

#### South Bay Association of Insurance Professionals

# July/August 2020 NEWSLETTER

# Believe

Believe in what you do - Do what you Believe in

Thank you to all that attended the Virtual Election of Officers in June and welcome to my second term as President. Please also welcome our incoming Officers as follows:

1st Vice President: Jody Nishida

Secretary: Margaret S. Lamdagan, CPCU,

CPIW, DAE

Treasurer: Keri Thompson, AINS, CIC

I hope everyone has renewed their memberships, if you had the 6/30 renewal date. If you need any assistance renewing or becoming a member, please reach out to our Membership/Mentors & Proteges Chair Jennifer Deinert at jenniferdeinert@gmail.com.

While we continue to have to stay in due to COVID-19, I hope you all are staying safe and healthy. Of course, we hope that we can get back to in-person business, however it is not looking like that is going to be possible in the near future. When we do get the green light to start in-person business again, will keep our members and contacts informed. Again, the SBAIP website is up to date with our pending events at <a href="https://www.southbayaip.com">www.southbayaip.com</a>.



We are hoping to have the SBAIP Installation of Officers virtual soon, however we are still working on the details, so keep your eye out for further announcements.

As you know the IAIP International Convention that was to be held in Louisville, KY in June was cancelled due to COVID-19, however they did end up being able to hold it virtually! If you would like access to the recorded virtual event you can purchase it on the IAIP website here: 2020 Virtual Convention \$50 for Members and \$75 for Non-Members.

Further to the topic of virtial gatherings, SBAIP is now looking to host the 2020 California Council Meeting in October virtually. We currently have a SurveyMonkey out to get everyone's opinion on if they would attend virtually to see if we should move forward with this new undertaking. If you haven't already, please take the 1 question survey to help determine if that is something that would be well received.

https://www.surveymonkey.com/r/XQ2GBVP

Please keep in mind that we still have chairs positions to fill for the 2020 Meeting and if held virtually, we will certainly need all the help we can get.

You also received an e-mail from me regarding the current open chair positions for the 2020-2021 term. Please let me know if you are able to serve in any of these open chair positions or if you want to help out on a committee. Please feel free to reach out to me for further information. Remember you only get out of the association what you put in!

Hope to see everyone happy and healthy soon!

In fellowship,

Sarah Jane Jara

Sarah Jane Jara, CLP South Bay Association of Insurance Professionals, President

#### **CAREER ADVISORY**

Every day focus on your purpose. Remember why you do what you do. We don't get burned out because of what we do.

We get burned out because we forget why we do it.

@jongordon11

BYLAWS COMMITTEE UPDATE

By Margaret S. Lamdagan, CPCU, CPIW, DAE

Current revisions to SBAIP bylaws and standing rules were approved at the October 8, 2019 dinner meeting. The changes were made to be compliant with IAIP bylaws. Effective July 1, 2020, the number of voting officers and committee chairpersons shall be reduced, allowing more flexibility during lean membership times. Also, the number of standing committees were reduced.

Copies of the ByLaws and Standing Rules will be distributed shortly.

Thank you to the members who contributed their time and suggestions on updating the bylaws and standing rules. These include, but are not limited to, Karen Peters, Keri Thompson, Jody Nishida, Sarah Jane Jara, Gina Thomas Patterson, Sarah Kelly and Shirley Cimino.

#### **FUNDRAISING**

Did you know you can advertise in our newsletter? Please contact Jody at <a href="mailto:jodynpla@gmail.com">jodynpla@gmail.com</a> for information.

SBAIP has IAIP bracelets and zipper pulls for sale on our website. <a href="www.southbayaip.com">www.southbayaip.com</a>.

### MEMBER NEWS:

#### JULY BIRTHDAYS

Elizabeth "Liz" Riley July 7<sup>th</sup>
Laura Baron July 18<sup>th</sup>
Jody Nishida July 18<sup>th</sup>



#### AUGUST BIRTHDAYS

Freddy Rodriguez August 28th

#### SEPTEMBER BIRTHDAYS

Carleen Armstrong September 3<sup>rd</sup> Sarah Kelly September 13<sup>th</sup>

#### CONGRATULATIONS

Freddy & Laura Rodriguez – baby Rodriguez will be meeting his mommy & daddy in December of this year.



#### **GET WELL WISHES**

Carleen Armstrong Rosemary Gomez Saphyna Delgado

Hoping to see you up and around soon.

### Condolences

Gina Thomas Patterson, our deepest condolences to you and your family for the loss of your mother and the passing of your father 45 days later.

#### MEMBERSHIP

**July Renewal** 

Jennifer Perdigao July 6th

**August Renewal** 

Michelle Nguyen August 30<sup>th</sup> Freddy Rodriguez August 8<sup>th</sup>

**September Renewal** 

Saphyna Delgado\* September 11<sup>th</sup>
Mark Jaboe September 23rd

### DON'T FORGET TO RENEW YOUR MEBERSHIP!

Jennifer Deinert-Peterson

If you have not renewed your membership, please take a moment to renew. I can help you through the process. I would like to encourage each us to begin to invite potential new member in this upcoming year. Membership has its perks such as various education discounts that can be found on the IAIP website. Thank you all to have renewed. I look forward to seeing you in the near future when we can meet in person.



#### **VOLUNTEER TO WORK ON A COMMITTEE**

Do you have a hidden talent that could help our Association and its members? See what SBAIP is about. We are always looking for new energy from our members either to chair a committee or assist as a committee member for ByLaws/Parliamentarian, Career Advisory, Communications/Public Relations, Hospitality & Reservations, Philanthropy/Ways & Means, Young & New Professional Liaison.

Remember – It takes a Village. If you are interested, please contact Sarah Jane Jara at sarahjane.jara@redbull.com

#### WAYS & MEANS/PHILANTHROPY

Let us know of any interesting fundraising events that can benefit our association. Due to the pandemic, our fundraising has dropped below our normal limits.

We are also looking forward to the Walt to End Alzheimer's to be held on 9/26/2020 at the Hermosa Beach Pier. At this time, it appears that the walk will proceed as scheduled. We also have the Long Beach Basket Brigade coming up in November. More information will follow as we get closer to the date.

Any and all ideas are welcome.

#### **COMMUNICATIONS**

We are looking for articles which would be of interest to any and all our members whether it be insurance updates for Personal Lines, Commercial Lines, Risk Management, Safety, Claims or Litigation.

Do you have an interesting article or picture you would like to share, please forward to Jody Nishida at jodynpal@gmail.com.

### SAVE THE DATE



### July

29<sup>th</sup> SBAIP BOARD MEETING Virtual Meeting via Zoom

29<sup>th</sup> SBAIP 2020 CA COUNCIL MEETING Planning Committee Virtual Meeting via Zoom

For more information, watch for invitations to these meetings.

### August

TBD SBAIP BOARD MEETING
Virtual Meeting via Zoom

TBD SBAIP 2020 CA COUNCIL MEETING Planning Committee
Virtual Meeting via Zoom

For more information, watch for invitations to these meetings.

### September

TBD SBAIP BOARD MEETING
Virtual Meeting via Zoom

TBD SBAIP 2020 CA COUNCIL MEETING
Planning Committee
Virtual Meeting via Zoom

For more information, watch for invitations to these meetings.

26th WALK TO END ALZHEIMERS Hermosa Beach Pier Hermosa Beach, CA

#### Advertisement



### Be a leader, not a boss

A boss knows everything A leader admits mistakes

A boss tells people what to do A leader shows how to do things

A boss criticises A leder gives advice

A boss talks fast and gives orders A leader gives direction

A boss demand respect A leader earns & deserves respect

A boss rules with threats not law A leader shows human kindness

A boss depens on hearsay A leader investigate

# Watch for more conference information



# Ways To Prevent Collateral Damage: "Going Postal"

Increased workplace violence risk has emerged from COVID-19-related lockdowns and economic devastation, worsened by civil unrest. Be alert to the threat, recognize common warning signs, and proactively manage this risk.

**PROVOCATION:** Employees under extreme stress from isolation or health and financial concerns or third parties frustrated or angry over perceived injustices might be triggered to act out.

PREVENTION: Implement workplace violence policies and maintain employee assistance lines and emergency action plans (EAPs). Manage expectations with clear communication. Defuse potentially explosive situations by treating people with empathy and compassion. Calmly deescalate conflict to prevent a minor incident from becoming a triggering event. Identify warning signs before a situation hits crisis stage, using identifiable red flags developed by law enforcement—e.g., someone persistently angry, resentful, or volatile or exhibiting disruptive or threatening behavior. Trust intuition!

**PREPAREDNESS:** Leadership and staff preparedness are critical to mitigate an incident's severity. Use simulation drills to train on situational awareness, launching the EAP, and defensive strategies such as "Run, Hide, Fight." Learn the Observe, Orient, Decide, Act "OODA" loop protocol to overcome the human bias toward denial and inertia. Act, don't react.

**PROTECTION:** Purchase active assailant insurance, which typically includes professional training and response tactics resources.

By Amy Fedena
Risk Solutions Executive
Rue Insurance Hamilton Township, NJ
afedena@rueinsurance.com



By Jody Nishida

#### CA COUNCIL Leadership Meeting

was held on 7/25/2020 via Zoom. It was once again very informative and fun. At the helm, we had Kari Woods, the current CA Council Director and her assistants, Brooke Lesniak for Southern California and Julia Alexander, CPIW. CISR for Northern California. Also, with the Director and her assistants were Regina Lemanowicz, Public Relations Chair and Marcella Beasley, MA, CIC, CISR, CRIS, MLIS, CCIP CIIP, CLP Membership Chair.

We started with Special Interest Communities & International Task forces - Added Value to Membership presented by Kim Cameron. a former CA Council Director. Special interest, Membership and IAIP Task force communities are in need of member assistance. You may join any of the communities to by applying online at the IAIP website by Looking up task force.

Brooke Lesniak presented a heartwarming video "Loving Hearts" a philanthropic project. Loving Hearts Babies Home in Uganda takes care of abandoned babies. To Learn more go to <a href="https://vimeo.com/202120433">https://vimeo.com/202120433</a>. Watch for donation information at a later date.

Our KeyNote speaker was Constance G. Cooper, LMFT a Marriage & Family Therapist who spoke on "Wellness During COVID 19". Per Connie Cooper, there are 3 zones to be aware of. First - Fear zone. Second - Learning zone. And Third - Growth zone. The zone to thrive for is the Growth zone which allows you to see and recognize where we have been and where we are heading.

Andrea Gable Setterstrom discussed items to watch while "Rethinking Your ByLaws". One item was to make sure that business is kept for the boardroom, not for dinner meetings, association gatherings, etc. International ByLaws states that all local associations need to have an annual face-to-face meeting whether it be a physical or zoom meeting. Associations also need to realistic on determining what quorum is needed for voting on items. And finally, rethink committees and be realistic on combining committees if the membership is low.

A 10 minute "Fit Break" was taken with Sandy Malone leading us in various stretching exercises before getting back to our agenda.

We did a little zoom exercise with "passing the compass" which entailed everyone passing their compass received prior to the meeting from one person to another. A lot of fun.

Kari Woods, our new CA Council Director discussed how we will be "Charting our C.O.U.R.S.E.

Community

*O*utreach

**U**sing

Resources

**5**kills

Education |

Regina Lemanowicz discussed how "Public Relations" was there to assist with promoting IAIP. Whether it is volunteering, wanting information on Education.

Marcella Reynolds-Beasley. MA CIC. CISR CRIS. CCIP. MLIS. CLP. CIIP (a Lot of designations for someone young - indicated she never sleeps). Membership Development Chair indicated that we need to **ignite** interest with our members as we have seen many of our members just going through the motion of being members and not participating and getting the most of their association. There will be a Young New Professional zoom meeting to be held on July 30th at 3 pm - for additional information, please contact Marcella at marcellabeasley@alliant.com.

The Council Panel Discussion consisted on how to hold meetings to spark interest of members to participate and interact with other members. Holding various events - Happy Hour, Game Night, etc. Always make it "fun" and business as Andrea Gable-Setterstrom said should be kept for the boardroom.

With as informative as these meetings are, it was a shame that only 30 members from California attended the meeting. As all CA Council meetings are open to all CA members. Join us next year for this informative meeting.

SPECIAL ADVERTISING SECTION

Issues & Answers

### **Accidents Will Happen**

Dixon Gillis, CEO of A-G Administrators, said the company has a customer service approach combined with a cost containment environment that's superior to any other accident insurance TPA in the market. "What's more, the technology that we've implemented over the last couple of years has allowed us to streamline some of the more technological capabilities of the medical expense world, while also delivering that human touch which is so important in this environment," he said. The following are excerpts of an interview.



Group accident insurance is covering individuals and participants as representatives of policyholders and organizations. The intent of it is to own medical expenses associated with injuries that occur during participation in covered activities for the policyholders.

### Is there a correlation between health insurance and accident insurance?

Accident insurance is typically secondary in nature to primary health insurance offered by employers or individuals. Most often the interplay is when the first expense is absorbed by the primary health insurance, and then the accident insurance associated with a policyholder will kick in to cover all residual expenses associated with a covered activity, such as a coinsurance or a deductible.

### Has the Affordable Care Act had any impact on accident insurance?

The ACA has had a significant impact on our business, which includes more opportunity for accident insurance to become a player in the health insurance world. This is related to, primarily, higher deductibles and higher costs associated with deflecting costs against primary health insurance. As those deductibles and more cost sharing are absorbed by a policyholder of the health insurance plan that the Affordable Care Act opened up, that's more of a chance for accident insurance to come in and provide benefit in that gap.

### What should agents and brokers know about accident insurance?

Agents and brokers need to understand the benefit of the opportunity to have a cost containment associated with accident insurance programs. Not all accident solutions are created equal.



- Founded in 1983.
- Committed to personal service.
- A leader in special risk and accident insurance.



Many times there could be a large experience-rated program that, if it's not being managed with appropriate cost containment measures, it can be a runaway train as far as costs are concerned for their client. By partnering with some industry leaders such as A-G in regards to managing those claims from a TPA perspective we can provide the most value to agents and brokers in delivering high-quality programs for their client. With the cost gap widening every day with escalation of medical rates it's important that you have a strategic partner that understands your accident insurance program and can help navigate that environment. At A-G, accident coverage is our specialty, we provide our agents and brokers with the best service, best savings and superior technology for their clients.

Go to the Issues & Answers section at bestreview.com to watch an

### 5 Ways to Prepare for the Future with IAIP

Christine Chandler Tillett, PHR, CLP

As an IAIP member you have access to many benefits that can enhance your career and help you prepare for the future. You might not be aware of one of these benefits - the <u>IAIP Career Center</u>. The Career Center is a space for members to post jobs



available at their company, search for jobs and post their resume.

Posting your resume is not about searching for your next opportunity, it's about being prepared for when the next opportunity finds you. As a human resource professional, I would like to share why you should keep your resume updated. In these unprecedented times, taking a proactive approach to your future is more important than ever.

- Track your Brand Keeping your resume current will help you understand your personal brand and track your career progression. Even if you're happy with your current situation, update your resume to reflect on your achievements.
- 2. Refine your Goals An updated resume gives you an undeniable snapshot of your achievements, but also reflects what you still need to accomplish. Once you know where you have been, you can refine your goals for future growth, and create a road map for improvement.
- 3. Share your Expertise Your updated resume can further define a secondary career path. Look for ways to share your experience as a subject matter expert by speaking at conferences, writing industry articles, or signing up to be a mentor.
- Prepare to be Rewarded Tracking your experience will keep you prepared for applying for an IAIP award or scholarship.
- Be Ready for Change You may be blindsided by a layoff, but you'll have confidence because you are prepared for your next opportunity.

The IAIP Non-Dues Revenue Task Force is asking you to update your resume and post to the <u>IAIP Career Center</u>. All members who upload their resume before June 1st will be entered into an opportunity to **win a downloadable CLP self-study course of your choice!** 

CAREER CENTER

### **Smart Coverage**

### **Tenant Talk**

Four things you may not know about renters insurance By Robin Jones

n these uncertain economic times, many of us are watching our wallets carefully. If you rent an apartment or house, you might be wondering if renters insurance is worth the expense. In some cases, you may not have a choice, as more and more landlords require it.

The landlord's insurance policy covers only the building's structure, not your personal belongings. Renters insurance helps cover the cost of replacing your things if they're stolen or ruined due to certain "perils," such as a fire.



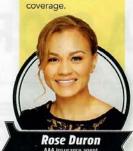
Here are four more things that are good to know about renters insurance:

You can get a replacement-cost endorsement on your policy. Without an endorsement, your personal property may be covered only up to its actual cash value, which means the depreciated amount based on its age and its condition. Say, for instance, thieves break into your apartment and steal your 5-year-old television. Rather than giving you the amount that a used TV would have sold for on the open market, a replacement-cost endorsement would provide enough to replace it with a new one of similar style and size.

It can help with unexpected expenses. Most renters insurance policies include loss-ofuse coverage, which is handy if you can't reside in or fully use your house or apartment due to fire, water, or other damage. If you must move out while workers repair your unit, your insurer will pay for alternate lodging. If you can stay in your place but have to order takeout more often because you can't use the kitchen, renters insurance will cover the reasonable increase in your food budget.

Liability coverage is usually included, too. If someone gets injured in your home or apartment due to a covered loss, liability coverage can help you get through any resulting legal claims. Your insurance company will investigate the situation, provide legal defense, when appropriate, and, if you are found liable, will pay damages up to the policy's coverage limits for a covered loss. It may cover you away from your home, too. If, for example, your daughter hits a home run in her softball game at school and the ball cracks the windshield of another parent's car, renters insurance will typically cover you in any resulting claim.

Its affordability might surprise you. Yes, we saved the best for last. Premiums on most renters insurance policies are quite low—even more so if you sign up with your auto insurer and get a multipolicy discount. Depending on your personal property and personal liability limits, the premium can be less than \$150 a year. Every policy is different, however, so make sure to read yours carefully to know what is covered, what is excluded, and what it will pay for a covered loss.



Ask an Agent

My condo has a master insurance policy for the entire complex. Do I still need a separate condo insurance policy?

The quick answer is yes. The master policy typically insures the building, while the homeowner is responsible for his or her unit, including such things as furnishings and flooring. So, get details on your homeowner association's policy, including the deductible amount, then talk with your insurance agent to determine proper

ROM TOP: MORSA IMAGES/GETTY IMAGES; ROB



Your insurance agent can provide more information. Stop in at your local Auto Club branch, call (855) 222-5012, or go to AAA.com/insuranceinfo.

June 29, 2020

#### Farewell from Christine Chandler Tillett, CA Council Director 2018-2020 California.

Just a note of thanks to each and every one of you for bestowing me the honor of being your Council Director. I appreciate the help and support over these past two years. I look forward to working with Kari Woods and her team as they chart the C.O.U.R.S.E. for California Council.

Believe you me, the pleasure was all mine. P.S.: Don't forget to get your renewals into IAIP as most expire tomorrow, 6/30. In fellowship and deep appreciation.

Christine Chandler Tillett, PLIR, CLP, CRIS, CIIP

Council Director

### Council Director's Message



Greeting members,
I am excited and enthusiastic
(and a little nervous) about
this role you have chosen me
to fulfill. There are big shoes
to fill to continue this

C.O.U.R.S.E. we are charting.

"Unprecedented times" is such an understatement when thinking about the last 3 ½ months we have experienced but belonging to such an amazing association has benefited many of us by having someone check in or just listen when a much needed ear was all that was wanted.

Those of us who thought we would not be able to attend our International meeting were surprised to find ourselves sitting in

front of our computer taking part in every discussion, CWC competition, class and scavenger hunt virtually! This is a resilient association and one I am proud to be a member of and a leader in.

As we begin to chart this C.O.U.R.S.E my hope would be that during this time each association including our Members at Large through community outreach would select a local charity or cause to support physically or financially when or if possible. We should make an effort to help our industry grow and mentor our Young New Professionals and also be willing to be mentored by our seasoned members. We should take advantage of the free educational webinars located on the IAIP website.

Our Leadership meeting will be held on July 25th at 9:00am until 12:00pm. This meeting will be held virtually, with invitations forthcoming.

I take great pride in having a wonderful support team with Christine Chandler-Tillett as my Council advisor, Julia Alexander as Northern California Assistant, Brooke Lesniak as Southern California Assistant, Regina Lemanowicz - Public Relations Chair & Liaisons, Marcella Reynolds Beasley, MA, CIC, CISR, CRIS, CCIP, MLIS, CLP, CIIP - Membership Chair & Liaisons.

I look forward to serving as your Council Director

Respectfully yours
Kari Woods
Council Director
Community Outreach Using Resources Skills
and Education

#### Assistant Messages:



Hi Everyone! I am looking forward to serving as the Southern California Assistant, with our new Council Director Kari Woods. The 20/21 term is starting with obstacles that we have never had to experience, just know that the Council Board is hard at work

so we can still interact with one another and learn from one another. If I know anything about this association is that our bond and love for one another will help us get through anything.

In the fellowship,

Brooke Lesniak - Southern California Assistant to the California Council Director



Greeting Members,

As California follows COVID-19 shelter-in-place and social distancing recommendations, we are all experiencing changes to the way we live and work. We are having to really think outside of the

box as we work remotely, do things virtual, through zoom or whatever method works. We are stronger working together and will certainly come out of this better than we ever were, because we are all in this together.

I want to thank Christine Chandler Tillett for her leadership as our California Council Director for the last two years, as well as her Team.

I am excited to be serving under our new California Council Director, Kari Woods as her Northern California Assistant alongside Brooke Lesniak as her Southern California Assistant and the rest of her team.

Please do not hesitate to reach out to any of us should you have any questions or concerns. Stay well, safe, and healthy.

In fellowship,

Julia F. Alexander, CPIW, CISR Northern California Assistant to the California Council Director



Christine Chandler Tillett, PHR, CLP, CRIS, CIIP - Consultant – Council



Regina Lemanowicz - Public Relations Chair Insurance Professionals of Orange County



Marcella Reynolds Beasley, MA, CIC, CISR, CRIS, MLIS, CCIP, CIIP, CLP - Membership Chair

Alliant Insurance Services, Inc. Insurance Associates of Fresno

For additional information on the CA Council Team, you may view on the IAIP CA COUNCIL website:

http://caciaip.org/ca-council-team

#### Robin Souza, RVP

July is the start of our new term for IAIP and Local Associations. With that I think of all the new faces, initiatives, and excitement for what we can accomplish in a year.

I first want to say THANK YOU officially (in writing) to Region VII Members in supporting me to be your next RVP. I've received numerous congratulations and well wishes in the past few weeks.

Not only do we have new members but we continue with our existing and greatly experienced members. To those members who have been with our association for many years; please share your experience, knowledge, and excitement with our newest members and not so new members. Every time I attend a meeting or event I'm in awe of the stories and the knowledge of some of our members. I wish we could download those memories and expertise into a shared file for all of us to benefit from -which might be in the not so distant future. With that thought, I challenge every Association to encourage mentorship and knowledge sharing. Support new members in their participation and find ways for them to join committees, think tanks, board positions, etc; so they can learn throughout the next year. Check out Cindy's (IAIP President) message (page 2) on how we can become involved and get more out of our membership in IAIP.

In addition to local membership and participation, I'd also like to encourage everyone to get involved with the education IAIP has to offer. I'm a huge proponent of education and look for every opportunity to learn, especially from sources that are familiar with our industry and needs.

My last thought for this newsletter, is communication. I'm looking for new ideas on how we can communicate, not only on a local level, but also regionally. I hear such great ideas when we are attending conferences, but I want us to share those ideas throughout the year. If your association or even as an individual has a great idea, or question, please share.

You can contact me or anyone of our Regional Directors. We are here to listen and assist in any way. We are only as strong as our membership. Let's Rock 2019-20!! In Fellowship, Robin Souza CPCU, AFIS, CIC,



#### WC COMPLIANCE - COVID19

This is very important for anyone who deals with Workers Comp for employees and employers hired working in CA.

The Workers Compensation Insurance Rating Bureau (WCIRB) for the state of California is very strict about employees that test positive and/or become ill with COVID-19. Note that the experience of these employees will not be used in the determination of experience modification factor during the future rating period. When challenging the rebuttable presumption of compensability of COVID-19, the employer must submit substantial evidence proving the virus was contracted elsewhere, which is an extremely difficult burden of proof. Clear and convincing evidence is the standard of proof necessary to overcome a presumption of compensability. During the course of the COVID AOE/COE investigation, employees are asked about personal gatherings, travel, hobbies, concurrent employment, possible COVID family members, friends, roommates etc.

#### 9/11 Remembrance

To those that lost their lives on that fateful day and to those who lost family and friends.



#### COURT DECISION

Rough Notes Magazine - June 2020

#### **UBER AND UNDER**

On September 17, 2016, while driving for Uber, Lisa Jean was involved in a motor vehicle accident when a vehicle driven by Ty Cao pulled out from a parking spot and struck her vehicle. After Settling her claims against Cao through his insurer for the policy limits, Jean filed a claim for underinsured motorist benefits (UIM) under a policy provided by James River Insurance Company. James River denied the claim, asserting that the UIM benefits had been waived by the insured, Raiser, LLC, a subsidiary of Uber.

Jean filed a petition for damages, asserting that under state law the James River policy must provide UIM coverage and that pursuant to another state law, Uber could not waive UIM coverage. Subsequently, both Jean and James River submitted motions for summary judgement to ascertain whether state law permitted transportation network companies like Uber to waive the UIM coverage. The court ruled that the statute allowed transportation companies to waive underinsured motorist coverage. The court granted James River's motion for summary judgement and dismissed Jean's claims with prejudice. Jean appealed.

On appeal, the court noted that the relevant statute requires a transportation network company driver or a transportation network company on the driver's behalf to maintain primary automobile insurance during the pre-trip acceptance period that must include uninsured and underinsured motorist coverage to the extent required by law. The court added, however, that the statue states that the required UM and UIM coverages are not applicable when any insured named in the policy rejects coverage, selects lower limits or selects economiconly coverage.

Under the statue, the court said, Uber was permitted to waive underinsured motorist coverage. The court affirmed the trial court's judgment granting summary judgment in favor of James River.

Jean v James River Insurance Company – Court of Appeal of Louisiana, Fifth Circuit – May 29, 2019 – No. 2019-CA-0041.

Do you have an Emergency Contact Card in your wallet? Need One?

#### American Red Cross Emergency Contact Card

Get a kit. Make a plan. Be informed.

Directions:

- \* Print out a card for every member of your household.
- \* Fill in your emergency contact information.
- \* Carry this card with you to reference in the event of a disaster or other emergency.

