Compliance and Cyber Security Competing Priorities for U.S. Insurers

White Paper

Insurers in the United States will face competing priorities for resources and time over the next 12 months, with cyber security preparedness challenging overall regulatory compliance readiness, argues Wolters Kluwer Financial Services and reported by *Canadian Underwriter*.

Obamacare's Impact on Employment: An Early Look

NEWS

Early numbers show that locations with a high percentage of uninsured Americans, such as Texas, ended up experiencing a rise in employment, salaries and output in comparison to areas with less exposure to the health care law.

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20 Questions When Your Vendor's Cyber-Coverage

Matters

White Paper

Always make sure you know what if any critical digital assets other than personally-identifiable information (PII) are covered by cyber-risk insurance coverage.

SDV Workers' Compensation Immunity State by State Survey

Survey

Saxe Doernberger & Vita has released a comprehensive survey that examines several key issues relating to the scope and extent of workers' compensation requirements and immunity across all 50 states.

Breaching the Duty to Defend: Remedy for Recovering Peace of Mind

White Paper

Estoppel, or forfeiture of defenses against coverage, in the end, is the penalty for a wrongful breach of the duty to defend.

5th Circuit Clarifies Service Contract and Insurance Interplay Under Texas Law

NEWS

The 5th U.S. Circuit Court of Appeals has further addressed the area of contract and insurance interplay with its decision in Ironshore Specialty Insurance Co. v. Aspen Underwriting Ltd. et al., reports Liskow & Lewis.

Today's Contracts Enforceability Issues, Part III: Decoding Indemnity Clauses

White Paper

Parties with leverage may be unyielding when it comes to their negotiation, raising questions of whether certain risks may be allocated through insurance.

Insured Contract: Coverage for Breach of Warranty Claims

NEWS

The court addressed one of the most misunderstood issues in the commercial general liability policy: Does an obligation to indemnify trigger insurance coverage?

Indemnity and Insurance Provisions in Construction Contracts

White Paper

It is necessary to pay close attention to the interplay between indemnity and insurance to ensure the objectives of the parties are achieved in a construction contract.

ERISA Ruling: Claimant Has ‘Duty to Investigate’ When Asserting Equitable Tolling

of Contractual Limitations Provision

NEWS

A plaintiff is not reasonably diligent when she fails to investigate basic issues that are relevant to her claim or to proceed with it in a reasonably prompt fashion.

Courts Say There's No Claim for "Reverse Bad Faith." Could They Be Wrong?

White Paper

While every policyholder – as a party to a contract – owes a contractual duty of good faith and fair dealing, the court explained that a tort claim for bad faith arises out of a different duty.

Battle With Insurers Over Sandy Claims Ends With Big Settlement

NEWS

A utility spokesman said the total amount of insurance

recovery is $264 million, most of which is for damage to PSEG Power’s generation plants.

Cyber Insurance Basics: What Businesses Need to Know

Insurance

Cyber insurance programs are necessary for small, mid-size, and large businesses to help them manage the risks from data breaches, writes Jonathan Reich, a Womble Carlyle attorney in the firm’s Winston-Salem office.

Wisconsin Court Confirms Importance for Businesses to Timely Report Insurance Claims

Whit9e Paper

The Wisconsin Supreme Court recently issued a decision that drives home the importance for businesses and individuals, as policyholders, to immediately report claims to their insurance company.

CMS Issues Final Rule Implementing SMART

NEWS

The Centers for Medicare & Medicaid Services has issued a final rule implementing provisions of the Strengthening Medicare and Repaying Taxpayers Act (the SMART Act), establishing a right of appeal and formal Medicare Secondary Payer (MSP) appeals process for applicable plans, reports Carr Allison Medicare Compliance Group.

Louisiana Court Rules in Failure-to-Pay Settlement Case

A Louisiana court ahs ruled in a case on an insurer’s failure to pay a settlement, finding the party need not prove the insurer was “arbitrary, capricious, or without probable cause” in failing to pay.

Managing Transactional Risk: How to Use Insurance Capital to Solve Deal Issues

On-Demand

Marsh USA offers a free on-demand webinar in which a panel of risk experts provide real-world examples of deal issues and how the insurance market can be accessed to solve them.

How Medicare Affects Employer Health Coverage

EVENT: April 7, 1 p.m. CDT

Benefit Express will present a free webinar reviewing the topic of Medicare and how it can affect Employers Health Coverage offerings.

Insurance Certificates in Contract Management

Article and video

A new article and video from Berkman Solutions outline steps for managing insurance certificates required in a contract.

Insurer Conduct Can Lead Policyholders Into Suit Limitation Traps

White Paper

A white paper posted by Jones Day partner Tara Kowalski on the firm’s Insurance Policy Advocate site says a recent string of cases addressing suit limitation provisions serves as a reminder of the numerous traps that surround such provisions