

Claims Summit 2022



PAMIC

Pennsylvania Association of
Mutual Insurance Companies

April 12-13, 2022

Wyndham Gettysburg, 95 Presidential Circle, Gettysburg, PA

**DAY 1 • TUESDAY, APRIL 12, 2022****7:30–8:15am****Continental Breakfast & Registration**

Salon ABC

8:15–8:45am**Opening & Welcome Remarks**

Salon ABC

Sarah Zulauf, CPCU, VP Claim Manager, Allegany Insurance Group, Claims Committee Co-Chair

Scott Rybny, Chair Insurance Coverage & Extra-Contractual Liability Group, Morgan & Akins, PLLC, Claims Committee Co-Chair

8:45–9:45am**Litigation Update**

Salon ABC

Presented by: **Mike McKenna, Esq.**, Margolis Edelstein

He's back! Join Mike McKenna as he highlights "The Year That Was" in the often unpredictable world of litigation. What have the Courts been up to and how does that impact you?

9:45–10:45am**When Honey Works Better Than Vinegar:
A Primer for Claims Professionals on Handling
Difficult Conversations, Diffusing Tensions,
and Building Rapport**

Salon ABC

Matthew Holden, Vice President, The Farmers Fire Insurance Company

Heather Arnold, Claims Manager, Penn National Insurance

Joshua Bovender, Partner, Thomas, Thomas & Hafer, LLP

This panel discussion will address the "soft skills" required for effective claims handling. It will include carriers' and counsels' perspectives on the value of positive social dealings with insureds. The presentation will focus on specific tips, practices, and approaches that claims handlers can apply to difficult situations that frequently arise in handling a claim.

**10:45–11:00am | Mid-Morning Break****11:00–12:00pm****Wait, Not So Fast!**

Salon ABC

**A Refresher and Update on Various Policy Limitations,
Endorsements, and Exclusions**

Dale Forsythe, Partner, Wayman, Irvin & McAuley, LLC

Many claims, both first-party and third-party liability, may not be subject to coverage from the outset. This presentation will look at common policy language that may offer an "escape clause" for coverage and a defense. From a punitive damages endorsement to a "your work" exclusion, to the need for an "occurrence," all policies provide limitations on the type of claims that are covered - it is important to review each claim presented to ensure that it is something that is indeed covered, or potentially covered, by the carrier. We will look at the more common of these policy provisions, their application, challenges to them, and decisions impacting their utility while keeping in mind the need to avoid any bad faith scenarios.

12:00–1:15pm | Lunch

Salon ABC

1:15–2:15pm**When Crimes Overlap Claims**

Salon ABC

Glenn Ricketti, Partner, Margolis Edelstein

This discussion will include the effect of various criminal activities on both first and third party claims including, but not limited to: Intentional Criminal Activities, Arson, Gun Discharges, Drug Dealing, Drug Manufacturing on Insured premises (think, Meth Lab in a rental property), Employee Dishonesty, Stolen Cars crashing and causing injury or Property Damage, Sex Abuse, Negligence vs. Intentional Acts, Insureds tangentially involved in the crime, evidence of an underlying crime being admitted into evidence at civil trial, coverage exclusions in First-Party Property and in liability policies.

SCHEDULE AT A GLANCE



2:15–3:15pm

After the Storm - Why Some Claims End Up In Litigation

Salon ABC

Scott Rybny, Chair Insurance Coverage & Extra-Contractual Liability Group, Morgan & Akins, PLLC, Claims Committee Co-Chair

Anthony DiUlio, Partner, Wheeler, DiUlio, & Barnabei

When the storms end, both property insurers and public adjusters head out in the hopes of assisting homeowners and business owners. While both share a mutual goal - returning the policyholders to their pre-loss condition, the path to that goal is not smooth. Why are some claims harder to resolve than others? In this presentation, two-property insurance attorneys will square off about the role of public adjusters in the claim process, dealing with personality conflicts, the pros and cons of .esx file, appraisal, coverage denials, and more.

3:15-3:30pm | Mid-Afternoon Break

3:30–4:30pm

Subrogation Awareness

Salon ABC

Kathleen Smith, Managing Director, Spartan Recoveries

Unlike whiskey, fine wine, and blue jeans, the subrogation process does not improve with age, in fact, it deteriorates. At one time, subrogation was seen as the final function of the claims process. However, for a subrogation program to be successful, the recovery process must begin early in the claim lifecycle as the loss facts are being developed, and even before the loss payments have been finalized. Subrogation Awareness is crucial to increasing your recoveries. Early recognition, investigation, and the preservation of evidence will make a significant improvement to your recovery results.

4:30-6:30pm | Networking Reception

Exhibitor Area

SCHEDULE AT A GLANCE



DAY 2 • WEDNESDAY, APRIL 13, 2022

7:15–8:15am

Continental Breakfast & Registration

Salon ABC

8:15–8:45am

Opening Remarks & Door Prizes

Salon ABC

Sarah Zulauf, CPCU, VP Claim Manager, Allegany Insurance Group, Claims Committee Chairperson

Scott Rybny, Chair Insurance Coverage & Extra-Contractual Liability Group, Morgan & Akins, PLLC, Claims Committee Co-Chair

8:45–9:45am Concurrent Sessions

Sex Trafficking Litigation in the Hospitality Industry

Salon AB

Hugh O'Neill, Esq., Thomas, Thomas & Hafer, LLP

John Lucy, Esq., Thomas, Thomas & Hafer, LLP

Rick Santoro, Thomas, Thomas & Hafer, LLP

This discussion will familiarize the audience with this new and developing area of litigation. It will include an overview of the common law theories of liability and defenses, as well as state and federal statutory causes of action. The presentation will highlight theories of liability, defenses, and areas for focused discovery. The presentation will also outline the coverage issues associated with this burgeoning area of the law as well as highlight recent decisions.

OR

Claims Rep Toolbox

Salon C

Tom Kolesa, PLS, Survey Department Head, Barry Isett & Associates

Louie Adams, President, United Claims Service

"Give me six hours to chop down a tree and I will spend the first four sharpening my ax." – Abraham Lincoln

Learn how you can sharpen your tools with these technological advancements in drone inspection and virtual/mobile claim management. In this presentation, the use of drone inspection to assess various damage including natural disasters, fires, floods, and more are discussed as well as the confidence/accuracy behind drone technology. After the evaluation, we dive into the cost savings and cycle time reduction of virtual/mobile claims management and adjustment tools. Don't miss learning about these tools to take your toolbox to the next level!

SCHEDULE AT A GLANCE



9:45–10:00am | Break - Walk to Demo location *Parking Lot*

10:00–11:00am

Live Vehicle Accident Overview

Parking Lot

Michelle Price, Rimkus Consulting Group, Inc.

Kevin Shook, Rimkus Consulting Group, Inc.

A course designed to evaluate and discuss various auto-related claims exposures involving low-speed and high-speed collisions, black box downloads, and vehicle infotainment systems. In addition, several live crashes are observed to illustrate when certain claims are valid and when possible additional investigation is needed.



SCHEDULE AT A GLANCE



11:00–12:00pm

Damage Analysis for Consistency and Detection of Fraud

Parking Lot

Michelle Price, Rimkus Consulting Group, Inc.

Kevin Shook, Rimkus Consulting Group, Inc.

A course designed to assist participants with the determination of consistency between claimed damage and accident scenarios. This course covers phantom vehicle claims, comparison between wall impact damage and vehicle impact damage, determining if the damage between two vehicles is consistent, and identifying pole or tree impacts versus vehicle impacts. This course also provides information on the evaluation of engine damage as well as multi-vehicle in-line collisions.



Weather contingency:

Salon ABC

Vehicle Theft vs. Fraud is a one-hour presentation designed to assist participants in determining if vehicle damage claimed after recovery is consistent with a theft scenario. This course covers vehicle theft methods consistent with various vehicle types. It also examines how manufacturers' ignition systems and technologies are possibly defeated to allow vehicles to drive away. Additionally, it will discuss new and emerging technologies that can be used in determining an actual theft vs. fraud. Ultimately, this course provides participants with the information needed to understand elements and conditions consistent with actual thefts vs. fraudulent claims.

12pm–1pm | Lunch and Adjournment

Salon ABC

In a hurry? Boxed lunch options will be available.



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Spartan Recoveries LLC has proven to be an indispensable cost management partner to claims departments nationwide. Our powerful identification platform combined with our advanced technology, proven recovery strategies and knowledgeable staff makes us successful at quickly identifying subrogation opportunities and expertly pursuing recovery, regardless of the paid claim dollar amount. The result is increased net recoveries and shorter recovery cycle times for our clients. Our array of subrogation solutions tailored to meet specific needs and contingency fee pricing ensuring alignment with client recovery goals, Spartan will reduce subro cycle time and increase net recoveries while recovering your paid claim dollars.

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