

Insurance Committee  
September 19, 1991

The meeting called to order by chair Mike Laux at 11:00 AM. In attendance were committee members Jack Buchanan, Nicholas Fazzano, Jack Geoghegan, David Gray, Mike Laux, John Maguire, and Jane Moore.

Also in attendance were Randy Miller, Gerry Rodrigues, Dan Wilson, Tom Finnegan, Bill Tingley, Barbara Bower, Jan Huneke, Fred Tan, Jayne Lambke, Carolyn Cunningham, Joann Lelich, Jeanne Crause, Elin Zander, Joanne Tingley, Marilyn Early, Barbara Protzman, Robert Mitchell, Dave Zander, Paul Fortoul, Suzanne Rague, Michael Hitchcock, George McVey, Hugh Winn, Craig Tribuzi, Kim Shaw, Art Mayer, Roy Abramowitz, Forrest Sullivan, and Jim Miller.

The budget was reviewed and showed this committee to be over budget \$57,400 for 1990 and ahead of budget for 1991, due to an accounting error. The committee actually is on budget for both years.

Bid packages for coverage for the coming year were distributed and reviewed. It was moved, seconded and passed (4-1 vote) to recommend purchase of comprehensive general liability of \$1,000,000 without a policy aggregate at an estimated annual premium of \$97,250. The price for the same coverage with a \$1,000,000 aggregate limit would be \$93,983. The cost of the same coverage last year was \$93,391. The aggregate limit has not been exceeded in the past but could be exceeded by multiple claims.

It was moved, seconded, and passed to purchase an additional \$1,000,000 excess liability coverage at an estimated cost of \$31,109. This level of coverage has been required in the past for use of some facilities. To date, no single claim has exceeded \$1,000,000.

Secondary personal accident insurance cost is \$1.00 per swimmer or about \$30,000 per year. This covers medical expenses for accidental injuries sustained in sanctioned events and supervised practices. It does not cover medical problems. This type of coverage frequently limits claims filed under liability coverage. Decreasing the maximum payment per person from \$25,000 to \$10,000 would not significantly reduce the cost of coverage. Several years of low claims could give a lower rate, but the premium is unlikely to decrease due to outstanding claims and the irregular occurrence of accidents. It was moved, seconded and passed to continue this policy as is.

Expenses covered under this policy have been \$13,309.23 in 1988, \$21,240 in 1989 including one claim for \$18,000, and five claims totalling \$6154 in 1990. Ron Seaborg of International Accident reported that 6 claims have been received in 1991, with \$5709.41 paid for three as of 9/13/91. Two deaths have been reported in the last few months. It is felt that these were due to medical conditions not accidents, but a final decision has not been reached so two \$5000 accidental death benefits may still be paid.

The total budget request will be \$158,359. The decision as to financing the purchase will be left up to the finance committee.

Coverage at workouts if non-registered people are present was discussed. Neither liability nor accident is in effect in these situations. The risk of non-registered swimmers cannot be assessed. If a member of the general public gets in lane with workout coverage would not be voided. A change of policy to cover mixed workouts of USMS members and non-members was discussed. It was moved, seconded, and passed not to seek coverage for mixed workouts.

One day or one event registrations were discussed. The cost is unknown. The risk to Masters Swimming is of increased exposure without increased revenue. The future will determine the liability risk. If claims increase, cost would increase; the pro-rated cost of insurance to USMS of \$6 per swimmer based on past history could increase. The matter was referred to the Registration Committee to consider with the warning that any fee for a one-day registration should at least cover the current insurance cost. A proposal to continue valid registration for one year from date of registration rather than on a calendar year basis was also referred to the Registration Committee as a registration issue rather than an insurance issue.

New language for the liability waiver was discussed. Casey Clark, Loss Control Supervisor for K&K Insurance had concerns regarding the release. It was moved, seconded, and passed to consider new language for waiver according to his recommendations.

Casey Clark also recommended that Risk Coordinators be designated. It was moved, seconded, and passed that each LMSC shall appoint a safety coordinator to notify the clubs and event sponsors within the LMSC of the need to identify the party who is responsible for emergency response at each practice and event.

Legislation affecting the insurance committee was discussed. The committee recommended support of L-9 regarding modification of the liability release. Support was also recommended (vote 5-1) for L-23, payment of convention expenses for committee chairs by USMS.

The liability reserve and reserve goals were reviewed. As USMS has a \$10,000 deductible for liability claims, a reserve fund was established. It should currently contain about \$30,000. The goal was \$100,000. It was moved, seconded, and passed to reserve an additional \$20,000 this year if finances allow.

Pool requirements for coverage amounts were discussed earlier. The amounts currently required by pools should be covered by the recommended policies. Certain facilities request binding contracts agreeing to accept all liability for existence of that pool even when not using it. It was moved, seconded, and passed that it is not the intention of USMS to insure a facility beyond our use of it.

Meeting adjourned at 1:00 P.M.

Respectfully submitted,

*Jane A. Moore*

Jane A. Moore, Recorder

UNITED STATES MASTERS SWIMMING CONVENTION

SEPTEMBER 17-22, 1991

LOUISVILLE, KENTUCKY

COMMITTEE INSURANCE

CHAIRMAN MIKE LAUX

RECORDER D. Jane Moore

VOTING MEMBERS PRESENT:

JACK BUCHANAN Jane Moore-PNA DAVID GRAY

NICHOLAS G. FAZZANO - NIZW ENGLAND JACK GEORGEKAND COND

NON-VOTING MEMBERS, VOICE AT OPTION OF THE CHAIRMAN

JOHN MAGUIRE  
John Maguire Florida

RANDY MILLER

GERRY RODRIGUES

Dan Wilson - PULMSC

Tom Finnegan KY LMSC

Bill Ingley Kentucky

Barbara Bower -

Jan Hurek - Ohio

FRED TAN - Ohio

Jayne Landhe - Florida

Carolyn Cunningham Pacific

Jane McCann Virginia

Elin Zander - Inland Empire

JOANNE TINGLER - KY

Marilyn Early MICHIGAN

Barbara Protzman - MD

Robert Mitchell So Pacific

DUE ZANDER - Inland Empire

Paul Fortoul - Metropolitan

SUZANNE RAGOS - Metropolitan

MICHAEL HITCHCOCK - TEXAS

GEO. McVey - N38A

Hugh Winn Pacific

Craig Teibuzi - North Texas

Kim Shaw - No. TX

Please attach a copy of the Minutes of your meeting to this form and return it as soon as possible to Mel Goldstein, USMS Secretary. It must be handed in BEFORE you leave the Convention.

Joann Bellich Potomac Valley

All Committee actions require approval of the House of Delegates. Any such actions MUST be handed to Mel Goldstein PRIOR to the House of Delegates meeting.

Art Mayer Delaware Valley

Roy Abramowitz

FORREST SULLIVAN VA

Jim Miller MD - Va

