



Contractual Liability- Where is Stop Loss going? (.5 hour) - Group Live

Panelists: Rebecca Smart, Lenders Protection Assurance Company RRG (Moderator)
Mark Weitz, Weitz Morgan, PLLC
Jon Harkavy, Risk Services, LLC

Location: NRRRA 2013 National Conference
Ritz Carlton, Pentagon City
Washington, D.C.

Wednesday, October 2nd, 2013; 10:45 AM-11:15 AM

Register for this class today by emailing: dkusaila@slbcpa.com or call (860) 470-2122.

.5 CPE credits are available for completion of this program.

In 1986 the Federal Product Liability Risk Retention Act of 1981 was amended to be the Liability Risk Retention Act in response narrow interpretations by state insurance regulators. The 1986 Act also allowed for other types of liability coverage to be the offered by risk retention groups. However today, 20 years later, risk retention groups are continuing to be challenged by state insurance regulators applying narrow interpretations of the definition of liability under the Act. This panel will :

1. Review the history of the Act including the political background of both acts as well as historical state challenges to contractual liability coverage including stop loss coverage; and.
 2. Review a currently pending case that involves an insurance department challenge of liability coverage based on an interpretation of liability coverage under state law. The state insurance department has also challenged the permissibility of a purchasing group purchasing coverage from a risk retention group under the Federal law. The arguments on both sides of the liability coverage issue will be presented by an attorney representing the purchasing group. These arguments are demonstrative of the state legal challenges faced by the purchasing group and risk retention group industry.
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1. An overview of the history of the LRAA and state insurance regulator challenges to the writing of contractual liability coverage including stop loss coverage; and
 2. A presentation and discussion of the legal arguments being made as challenges to the questions of:
 - a. the definition of liability under the Federal law versus the state law definition
 - b. the permissibility of a purchasing group purchasing coverage from a risk retention group under the Federal law

After completing this course you will be able to:

- Explain the history of the Liability Risk Retention Act and challenges to the definition of liability allowed by the act
- Explain the nature of current state challenges to the ability to operate as a purchasing group and/or risk retention group under the Act.
- Identify the various areas of contractual liability including stop loss faced under the Federal law

Program level: Basic

Prerequisites: None

Advance preparation: None



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