



THE Minnesota News

Largest Independent Insurance Agent and Company Expo in the Midwest!

**TUESDAY
APRIL 30th
2019**



**NEW
LOCATION!**

1000 Attendees Expected



Special Guest Speaker
Steve Kelly
MN Department of Commerce Commissioner

Morning Break-Out Sessions

- "Account Managers...Agency Service Tips and Technology Tools" (3 CE's)
- "MIIAB Tools to Survive & Thrive"
- "Social Engineering Attacks-What will they think of next?" (3 CE's)

90+
EXHIBITORS



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that shine bright!**

*Thank you, agents,
for all that you do.*



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On the Cover

Trusted Choice **THE Minnesota News**
Largest Independent Insurance Agent and Company Expo in the Midwest!

TUESDAY APRIL 30th 2019
MIIAB EXPO 2019
Mystic Lake Center - Prior Lake, MN

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90+ EXHIBITORS

MN Independent Insurance Agents & Brokers Association **Spring 2019**

2019 MIIAB EXPO
Pages 12-15



MN Independent Insurance Agents & Brokers Association

15490 101st Ave N, Suite 100
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"It's an Honor to Serve and I hope you can join in the Celebration at the MIIAB's EXPO"

In my last message as your MIIAB president, I sincerely want to thank our member agencies and all your employees. Your support of the association through your dues, E&O premiums and the ideas you share with the staff and executive board are crucial to the success of the association. You have always been the heart and soul of the Big I.

Long before the birth of Independent Insurance Agents and Brokers Association (IIABA) in 1896, there were grass roots organizations of independent insurance agents. Your state leadership understands we must remain true to our roots, helping agents in cities and towns around the state. The MIIAB staff and its board of directors represent your interests accordingly in all local and national meetings.

Your loyalty and belief in the independent agency system is what keeps MIIAB and the national office, IIABA, in the business of advocating in the best interest of the independent insurance agents. Our motto is to provide "a sustainable competitive advantage" to agents through education, lobbying & governmental affairs along with promoting the Trusted Choice and Big I brands; and providing excellent coverage through our Big I and MIIAB professional liability programs, exclusively for our members.

With our members in mind, the upcoming MIIAB Expo on April 30 at Mystic Lake Event Center will help all of us gear up for the future. Specifically, the morning breakout sessions, will give you a look at several tools available through the MIIAB that should add value to your agency:

- Ease of doing business with credit card processing for your customers.
- Valuation of your agency to evaluate your business strength.
- Assistance with hiring new talent in all aspects of agency needs.
- Promoting your agency to your customers.
- How to Amazon Proof your agency.

These are extremely cost-effective ways to help your agency survive in the future. The vast menu of services offered is a must for agency owners and their management teams.

For CE credits, you can choose to learn more about the ever-changing Cyber and Data Privacy policies. The forms are quickly adapting to the exposures presented by cyber criminals, including their latest techniques ranging from Social Engineering to Sextortion.

Or, focusing on your account managers, this session will study technology tools and service tips that can be implemented to streamline agency operations and improve loss control to prevent the next possible E&O claim.

MIIAB expects close to 1,000 people to attend the 2019 Expo. I hope you take advantage of this opportunity to gain new insight and to network with a great





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cast of industry leaders. The new venue will give our members and exhibitors time to explore the casino, entertainment, relax over a meal with your favorite beverage or to rejuvenate in the spa.

Immediately following the Awards Luncheon, you will have a chance to meet with over 90 exhibitors ranging from insurance vendors to your favorite insurance companies along with new insurers. I have personally added three new specialty carriers over the last few years from contacts made at the MIIAB Expo. I especially want to thank our MIIAB Partners, Silver, Gold, Platinum, and Diamond. Please see more details on pages 12-13.

Speaking of our Power in Partners program, I want to thank the executives from several carriers that took time to meet with myself and our delegation from Minnesota during my term as MIIAB president. You shared your thoughts on such important topics as adding young talent, market disrupters, new insurance products and endorsements, privatization of flood insurance, etc. You gave me a valuable opportunity to add additional knowledge to my 38 years in this great industry.

I would also like to thank the following for their commitment to my term and the success of your association: Dan Riley, MIIAB CEO, April Goodin, Director of Operations, MIIAB past-president Darian Hunt and MIIAB State National Director Chad Bjugan. All of you have made substantial contributions and offered years of experience as we continue to face new challenges. Equally important is the work done behind the scenes by the staff at Hal Tiffany Agency, Inc. and MIIAB. It is a team put together by good fate and luck, but I could not have asked for more.



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Auto-Owners – Barry Preslaski Takes New Position at Home Office

On behalf of the MIIAB membership, staff, and board of directors, we would like to thank Barry for his 17 years of dedication to the Minnesota Independent Insurance Agents! Barry has done an outstanding job in developing the MN branch to be one of Auto-Owners most successful branches in the country. He has worked extremely hard to cultivate relationships in MN with all of his Auto-Owners contracted agents. He also helped the MIIAB staff in building a strong and vibrant one on one relationship with the leadership team of Auto-Owners in Lansing, MI. For the past 10 years, the MIIAB and it's leadership has taken time to meet with the AO team to discuss industry issues facing their company and independent agents in Minnesota. We wish him well in Lansing and there is no doubt that he will be a valued asset to the AO team. Finally, we wish he and his family happiness and success in the future.

Dynamics of Selling and Dynamics of Sales Management an Enormous Success

The MIIAB along with the financial support of the Diamond and Platinum Power in Partners just concluded it's second annual Dynamics of Selling along with Dynamics of Sales Management. MIIAB worked with the company executives to scholarship approximately 30 participants in these two programs. The Dynamics of Selling is specifically designed for the emerging sales associate. The Dynamics of Sales Management is designed to help sales managers oversee and cultivate these emerging sales associates. The class was a huge success and we now have close to 100 trained sales associates out in the work force which will help grow the independent agency system in Minnesota. Again, we thank all the participants, the hard work that the MIIAB staff has put in to the program, and the scholarships that our member companies have provided to their agency force.

MIIAB upcoming EXPO Scheduled for April 30th

Your President, Hal Tiffany, has highlighted the upcoming EXPO in his featured article and I know he is excited about all of the new and unique programs and services the MIIAB will be offering in the near future. Also in this issue, there is a two page spread on the EXPO and registration for you and your staff to take advantage of. Many of you probably are wondering why we moved our convention from the Minneapolis Convention Center to Mystic Lake...there are two main reasons, the first is that the highway construction has made it difficult to get downtown. The second is that we wanted to try to find a new facility that was large enough to hold our meetings and over 100 convention exhibitors. Mystic Lake Event Center will provide this to us and more importantly, FREE PARKING! We hope that you will review the EXPO information and circulate through your staff. We hope to see you on April 30th at Mystic Lake Event Center.



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Attracting New Company Partners to the EXPO

Your association in Minnesota has one of the most successful and fastest growing Power in Partner programs in the country, in fact, this year we would like to thank some of our newest partners that have joined in building a strong insurance environment in Minnesota for our members. Not in any particular order, we welcome Safelite AutoGlass, Badger Mutual Insurance, Accident Fund, ePayPolicy, Imperial PFS, Kemper and Katapult Network. We thank all of our Power in Partners who are supporting and have supported the MIIAB and your agency forces. Their financial commitment allows us to run programs to your benefit, including scholarships to our most coveted programs.

Our staff thanks each and everyone of you for your valued membership and the support of all of our programs. MIIAB works for all agents no matter what the size of the agency is.



Dan Riley Receives Spirit of the Silver Lining® Award

The award honors West Bend agents and the nonprofit organizations they support for their dedication to delivering a silver lining to those in need.

Riley was presented the Spirit of the Silver Lining Award for his work with Make-A-Wish Minnesota. Additionally, West Bend donated a \$10,000 grant to the organization.

Since 1982, Make-A-Wish® Minnesota has served a vital role in enriching the lives of children battling critical illnesses. This is accomplished through its wish-granting work driven by the “wish kid’s” interests, creativity, and personality. To date, the organization has granted over 5,000 wishes for Minnesota children.

“The children we serve and their families are usually facing surgeries, treatments, and diminished spirits, but a wish coming true often lifts the child’s mental and emotional strength,” said Riley. “Thank you West Bend for the generous grant, which will help Make-A-Wish grant even more wishes to children in the coming year.”

“At West Bend, we have a proud tradition of giving back to the communities in which we do business,” said Kevin Steiner, president and CEO of West Bend. “The Spirit of the Silver Lining Award is a unique program that allows us to express our gratitude to our agent partners on whom we rely to identify the causes that matter most in our communities.”

Since 2006, West Bend has awarded more than \$1.4 million in grants for sustaining support, special projects, or capital projects to non-profit organizations representing a broad field of interests, including, but not limited to: arts and culture; education; the environment; family, youth, and elderly; health and human services; medical research; and community development. Grants are made to organizations in Wisconsin, Illinois, Indiana, Iowa, Michigan, and Minnesota.

Largest Independent Insurance Agent and Company Expo in the Midwest!

TUESDAY
APRIL 30th
2019

MIIAB EXPO 2019

Mystic Lake Center • Prior Lake, MN

You
won't
want
to miss
this
great
event!

8:30am - 11:30am **Breakout Sessions**

**Account Managers...Agency Service Tips
and Technology Tools (3 CE's)**

Isanti 1

This session will discuss common agency service procedures and best practices to keep your agency running smoothly. We will also review potential E&O challenges and address strategies to mitigate E&O risks. The session will explore common operational blind spots that can lead to an E&O claim, but is not intended to be an in-depth review of all the information examined in an E&O audit. Upon completion of this seminar, participants will have the ability and understanding to conduct themselves with service manners within the scope of their duties in the insurance industry. Attendees will leave the session with practical strategies to improve performance and service at their agencies.

MIIAB Tools to Survive & Thrive

Isanti 2

"Exciting Tools from MIIAB To Help Your Agency Survive in a Changing Insurance Environment"

This breakout will drill through many of the current tools that MIIAB has to offer our members. From ease of doing business to hiring new talent in your agency, to promotion of your agency to customers, to evaluating your agency's worth...we've got you covered! Come to hear about these programs and then visit them at the EXPO that afternoon!

**Social Engineering Attacks-What will they
think of next? (3 CE's)**

Isanti 3

Cybercrime is the fastest growing crime and is constantly evolving. Once you think you understand the policy forms and exposures, it all changes. The carriers are forced to update their policies because the criminals are finding new ways to monetize our cyber vulnerabilities. This course will provide agents with an understanding of the new types of criminal activity from social engineering to sextortion and how the policy form responds.....or not. It is designed to increase the awareness of new Cyber risks, the laws and ways to protect. At the end of this session, participants will be able to understand the new social engineering type exposures, understand the new laws with computer security and notification, discuss claims examples, identify social engineering coverage triggers and exclusions, understand the costs associated with these claims.

11:45am-1:00pm

Awards Luncheon

Waconia 1-4



Hal Tiffany, Jr., CIC
MIIAB President
2018

MIIAB Awards
Company Award of Excellence
Company Rep of the Year
Agency of the Year
Emerging Leader of the Year
Agent of the Year
Presidents Award



Kelly Bowe, CIC
MIIAB President
2019



Special Guest Speaker

Steve Kelly

**MN Department of Commerce
Commissioner**

1:00pm-4:30pm

Exhibit Hall

Minnetonka

3:30pm-5:30pm

**Reception hosted
by the Emerging Leaders**

Pre-Function front of Minnetonka/Isanti

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Members are jointly and severally liable for their proportionate share of obligations for the group and will be assessed on an individual and proportionate share basis for any deficit created by the group. Dividends are not guaranteed.

Download Form

Register Online



Registration Form

Please complete one form per participant.
 Photocopy for your associates.
 Pre-registration deadline is **April 19, 2019**

*Full Convention Registrations received after April 19 will incur a late fee of \$15.00.
 Exhibit Hall/Lunch Registrations received after April 19 will incur a late fee of \$5.00*

1

EXHIBIT HALL IS RESTRICTED TO AGENCY PERSONNEL, MIIAB POWER IN PARTNERS AND EXHIBITORS ONLY.

All Day
8:30am-4:30pm
Morning Sessions, Awards Luncheon and Exhibit Hall

Tuesday Morning Sessions

- 8:30am - 11:30am **For Account Managers... Agency Service Tips & Technology Tools** (3 CE's)
- 8:30am - 11:30am **Social Engineering Attacks-What will they think of next?** (3 CE's)
- 8:30am - 11:30am **MIIAB Tools to Survive & Thrive**
 - \$150.00** Member
 - \$200.00** Non-Member

2

Awards Luncheon and Exhibit Hall
11:45am-4:30pm

- \$75.00** Member
- \$95.00** Non-Member

3

Exhibit Hall
1:00pm-4:30pm

- \$45.00** Member
- \$65.00** Non-Member

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Diamond Profile



FEATURED PARTNER

West Bend

PRESIDENT & CEO

Kevin Steiner

HEADQUARTERS

West Bend, WI

A.M. BEST RATING

"A" (Excellent)

WEBSITE

www.thesilverlining.com

West Bend: The Silver Lining®

The foundation of West Bend's strategy is to create a robust property and casualty product and service portfolio that provides our independent agency partners with a market for a large percentage of the business they write. Around this foundation we wrap outstanding service – The Silver Lining® – and deep agency relationships that enable us to win in the marketplace. Finally, we recognize that our associates are our greatest asset, and the perpetuation of our outstanding culture is critical to our success.

When it comes to understanding commercial risks, we're proud of the broad base of knowledge shared by the underwriters in West Bend's Commercial Lines division. Add to that loss prevention professionals who use a hands-on approach to develop programs tailored to the individual business and property/casualty and workers' compensation claim reps who have the expertise and technology to process claims quickly and efficiently, and you have a quality

Minnesota Independent Insurance Agents & Brokers Association recognizes West Bend as one of its Diamond Partners. MIIAB Diamond Partners are the highest level of sponsorship to our organization.



*President & CEO
Kevin Steiner*

commercial insurance product provided with unmatched service and dedication to you and your customers.

Our Personal Lines division focuses on providing our valued customers with the right coverages through our Home and Highway® package policy. Not only does the Home and Highway offer quality coverages, benefits, and discounts, it's serviced by knowledgeable and experienced underwriters, many of whom share long and productive relationships with their agents.

NSI®, West Bend's specialty division, offers insurance programs for market segments or situations that don't meet standard insurers' underwriting guidelines. NSI is a leader in providing innovative programs for specialty lines, such as beauty salons and spas, childcare, YMCAs, and health clubs. In addition, NSI's experienced claim and legal professionals have handled the most difficult claims situations and will do all they can to help protect your customers' valuable businesses.

The professionals at Argent®, West Bend's mono-line workers' compensation division, collaborate with you and your customers to improve workers' compensation performance through innovative and customer-focused loss prevention, medical cost containment, education, and communication. This high-touch, results-oriented approach is custom built to fit each culture and designed to help customers control the cost of insurance.

Our associates drive our culture of service and family at West Bend. It's because of them that we've been honored as a Best Place to Work in Insurance for nine consecutive years by *Business Insurance* and as a Top Workplace by the *Milwaukee Journal Sentinel* for eight years. We're also proud of the many awards acknowledging our community service, financial stability, and support of healthy lifestyles for our associates. All of these make West Bend a better company for our trusted agent partners.



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Capitol Notes



THE LEGISLATIVE AND POLITICAL NEWSLETTER OF THE
MN INDEPENDENT INSURANCE AGENTS & BROKERS ASSOCIATION

Governor's Walz Health Care Proposals

Last week, Governor Walz presented his budget proposal to the House and Senate kicking off the major responsibility of the 2019 state legislature, the adoption of the state's two-year budget. Walz has proposed a \$45.9 billion biennial budget which is a nearly 9% increase over the state's previous budget.

The House and Senate will soon develop their own budget proposals and the political maneuvering will commence. Minnesota is now the only state with one house Republican and one house Democrat. It has been very problematic for our divided government to agree on the state budget in the past. I expect it will be again.

Governor Walz has proposed a very ambitious series of health insurance reforms. His budget contains three very interesting proposals to make individual health insurance more accessible and affordable in Minnesota; a premium subsidy program which would replace reinsurance, a state based tax-credit for Minnesotans with higher incomes who do not receive the federal tax credits (those over 400% of federal poverty), and a Buy-in option in the individual marketplace that is based upon the MinnesotaCare program benefits and networks.

Premium Subsidy Program. Governor Walz is recommending the reinstatement of the premium subsidy program that the state employed in 2017 to buy down individual health insurance premiums by 25%. The Walz subsidy program would offer all persons buying individual health insurance a 20% premium subsidy.

The governor is re-implementing this subsidy instead of continuing the state's reinsurance program which also lowered insurance premiums across the board. He proposes ending the reinsurance program at the end of 2019 and transferring an estimated \$281 million in unused reinsurance funds to the premium subsidy program. That should fund the program for at least two years which would begin in 2020.

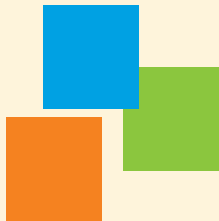
The Governor and many Democrats are much more comfortable giving up-front discounts directly to Minnesotans at the point of purchase in lieu of payments to insurance companies based upon individual claims as is the requirement for reinsurance. It is very clean and simple and probably sells better to the public who will see the premium subsidy on their insurance invoice.

State Based Tax Credit. The Governor is also recommending a state income premium tax credit for individual insurance purchasers who do not qualify for federal assistance. Minnesotans currently receive advanced federal premium tax credits if their income is below 400% of federal poverty. This proposal would offer state-based and funded tax credits to Minnesotans with incomes over 400% of federal poverty. The state-based tax credit (SBTC) will be available to any customer who applies for financial assistance through MNsure, projects their household's annual income to be above 400% FPL, meets other program eligibility requirements, and enrolls in a Qualified Health Plan.



THE RIGHT MIX

Austin Mutual Insurance Company's rich tradition and strong Minnesota presence sets us apart in the marketplace. As the newest affiliate of super regional The Main Street America Group, our two companies are building upon this solid foundation with the introduction of new competitive commercial lines products.



Our Main Line Business Owners Policy (Main Line BOP), tiered commercial auto, workers' compensation and commercial umbrella products – written through our Spring Valley Mutual Insurance Company – are now available for you to sell to your commercial insureds. Our tiered commercial auto is available as a standalone product or you can pair it with our Main Line BOP, which includes many coverages not available in competing products.

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The amount of the SBTC will be the dollar amount necessary to reduce the premium of the second lowest cost silver plan to 9.86% of annual income, the household affordability threshold established under the ACA. The SBTC would start on November 1, 2020, for plan year 2021 coverage. Like the federal premium tax credit, the SBTC can be pre-paid and applied to their monthly insurance bill. The state estimates the SBTC would mean approximately 34,880 Minnesotans currently in the individual market would receive this tax credit by 2023 and see a reduction in their health insurance premium costs

There is a provision to allow persons to waive the up-front tax credit and instead apply for the credit on their state income tax returns. They **won't be required** to purchase their insurance through MNsure. This will require a process for people to change their projected annual income, a year-end reconciliation with income and credits and a special tax return form. The complexity alone should be a large deterrent to the plan's passage.

MinnesotaCare Buy-In. The Walz budget proposal creates a platinum-level Buy-in product for consumers purchasing health insurance in Minnesota's individual market statewide. This product will have a 90 percent actuarial value (90 percent of the costs to the consumer are covered). It will offer a similar provider network and benefit set as the MinnesotaCare program, including dental, vision and behavioral health benefits.

This Buy-In product will be made available to consumers during the 2022 open enrollment effective for services provided on or after January 1, 2023. As with the purchase of any Qualified Health Plan (QHP), individuals eligible for advance federal premium tax credits subsidies will be able to apply this assistance to reduce the cost of the product.

The state will also ensure health coverage choice and low-cost options by offering silver- and gold-level buy-in products in any region of the state where the individual market fails to provide enough health insurance options. The state would offer a gold level plan that provides 80 percent actuarial value, and a silver level plan that provides 70 percent actuarial value. Again, advance federal premium tax credits subsidies will be able to reduce the cost of the product to the public. These products will be made available to consumers after plan year 2024 if a market failure is declared in a rating region.

The proposal uses a one-time appropriation of \$112 million from the Health Care Access Fund to establish a program reserve to support any cash-flow, coverage, claims and liabilities for the program. The program reserve allows DHS to meet any cash flow deficiencies related to the timing of the receipt of federal funds. This estimate also assumes that, beginning plan year 2023 and thereafter, the consumer premiums will fund all ongoing costs necessary to manage the program.

In Summary: Governor Walz has outlined very aggressive and progressive programs for Minnesota's health insurance marketplace under the title "ONECare Minnesota". He proposes controlling drug costs by authorizing the Department of Human Services to administer prescription drug benefits and formularies, for the MA, MinnesotaCare and the Buy-In products and leveraging the state's purchasing power to gain great discounts. He proposes a similar program for dental benefits which would select a third-party vendor to provide simplified dental benefits, prior authorizations and increased provider payments for dental services to public program recipients and later Buy-In purchasers. The state will need several federal waivers to assure we can proceed with these programs and continue to receive federal funding.



His budget has not surprisingly met with mixed reaction. Whether these recommendations are enacted remains to be seen, but they will surely be the starting point for our budget discussions regarding the individual health insurance marketplace in our state.

Dominic Sposeto
MIIAB Lobbyist

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From the eMail bag: Elderly Policyholders

-What do you do when they call you 20 times a year asking for a copy of their policy?

By Richard F. Lund, J.D., Vice President, Senior Underwriter, Swiss Re Corporate Solutions*

We recently received the following question from a Swiss Re Corporate Solutions insured agent: "We have many customers that are now in their 70s, 80s and 90s and are obviously not cognizant. What are the best procedures for us to follow for E&O"

1. The customer is obviously not cognizant (calls 20 times a day; repeatedly asks for copies of their policies – we have one that has asked maybe 20 times in the last year) and we DO NOT have a POA (Power of Attorney) from someone taking care of their affairs????
2. We are presented with a POA from someone supposedly representing the customer???
3. I know their son/daughter/relative, can I contact them and let them know there is a problem?

These are interesting questions. With our aging society and more baby boomers living longer, sometimes without retaining all of their mental faculties, this is just one more issue that needs to be considered.

Our natural human reaction is that we want to help this person and possibly contact their family or loved ones and let them know that you are concerned about their well-being. The problem is, this is first and foremost a business relationship, and you first need to consider it in those terms.

This may sound harsh, but because it is a business relationship, unless you have a Power of Attorney (POA) from them to discuss their affairs with someone else, you should not be discussing it with anyone other than them.

continued on page 31



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However, this does not mean that you cannot discuss their coverage with someone else without a POA. If your customer has established a course of dealing with you where they have allowed a family member (usually a child, sibling or other close relative) to be part of your conversations with them, AND YOU HAVE DOCUMENTED IT IN WRITING, then you can continue to discuss their insurance with that person. HOWEVER, unless you have a POA giving that person authority to LEGALLY act on their behalf, you should not make any changes to the policy, including but not limited to: changing coverages or beneficiaries, adding or deleting parties, cancellation, or any other material changes.

So, what if you are presented with a POA from someone who purports to act on behalf of your customer – should you accept it? Generally, the answer is yes, if the POA is properly authenticated under local state law (in most states, it would be notarized). Once you have verified their authority, document your file accordingly and proceed.

Other situations could arise where the customer has been placed under a conservatorship or guardianship by a court, and as long as you are provided with proper legal documentation from the court, you can act at the direction of the court appointed representative.

The next option is that you could decide to no longer represent that customer for their insurance needs. This could be considered a drastic measure, but if you want to protect yourself from an E&O exposure, then that is certainly an option. If you choose this option, you should send written notification to the customer by certified mail with return receipt requested that you are no longer going to represent them for their insurance needs. This will ensure that you have documentation in your file that the letter was received. There is a sample "Disengagement Letter" you can adapt to your own use on the E&O Happens website (<https://rms.iiaba.net/Prevention/Pages/Procedures/Letters/default.aspx>).

Our aging society is creating new issues that may not have been fully considered in the past. So, when you are presented with this situation, and you follow these simple steps, you will help protect yourself from an E&O exposure and still provide the service your customers have come to expect.

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****Richard F. Lund**, JD, is a Vice President and Senior Underwriter of Swiss Re Corporate Solutions, underwriting insurance agents errors and omissions coverage. He has also been an insurance agents E&O claims counsel and has written and presented numerous E&O risk management/ loss control seminars, mock trials and articles nationwide since 1992.*

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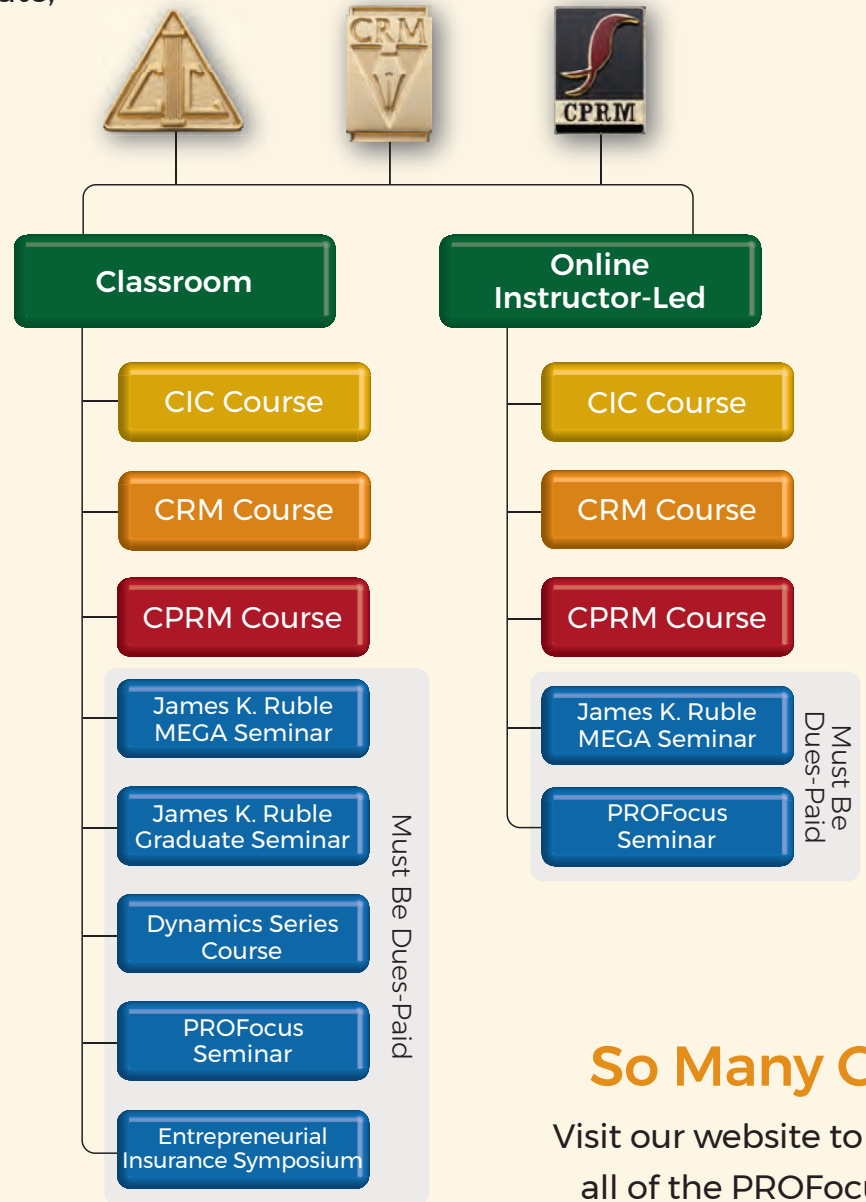
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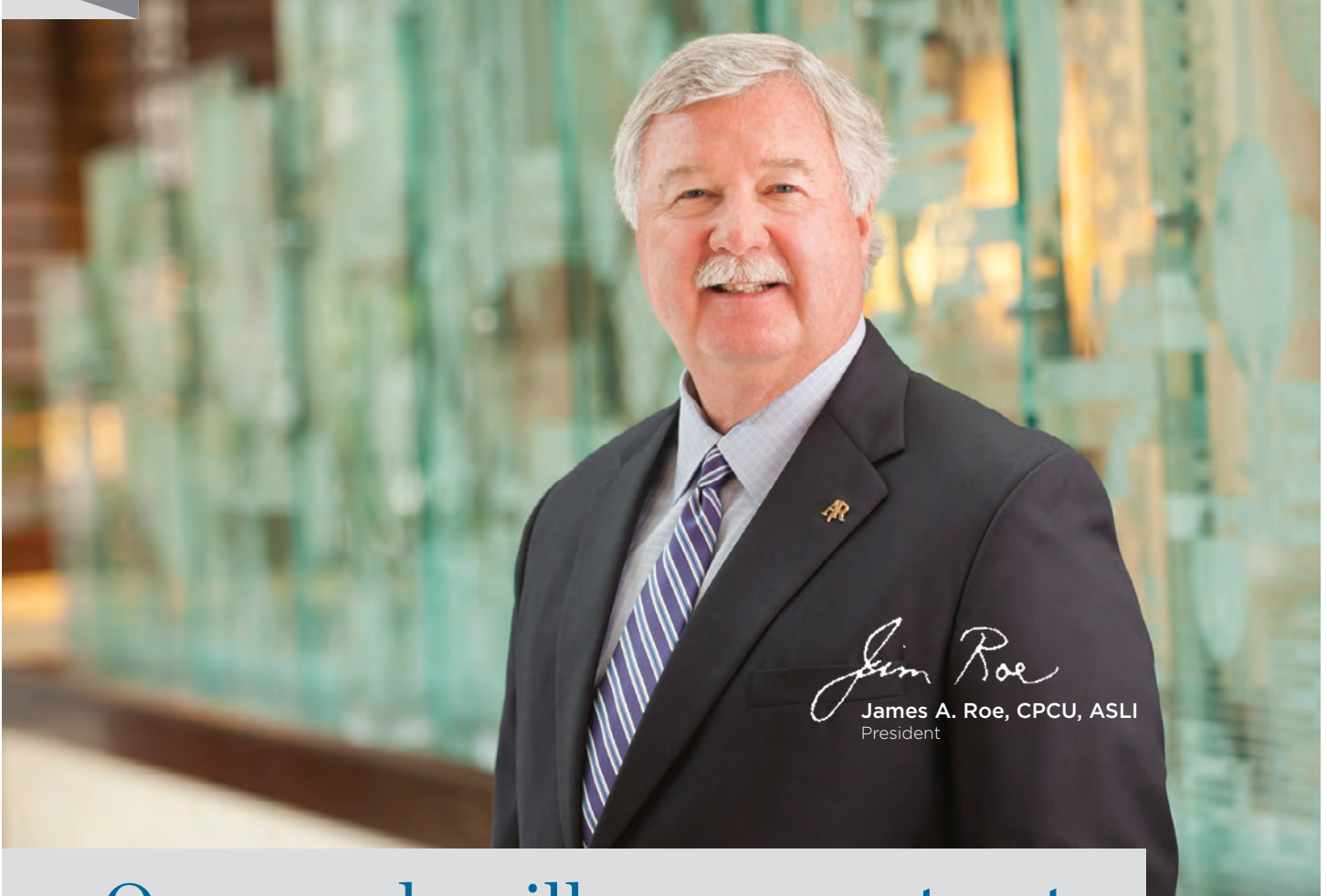
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We have been singularly committed to supporting the insurance industry and the independent agency system since we were founded in 1964. We appreciate and value highly the Minnesota Independent Insurance Agents & Brokers Association and our Minnesota agency partners and associates.

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The August 1, 2009 Certificate Bill Reexamined February, 2019

I have had so many requests and questions lately about certificates that I thought we should look at a former article of mine about the subject of certificates. It is updated to today's insurance world.

As most of you know, Minnesota has joined several other states in enacting a special bill on certificates of insurance. This was a bill that was sponsored by our association and our intent was to make things a big easier for our agents relative to this thorny problem of handling certificates, especially with the ever increasing third party requests to show "coverages" that were way beyond the scope of insurance or impossible to get from our carriers. Here are the highlights of this bill.

The new law makes it clear that a certificate of insurance is merely a "snapshot" of the policy – it simply provides evidence of what the policy will contain. In keeping with this thought, the new law requires a statement on each certificate issued to any person other than the policyholder that says: ***"This certificate or memorandum of insurance does not affirmatively or negatively amend, extend or alter the coverage afforded by the insurance policy."*** Agents are also not allowed to issue an opinion letter or other correspondence that alters coverage or provides different notice than what is provided in the statute. In a word, a certificate can show what is on the policy; but cannot change anything on the policy.

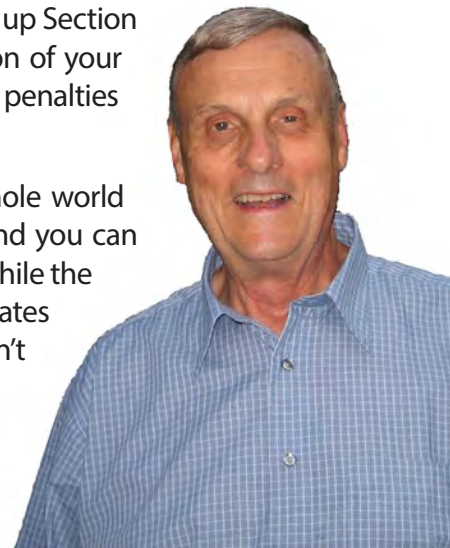
The statute also provides a cancellation notice: ***"A certificate provided to a third party must not provide for notice of cancellation that exceeds the statutory notice of cancellation provided to the policyholder."*** This is obviously aimed at those requests to give third parties to the insurance contract more notice than the named insured gets. Now you can say "no" to them – it is against our Minnesota statute.

The new statute also addresses the issue of various certificate forms, floating around the marketplace. Many were "invented" by people who were obviously not insurance people. From now on, insurance carriers that use certificate forms that are not ACCORD or ISO forms have to file them with the Commissioner prior to using them. Thus, those interesting forms that come from certain third parties may no longer be used. Also, this section prohibits (again) the amendment of filed (and approved) forms at the request of a third party.

Another word on opinion letters and other correspondence issued by licensed insurance producers - the statute prohibits them if they are inconsistent with this statute.

If you are wondering about the penalties for not complying with the new law, just look up Section 60K.46 which applies to prohibited acts for licensed insurance producers. Suspension of your license, termination of your license and other civil penalties (like fines) are shown. The penalties can be severe and should be avoided at all times.

Now, when you get some kind of third-party request, like "please show that the whole world is an additional insured on the certificate", you can say "No, can't do it, it is illegal", and you can specifically reference them to Section 60A.39 of the Minnesota state insurance code. While the above example seems bit much, there was a recent request that we add "the United States Government" as an additional insured to a General Liability and Umbrella policy. It wasn't the whole world, but close.





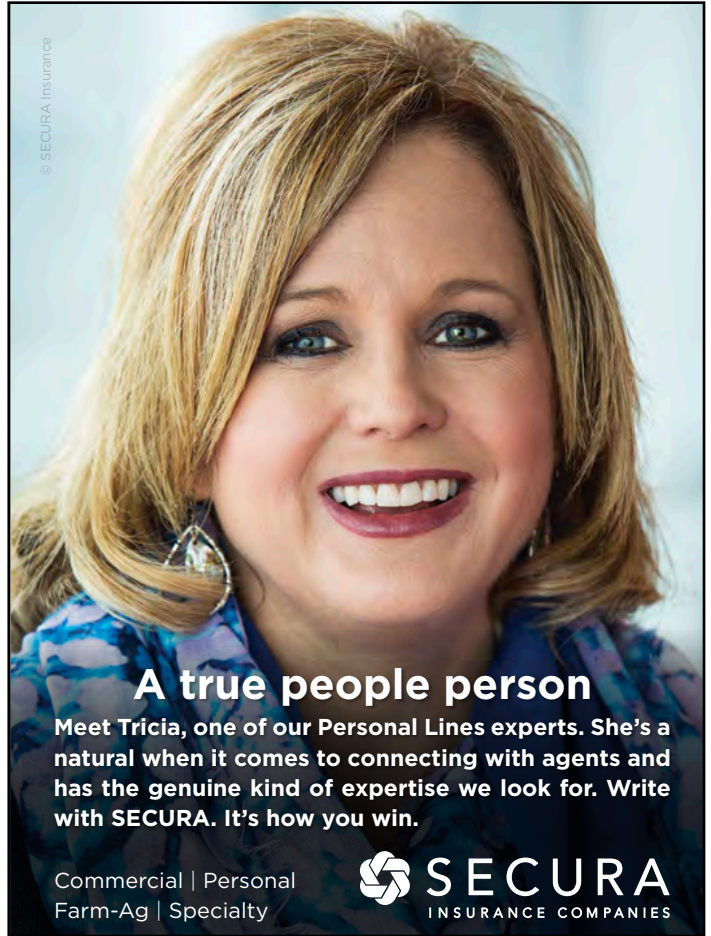
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Finally, one common question I get is what to do when the insured orders you to show only \$2,000,000 on a \$5,000,000 umbrella policy. Many insurance experts I know have argued both ways on this one. However, all of the attorneys that I have asked about this say not to do it. It is not a factual representation of what is on the policy (remember, the certificate is a “snapshot”). Also, they point out that the limits will come out in the Discovery phase of a trial anyway.

Here is some help with this issue because of the language built into the 2013 ISO General Liability and Umbrella endorsements:

1. *“The insurance afforded to such additional insured:*

- a. *Only applies to the extent permitted by law; and*
- b. *Will not be broader than that which you are required by the contract or agreement to provide for such additional insured.”*

Then later on, the last paragraph in the endorsement states:

C. *“With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits of Insurance:*

The most we will pay on behalf of the additional insured is the amount of insurance:

- 1. *Required by the contract or agreement you have entered into with the additional insured; or*
- 2. *Available under the applicable limits of insurance shown in the Declarations;*

Whichever is less”.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.”

I believe this language is pretty clear. If you show \$5,000,000 on the certificate, and only \$2,000,000 is required, this endorsement will pay whichever is less. And as the attorney have assured me, all the limits will be found out in Discovery anyway.

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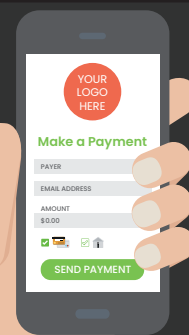
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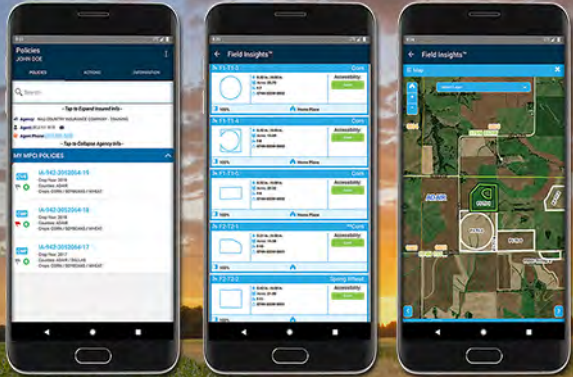


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Contact Brian Mitchell at 612-219-2870, brian.mitchell@encompassins.com.
 Dean Ohlhues at 651-452-2730, dean.ohlhues@encompassins.com.
 Sandy Schow at 320-979-9757, sandy.schow@encompassins.com



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 952.646.6769
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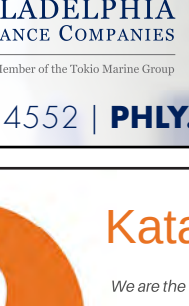
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or

jhopper@arlingtonroe.com



2019 MIIAB CIC Program Schedule



MN Independent Insurance Agents & Brokers Association

Please select Seminar date

- 2/6 - 2/7/19 **Plymouth** *Ruble Graduate Seminar
- 3/6- 3/8/19 **Maple Grove** Personal Lines
- 4/10 - 4/12/19 **Maple Grove** Agency Management
- 5/8 - 5/10/19 **Maple Grove** Commercial Casualty
- 6/5 - 6/6/19 **Red Wing** *Ruble Graduate Seminar
- 8/7 - 8/9/19 **Maple Grove** Life & Health
- 9/9 - 9/10/19 **Edina** *Ruble Graduate Seminar
- 9/11 - 9/12/19 **Maple Grove** *Ruble Graduate Seminar
- 10/9 - 10/11/19 **Maple Grove** Commercial Property
- 11/6- 11/8/19 **Maple Grove** Commercial Multiline

* Must be a dues paid member of CISR, CIC, CRM or CSRM to attend a Ruble Graduate Seminar. CE Credit is available for MN and all bordering states, if you are licensed in a different state and registering less than 40 days from the program, please contact National Alliance to determine if CE is available. 1-800-633-2165

Dates and locations are subject to change. Before making any travel arrangements, call to verify the dates, location, start time and availability when registering for a program.

New 2 Day Format for 2019

Wednesday 8:00 a.m. - 5:30 p.m.

Thursday 8:00 a.m. - 5:00 p.m.

Optional Exam: **Friday** 9:00 a.m. - 11:00 a.m.

NOTE: Ruble Graduate Seminars meet 8:00 a.m. until 5:15 p.m. & there is no exam.

New for 2019 all CIC courses have been submitted for approval to the MN Commissioner of Commerce for **16 hours** of Insurance continuing education.

Cancellation Policy: Full refund or transfer will be granted if request is received in writing within 7 days prior to the seminar. Requests received after that date will incur a \$75.00 fee. No refund/transfer will be granted for no shows.

Method of Payment

Check Enclosed (Payable to MIIAB) or Charge to: VISA MC AMEX

(Additional non-refundable charge of \$15 will apply per seminar for credit card transactions)

Card Number _____ Ex Date _____ CVV# _____

Name on Card _____

Billing Address _____

City _____ State _____ Zip _____

Cost	Seminar
\$450.00	CIC Institutes (16 Hours)
\$430.00	Ruble Graduate Seminar (16 Hours)

In accordance with Title III of the American with Disabilities Act, we invite all registrants to advise us of any disability and any request for accommodation to that disability. Please submit your request as far as possible in advance of the program you wish to attend.

Name of Attendee _____ MN Insurance License # _____ DOB _____ Designations _____

Agency/Company _____ Phone _____ Email _____

Address _____ City _____ State _____ Zip _____

Return to: **MIIAB, 15490 101st Ave N, Suite 100, Maple Grove, MN 55369 P: 763.235.6460 F: 763.235.6461 E: miia@miia.org**

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2019 MIIAB CISR Program Schedule



MN Independent Insurance Agents & Brokers Association

Please select Seminar date - These courses have been approved by the MN Commissioner of Commerce for 7 hours of Insurance continuing education

- 1/10/19 - **Maple Grove** WTH - Commercial Lines
- 1/16/19 - **Edina** Elements of Risk Management
- 1/22/19 - **Minneapolis** Commercial Casualty II
- 2/12/19 - **St. Cloud** Elements of Risk Management
- 2/13/19 - **Red Wing** Personal Residential
- 3/19/19 - **Maple Grove** Commercial Casualty II
- 3/26/19 - **Duluth** Personal Residential
- 4/3/19 - **Edina** Agency Operations
- 4/4/19 - **Moorhead** Commercial Property
- 4/9/19 - **St. Cloud** Personal Auto
- 5/14/19 - **Grand Rapids** Commercial Casualty I
- 5/15/19 - **Bemidji** Agency Operations
- 5/22/19 - **Maple Grove** Personal Auto
- 6/4/19 - **Mankato** Personal Lines Miscellaneous
- 6/11/19 - **Maple Grove** Commercial Property
- 6/13/19 - **Fergus Falls** Commercial Casualty I
- 6/18/19 - **Brainerd** Dynamics of Service
- 7/11/19 - **Duluth** Commercial Casualty I
- 7/16/19 - **Willmar** Commercial Casualty II
- 7/18/19 - **Edina** Personal Lines Miscellaneous
- 8/6/19 - **Maple Grove** Life & Health Essentials
- 8/20/19 - **Lake Elmo** Commercial Casualty I
- 8/22/19 - **St. Cloud** Commercial Casualty II
- 9/5/19 - **Maple Grove** Personal Residential
- 9/17/19 - **Rochester** Commercial Casualty I
- 9/24/19 - **Duluth** Elements of Risk Management
- 10/3/19 - **St. Cloud** Agency Operations
- 10/16/19 - **Mankato** Commercial Property
- 10/17/19 - **St. Paul** Personal Auto
- 10/22/19 - **Maple Grove** Commercial Casualty I
- 11/13/19 - **Rochester** Personal Auto
- 11/14/19 - **Edina** Commercial Property
- 11/19/19 - **St. Paul** WTH - Personal Lines
- 12/10/19 - **Maple Grove** Agency Operations

Dynamics of Service and William T. Hold Seminars are good for CE and updating your designation, not for achieving your designation.

In accordance with Title III of the American with Disabilities Act, we invite all registrants to advise us of any disability and any request for accommodation to that disability. Please submit your request as far as possible in advance of the program you wish to attend.

Dues-paid CISRs may receive up to two years' update credit for full attendance at any James K. Ruble Graduate Seminar.

Method of Payment

Check Enclosed (Payable to MIIAB) or Charge to: VISA MC AMEX

(Additional non-refundable charge of \$5 will apply per seminar for credit card transactions)

Card Number _____ Ex Date _____ CVV# _____

Name on Card _____

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City _____ State _____ Zip _____

Cost	Seminar	Time
\$170.00	CISR Seminar	8:00am-3:45pm Test: 4:15-5:15pm
\$180.00	William T. Hold Seminar (WTH)	8:00am-4:00pm
\$170.00	Dynamics of Service	8:00am-4:00pm

Cancellation Policy: Full refund or transfer will be granted if request is received in writing within 7 days prior to the seminar. Requests received after that date will incur a \$35.00 fee. No refund/transfer will be granted for no shows.

Name of Attendee _____ MN Insurance License # _____ DOB _____ Designations _____

Agency/Company _____ Phone _____ Email _____

Address _____ City _____ State _____ Zip _____

Return to: **MIIAB, 15490 101st Ave N, Suite 100, Maple Grove, MN 55369 P: 763.235.6460 F: 763.235.6461 E: miia@miia.org**

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2019 MIIAB E&O



MN Independent Insurance Agents & Brokers Association

Agencies that attend this seminar will receive a **10% loss control credit** on their Westport E&O Premium. Once an agency attends the seminar the 10% credit will apply for 3 years if the agency remains claim free during the 3 year period.

AGENCY STAFF SIZE	TOTAL ATTENDEES REQUIRED AT A (6 HOUR) SEMINAR	POSITION IN AGENCY	PLUS ADDITIONAL REQUIREMENTS
1	1	ACTIVE AGENCY PRINCIPAL, OWNER, PARTNER OR OFFICER	NONE
2-7	2	ACTIVE AGENCY PRINCIPAL, OWNER, PARTNER OR OFFICER	ONE PRODUCER OR CSR
8-20	4	ACTIVE AGENCY PRINCIPAL, OWNER, PARTNER, OFFICER AND ONE ACTIVE AGENCY PRINCIPAL, OWNER, PARTNER, OFFICER, OPERATIONS MANAGER OR PRODUCER	TWO PRODUCER'S OR CSR'S
21-50	6	ACTIVE AGENCY PRINCIPAL, OWNER, PARTNER, OFFICER AND ONE ACTIVE AGENCY PRINCIPAL, OWNER, PARTNER, OFFICER, OPERATIONS MANAGER OR PRODUCER AND ONE CSR	THREE PRODUCER'S OR CSR'S
51+	10	ACTIVE AGENCY PRINCIPAL, OWNER, PARTNER, OFFICER AND TWO ACTIVE AGENCY PRINCIPAL'S, OWNER'S, PARTNER'S, OFFICER'S, OPERATIONS MANAGER'S OR PRODUCER'S AND TWO CSR'S	FIVE PRODUCER'S OR CSR'S

Please Check Location

- 2/26/19 - Edina** 8:30am-3:30pm
Commercial Liability Coverage Gaps and How To Fill Them
- 3/27/19 - St. Cloud** 8:30am-3:30pm
E&O: Road Map to Policy Analysis
- 4/23/19 - Brainerd** 8:30am-3:30pm
Commercial Liability Coverage Gaps and How To Fill Them
- 5/16/19 - Morton** 8:30am-3:30pm
E&O: Road Map to Policy Analysis
- 8/14/19 - Mankato** 8:30am-3:30pm
Commercial Liability Coverage Gaps and How To Fill Them
- 10/2/19 - Duluth** 8:30am-3:30pm
E&O: Road Map to Policy Analysis
- 11/20/19 - Maple Grove** 8:30am-3:30pm
Commercial Liability Coverage Gaps and How To Fill Them

These courses have been approved by the MN Commissioner of Commerce for 6 hours of Insurance continuing education.

Cancellation Policy: Full refund or transfer will be granted if request is received in writing within 7 days prior to the seminar. Requests received after that date will incur a \$35.00 fee. No refund/transfer will be granted for no shows.

In accordance with Title III of the American with Disabilities Act, we invite all registrants to advise us of any disability and any request for accommodation to that disability. Please submit your request as far as possible in advance of the program you wish to attend.

Cost: \$156.00 MIIAB Member or \$171.00 Non-Member

Method of Payment

Check Enclosed (Payable to MIIAB) or Charge to: VISA MC AMEX

(Additional non-refundable charge of \$5 will apply per seminar for credit card transactions)

Card Number _____ Ex Date _____ CVV# _____

Name on Card _____

Billing Address _____

City _____ State _____ Zip _____

Name of Attendee _____ MN Insurance License # _____ DOB _____ Designations _____

Agency/Company _____ Phone _____ Email _____

Address _____ City _____ State _____ Zip _____

Return to: **MIIAB, 15490 101st Ave N, Suite 100, Maple Grove, MN 55369 P: 763.235.6460 F: 763.235.6461 E: miia@miia.org**

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Thank You



MN Independent Insurance
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