management Approval
- Establish RMIS Search Committee
- Formalize the Needs Assessment
- Identify/Prioritize Options
- Select RMIS Vendors To Approach
- Compile Requirements/RFP
- Conduct Bid Project
- Final Selection
- Implementation

- Utilizing Multiple Systems
- Justify the Expense of a New RMIS
- Utilizing an RMIS Consultant
- Common Problems with an RMIS
- The Cloud
- Maximizing the Use of an RMIS
- Utilizing an RMIS during an Acquisition, Merger, or Divestiture
- RMIS and ERM
  - Compliance and Security Issues
  - Business Processes Monitoring
- Data Analytics
- Changing Systems
- Case Study: Maximizing the Use of an RMIS
- Conclusion

○ Cost Allocation

- Primary Goals of Cost Allocation Systems
  - Providing an Accurate Measure of Operating Profitability
  - Matching Exposures to the Cost of Risk Equitably
  - Encouraging Loss Prevention and Control
  - Being Easily Understood and Administered
- Conflicting Goals for Allocation Systems
- Considerations in Designing a Cost Allocation System
  - Diverse or Homogeneous Risks
  - Availability of Credible Loss Data
  - Ownership and Management Structure
- Common Risk Costs To Allocate
- Allocation of Retained Losses
  - Exposure-Based versus Loss-Based Allocation Methods
- Blended Allocation Systems
- Deciding between Exposure or Loss-Based Allocation Plans
- Defining Losses Used in an Allocation System
  - Estimated Ultimate Loss versus "Actual" Loss
  - Capping of Losses
  - Maximum or Minimums
- Special Considerations in Cost Allocation
  - Deciding on the Operating Unit
  - Timing of Allocations
  - Company Acquisitions
  - Company Dispositions/Closure
  - Change in Management
  - Change of Exposure in Existing Company
  - Periodic Adjustments
  - Obtain Top Management Support
  - Communicate Details of the Plan Effectively
  - Consider Ancillary Issues
- Risk Costs Other Than Retained Losses
  - Insurance Premiums
  - Claims Adjusting and Legal Expenses
  - Loss Control Costs
  - Risk Management Overhead
  - Cost of Collateral
- Allocations/Unfunded Plans
- Prefunded Plans
- Persons Performing the Allocation
  - Financial Personnel
  - Insurance Brokers and Consultants
  - Computer Modeling Systems for Cost Allocation
- Risk Financing Aspects of Mergers & Acquisitions
  - General Issues
    - Scope of Coverage Limit Adequacy and Insurer Solvency Issues
    - Program Consolidation Concerns
  - Successor Liab./Product Liab.
    - Successor Liability Exposures
    - Successor Liability Coverage Issues
    - Miscellaneous Product Liability Concerns
  - Pollution Liability
    - Pollution Liability Exposures
    - Pollution Liability Coverage Issues
  - Directors & Officers Liability
    - Directors and Officers Liability Exposures
• Directors and Officers Liability Coverage Issues
• Nonstandard Risk Financing Arrangements
  ▪ Captives
  ▪ Self-Insurance
  ▪ Open Retro and Large Deductible Programs
  ▪ Experience Rating Issues
• Workers Comp Claim Issues
  ▪ Handling Layoffs
  ▪ Combating Fraudulent Claims
• Conclusion
  o Checklist for Risk Financing Aspects of Mergers and Acquisitions
• Appendixes
  o Appendix A: Risk Retention Act
    ▪ Product Liability Risk Retention Act of 1981
    ▪ Liability Risk Retention Act of 1986
    ▪ NAIC 1991 Model Risk Retention Act
      ▪ Sections 1 thru 4
        ▪ Section 1 Purpose
        ▪ Section 2 Definitions
        ▪ Section 3 Risk Retention Groups Chartered in this State
        ▪ Section 4 Risk Retention Groups Not Chartered in this State
      ▪ Sections 5 thru 16
        ▪ Section 5 Compulsory Associations
        ▪ Section 6 Countersignatures Not Required
        ▪ Section 7 Purchasing Groups Exemption from Certain Laws
        ▪ Section 8 Notice and Registration Requirements of Purchasing Groups
        ▪ Section 9 Restrictions on Insurance Purchased by Purchasing Groups
        ▪ Section 10 Purchasing Group Taxation
        ▪ Section 11 Administrative and Procedural Authority Regarding Risk Retention Groups and Purchasing Groups
        ▪ Section 12 Duty of Agents or Brokers To Obtain License
        ▪ Section 13 Binding Effect of Orders Issued in U S District Court
        ▪ Section 14 Rules and Regulations
        ▪ Section 15 Severability
        ▪ Section 16 Effective Date
  o Appendix B: Captive Law and Domicile Summaries
    ▪ U.S. and Non-U.S.Domicile Comparison Charts Introduction
    ▪ U.S. Domicile Comparison Charts
    ▪ Non. U.S. Domicile Comparison Charts
  o Appendix C: Self-Insurance Qualifications by State
    ▪ Self-Insurance Qualifications for Workers Comp
Self-Insurance Qualifications for Auto Liability

Appendix D: Financial Accounting Standards

Appendix E: Internal Revenue Code

- Title 26--Internal Revenue Code
  - Title 26--IRC Sec. 162, Trade or Business Expenses
  - Title 26--IRC Sec. 165, Losses
  - Title 26--IRC Sec. 461, General Rule for Taxable Year of Deduction
  - Title 26--IRC Sec. 861, Income from Sources within the United States
  - Title 26--IRC Sec. 862, Income from Sources without the United States
  - Title 26--IRC Sec. 863, Special Rules for Determining Source
  - Title 26--IRC Sec. 864, Definitions and Special Rules
  - Title 26--IRC Sec. 951, Amounts Included in Gross Income of U.S. Shareholders
  - Title 26--IRC Sec. 952, Subpart F Income Defined
  - Title 26--IRC Sec. 953, Insurance Income
  - Title 26--IRC Sec. 954, Foreign Base Company Income
  - Title 26--IRC Sec. 957, Controlled Foreign Corporations; U.S. Persons
  - Title 26--IRC Sec. 958, Rules for Determining Stock Ownership
  - Title 26--IRC Sec. 4371, Imposition of Tax
  - Title 26--IRC Sec. 4372, Definitions
  - Title 26--IRC Sec. 4373, Exemptions
  - Title 26--IRC Sec. 4374, Liability for Tax

- Tax Case Law
  - Amerco v. Commissioner
  - Crawford Fitting Co. v. United States
  - Gulf Oil Corporation v. Commissioner
    - Holdings
  - The Harper Group v. Commissioner
  - Humana, Inc. v. Commissioner
  - Malone and Hyde, Inc. v. Commissioner
    - Findings
  - Mobil Oil Corp. v. United States
    - Rulings
  - Sears, Roebuck and Co. v. Commissioner

Appendix F: Important Formulas and Statistics

- General Liability and Auto Liability Loss Development Factors
- Workers Compensation Loss Development Factors
  - Common Questions Concerning LDFs
- Table A--Workers Compensation Incurred to Ultimate Loss Development Factors
- Table B--Workers Compensation Paid to Ultimate Loss Development Factors
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- U.S. Claims Cost Indexes
- Consumer Price Index
- Development of Incurred Losses Work Sheet
- Workers Comp Experience Rating Test Modifier Work Sheet
- Workers Comp Short-Rate Cancellation Table
- Workers Comp Expected Losses
- General Liability Expected Losses
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- Retrospective Rating
  - Retrospective Rating Formula
  - Break Even Point Formulas
- Retro Rating Option V Interpolation Work Sheet
- Present Value Interest Factors—Monthly Discounting Factors
  - Months 1 - 30
  - Months 31 - 60
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  - Months 91 - 120
- Time Value of Money Equation Reference Sheet
  - Appendix G: Cost Guidelines
    - Captive Management Approximate Annual Costs
    - Risk Management Consultant Approximate Costs
    - Vocational Rehabilitation Services Approximate Costs
    - Surplus Lines Premium Taxes by State
    - State-By-State Illustration of Workers Comp Boards, Bureaus, and Taxes
    - Workers Comp Residual Market Information by State
      - State-Specific Residual Market Share Information
      - State-Specific Residual Market Contact Information
  - Appendix H: Documentation
    - Sample Facultative Reinsurance Agreement (Annotated)
    - Sample Group Captive Insurer Purchaser Questionnaire (Annotated)
    - Sample Shareholders Agreement—Reinsurance (Fronted) Captive, (Annotated)
- Risk Financing Perspectives
  - Workers Compensation Predictive Analytics
  - 2016 RIMS Annual Conference & Exhibition
  - Preparing for Market Changes
  - Using Metrics to Align Key Enterprise Risks to Strategic Initiatives
  - U.S. Claims Cost Index Update
  - Captive Insurance Conference Calendar
  - Using Analytics To Turn a Workers Compensation Program into a Competitive Advantage
  - Texas Adopts Sweeping NCCI Changes to Experience Modification Factor Calculations
  - Captive Insurance Conference Calendar
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The Neal Bill
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Financing Catastrophic Property Risks
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The Additional Claim Costs Imposed by the Medicare Secondary Payer Law and Medicare, Medicaid and Schip Extension Act
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Current Collateral Trends
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Collateral Trends, Issues, and Tactics
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What's Hot in Risk Financing
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  - What Has Changed in the Past Year
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- Circles and Cycles: Their Effect upon Texas Workers Comp Financing Decisions
- The Effect of Financial Responsibility Laws on Risk Retention Groups
- Computer Applications in Underwriting
- Resolving Retrospective Premium Disputes
- Derivatives Need Not Be Risky
- Stop Loss Insurance for Self-Funded Health Benefit Plans