

Ad Hoc Committee - Insurance

The Ad Hoc Insurance Committee met on Oct. 19 at 3:30 p.m. Chaired by Mike Laux, committee members in attendance included Jack Geoghegan, Kevin Kelly, Dan Gruender, Suzanne Rague and Bob Merrick. Other attendees attached.

Mike gave a summary of telephone and mail communications during the past year, engendered by the 800% budget increase in liability insurance premiums. Copies of the former policy were obtained from Financial Guardian, duplicated and furnished to committee members. Bids were solicited from several sources, with the low bid of \$3.40 from our present broker, Financial Guardian - to a high of \$9 per swimmer from United States Swimming. The claims-made policy is renewable May 15, overall increase in liability coverage \$82,000. The Board of Directors approved by mail ballot a \$4 increase in national dues in order to cover this increased cost. There are presently no changes in the medical insurance coverage.

A review of prior year activities indicates no increase in premium anticipated for the coming year. Coverage for the Board of Directors and Officers at the National and local levels will be broader next year, at no additional cost, due to change to Chubb Insurance Company.

John Peterson, Insurance Broker, joined the meeting and responded to questions. He explained causes of the increase in premium, primarily our separation from USS. Our claims experience has been favorable, with two active claims (power boat, loss of eye). The liability coverage has \$10,000 deductible per occurrence with \$1,000,000 limit and \$1,000,000 excess policy. Historically we have had one claim per year, so we should budget funds to cover deductible charges. Masters are doing a good job of publishing the need for medical exam; recommend continued distribution. Dan Gruender expressed concern of increased liability if we publicize the need for exam but not require it before a person is allowed to swim. It was recommended that the disclaimer, similar to the one now used in SWIM Magazine, be used with each publication.

Explanation of the "qualified coach on deck" indicated a person registered with USMS or USS - no other requirement. Agreement between the two corporations liability carriers indicated it was permissible to have USMS and USS swimmers in the same workout. All swimmers in the workout must be covered, save those covered by the "30 day tryout period.

Questions asked and answered:

A: what is not covered by the liability policy; workouts with unregistered swimmers, travel to and from practice and accidents before/after practice (shower, building steps).

B: organized practice is identified as one supervised by either a USMS registered person or a USS registered coach. Jack Geoghegan indicated a lifeguard must be present if the coach is in the water--lifeguard does not have to be USS or USMS registered. John Peterson indicated all aspects of this question have not been established; if restrictions are made to require a coach on deck, it must be worded to allow open water workouts where there is no "deck".

C: Claims now in process include a heart attack (Christian scientist who refused treatment) and a power boat injury (swimmer hit by propellor); other incidents include a probable aneurysm at time trial and a swimmer who swam one lap at workout and died (no claims filed on these to date). A pending lawsuit names USMS for an injury that occurred during a water polo games after practice. The injured party was struck in the eye by a water polo ball while wearing goggles. The goggles shattered and the participant suffered permanent eye damage.

D: No increase anticipated for 1989, but potential dictates the need for reserves.

NEW BUSINESS:

A. USS has a list of covered activities developed over the years; these guidelines should be investigated since they may also apply to USMS.

B: Accidental medical coverage: It was MOVED to change to secondary coverage, in excess of other available insurance; greater benefit to swimmers than the present \$2,000 limit. If members had no other insurance, USMS would be primary with \$250 deductible. Either is the same premium - \$1/swimmer/year. Accidental death coverage will remain the same. Seconded and passed.

C: THE FOLLOWING COMPETITIONS ARE NOT COVERED BY LIABILITY INSURANCE, SO ARE EXCLUDED FROM SANCTION OR APPROVAL BY USMS; WATER POLO, DIVING, OR SSYNCHRONIZED SWIMMING. DIVING FROM OTHER THAN STARTING PLATFORMS OR POOLSIDE IS NOT AN INSURED ACTIVITY.

D: The Committee wants a list of liability claims made and a statistical report of medical claims made. Copy should go to Medical Committee.

E. Tail coverage: if Company cancels policy, there is 60 day free coverage and one year tail at 100% usual premium. No coverage if USMS cancels policy - would have to acquire prior acts coverage with the new policy. Present expiration dates are May 15 for liability and December 31 for medical. Suggested changing policy year to September 1 - August 31.

Meeting adjourned at 6:40 p.m.

Jane Moore, Recorder

UNITED STATES MASTERS SWIMMING CONVENTION
OCTOBER 19-23, 1988
ST. LOUIS, MISSOURI

COMMITTEE Insurance

CHAIRMAN Mike Laux RECORDER JANE MOORE

VOTING MEMBERS PRESENT:

JACK GEOGHEGAN, KEVIN KELLY, DAN GRUENDER

David Zander
Andy Schrag

Suzanne RAUVE
BOB MERRICK

NON-VOTING MEMBERS. VOICE AT OPTION OF THE CHAIR.

Jane Moore
Mary Lee Watson
Dorothy Donnelly
Kerilyn Jones
Mike Taylor
Bill Whitch
John Maguire
Clay Evans
DAVE GRAY - Pacific
Rick Windes, Pacific
Cynthia Jones

Bill Weir
Tom Boak
Louise C. Stacy
Rae Seabury JAF
John PETERSON Financial Guardian
Suzanne RAUVE

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

All Committee actions require approval of the House of Delegates. Any such actions must be handed to Nancy Ridout prior to the House of Delegates meetings.