

Task Force Name:	Insurance Task Force (ITF)	Session #:		Report #:	
Task Force Chair:	Bruce Hopson	Vice Chair:			
Minutes recorded by:	Chris McGiffin	Date/time of meeting:	8/25/13, 8:30PM EDT		

Motions Passed:

None

Number of BOD task force members present: 6	Absent:	Number of others present:
Task Force members present (list all, including chair and vice chair): Chris McGiffin, Jody Smith, Bruce Hopson, Anna Lea Matysek, Phil Dodson, Maria Elias-Williams		

Minutes

1. Reviewed the compiled list of who USMS may consider covering with Personal Accident (PA) and General Liability (GL) insurance. Recommendations specified for PA, GL and limitations were reviewed and confirmed.
 - a. Individual USMS-registered members - Yes for PA; Yes for GL
 - i. Limited to sanctioned event or approved activity
 - b. Event Hosts - n/a for PA; Yes for GL
 - i. Limited to sanctioned events only.
 - ii. Open question regarding who is a "USMS Host" as defined in the current "Insurance Swim Meet Coverage Grid" relating to Recognized events.
 - (1) Moot point since ITF does not support insuring Recognized events.
 - c. Coaches (USMS Members only) - Yes for PA; Yes for GL
 - i. Limited to sanctioned event or approved activity
 - d. LMSCs (Officers only) - Yes for PA (they should all be USMS Members); Yes for GL
 - i. **Where do we define Officers (in LMSC bylaws)?**
 - ii. Limited to sanctioned event or approved activity and their capacity as an LMSC officer
 - e. LMSCs (entity) - n/a for PA; Yes for GL
 - i. Limited to sanctioned event or approved activity
 - f. Clubs (USMS Member Clubs or their Chapters) - n/a for PA, Yes for GL
 - i. Limited to sanctioned event or approved activity
 - g. USMS Swimming Saves Lives
 - i. Foundation - n/a for PA; Yes for GL
 - ii. Limited to approved activity.
 - h. Foreign Athletes (member of FINA recognized Club)
 - i. **ITF assumes that a Guest/Temporary Membership would be developed - then Yes for PA; Yes for GL**
 - ii. Limited to sanctioned event or approved activity
 - i. Non-member, 30-day Trial
 - i. **ITF assumes that a Guest/Temporary Membership would be developed - then Yes for PA; Yes for GL**
 - ii. Limited to approved activity

- j. USA members in a Joint Sanctioned Event - No for PA; No for GL
 - k. USMS Coach supervising USA Swimmers - No for PA; No for GL
 - l. One Event Membership - Yes for PA; Yes for GL
 - i. Limited to sanctioned events
 - m. Event Director (both USMS or non-member) - Yes for PA, if a USMS Member; Yes for GL, for both
 - i. Limited to sanctioned events
 - n. Event Volunteers (both USMS or non-member) - Yes for PA, if a USMS Member; Yes for GL, for both (ITF recommends ESIX quote PA for non USMS member serving as a volunteer in a sanctioned event)
 - i. Includes Safety Marshals, Officials, Timers, Lifeguards (if not employed by event facility)
 - ii. Professional volunteers must show proof of insurance.
 - iii. ESIX mentioned that a separate coverage option may be available on an event-basis.
 - iv. Limited to sanctioned events.
 - o. Facility Owner and Facility Operator - n/a for PA; Yes for GL
 - i. Limited to sanctioned events
 - p. Motorized Boat Drivers, Boat Owners, Boats - No for PA; Yes for GL, depending on cost. Note: **ITF believes current requirements for boat owners/operators to provide proof of insurance is sufficient for 2014 coverage.**
 - i. Per the meeting with ESIX on 8/16, the primary benefit of USMS providing watercraft liability coverage for boats used during USMS sanctioned open water events/activities is to ensure the proper liability coverage is in place on all boats. It will also reduce the burden on the volunteer boat owners. Implementation of this solution would likely result in additional premium, but would probably be viewed very favorably by the volunteer boats owners. The global perspective is that without watercraft providing safety support for OW sanctioned events, then many or most OW events would not be insurable. Thus they are an integral part of the total liability for OW events and if provided will be priced in as part of the total coverage.
 - ii. ITF recommends ESIX provide a cost estimate for GL.**
 - iii. Limited to sanctioned events
 - q. Hired Professionals (not volunteers) - No for PA; No for GL
2. Reviewed the compiled list of what activities USMS may consider covering with Personal Accident (PA) and General Liability (GL) insurance. Recommendations specified for PA, GL and limitations were reviewed and confirmed.
- a. Sanctioned pool swimming events - Yes for PA; Yes for GL
 - b. Sanctioned pool or sanctioned open water clinics - Yes for PA; Yes for GL
 - i. **Safety guidelines may need further definition.**
 - c. Sanctioned open water competitions - Yes for PA; Yes for GL
 - d. Recognized pool swimming events - No for PA; No for GL
 - i. ITF proposes this change with the rationale that USMS has no direct control over event safety or management.**
 - e. Pool swimming and dry land practices, all participants are USMS members, and directly supervised by a USMS Member - Yes for PA; Yes for GL
 - i. May include Guest/Temporary USMS Members over 18 years old, assuming such a membership class is defined.
 - ii. If USA swimmer(s) participate, then either a) on deck coach must be USMS and USA member, or b) USA swimmer(s) must be a Guest/Temporary USMS member over 18 years old.

(1) Open question whether or not USA swimmer(s) must be in separate lane(s) from USMS swimmers.

(a) USMS and USA swimmers can be co-mingled, per Anna Lea from Sandy B.

(2) Current GTO 2013 Insurance Program "COVERAGE HIGHLIGHTS" grid incorrectly shows USMS Members as covered when a USA Swimmer is participating.

(a) Anna Lea to have Sandy B. correct this bullet in current documentation.

f. Open Water practices - No for PA; No for GL

i. ITF rationale is that USMS has no control over safety protocols since the activity is not sanctioned.

ii. Also, the ITF estimates that this activity is not part of the core USMS business as it may only serve a very small percentage of current members.

iii. ESIX mentioned that a USMS Club may be able to seek coverage separately.

(1) ITF recommends that this option be explored by USMS.

g. Learn to Swim, directly supervised by a USMS Member(s) - Yes for PA; Yes for GL

i. May include USMS Members and/or Guest/Temporary Members over 18 years old.

ii. **Safety guidelines may need further definition**

h. Learn to Swim, approved by SSL and directly supervised by a USMS Member(s) - Yes for PA; Yes for GL

i. Assumes non-member participants are required to be Guest/Temporary Members over 18 years old.

ii. **Safety guidelines may need further definition**

i. Pool swimming tryouts, pool clinics, and dry land training, directly supervised by a USMS Member(s) - Yes for PA; Yes for GL

i. May include USMS Members and/or Guest/Temporary Members over 18 years old.

ii. **Safety guidelines may need further definition**

j. USMS pre-approved social events where alcohol is NOT sold - n/a for PA; Yes for GL

i. Sandy B. currently approves requested activity

ii. How is the approval process made accessible?

(1) Anna Lea to have Sandy B. update insurance documentation with instructions.

k. USMS pre-approved fund raising events where alcohol is NOT sold - n/a for PA; Yes for GL

i. Sandy B. currently approves requested activity

ii. How is the approval process made accessible?

(1) Anna Lea to have Sandy B. update insurance documentation with instructions.

l. Joint Sanctioned events with USA Swimming - ? for PA; ? for GL

i. Anna Lea to follow-up with Patty Miller to get clarification and confirmation from USA Swimming as to who covers whom.

m. USMS Sponsored, non-sanctioned events - No for PA; No for GL

i. Contractual sponsorships would include indemnification.

ii. ITF does not see a need to pursue coverage for this arrangement.

3. Other topics

a. Under Umbrella Liability, ESIX offers sexual abuse and molestation coverage.

- i. May make sense if we joint sanction more events with USA Swimming.
 - ii. ITF recommends USMS obtain a quote of this coverage from ESIX.**
 - b. ESIX also offers TRIA - Terrorism
 - i. ITF recommends USMS obtain a quote of this coverage from ESIX.**
 - c. Colorado LMSC Chatfield waiver concern
 - i. Anna Lea to take the topic back to Patty for review.**
4. Final report to BOD
- a. ITF to review/approve the recommendations in these minutes by Tue., 9/3, prior to submission to the BOD for further discussion.**

The meeting was adjourned at 10:35PM EDT