

2020 IAIR INSURANCE RESOLUTION WORKSHOP

WORKSHOP AGENDA

WEDNESDAY FEBRUARY 26

5:30 – 7:00 pm **Welcome/ Opening Reception**

THURSDAY, FEBRUARY 27

7:00 – 8:00 am **Registration/ Breakfast**

8:00 – 8:15 am **Welcome**

Jan Moenck, Partner, Risk & Regulatory Consulting
Doug Schmidt, Partner, Husch Blackwell

8:15 – 9:15 am **Climate Change and Receiverships: Increasing Insurance Industry Risks from a Changing Climate**

John A. Lee, J.D.

As the climate continues to change, the risk of a catastrophic event pushing an insurer into receivership grows. To quantify that risk, this presentation will review some of the science behind climate change, address potential ways in which weather patterns will change in response to a warming atmosphere, and identify potential regional and national risks associated with these likely changes.

9:20 – 10:20 am **Cybersecurity for Companies in Receivership**

Jenny Jeffers, Managing Member, Jennan Enterprises
Michael Morrissey, Principal, Morrissey Consultants

10:20 - 10:35 am **Networking Break**

10:35 - 11:35 am **Avoiding Fraternal Strife – New Tools for Dealing with Troubled Fraternal**

James Kennedy, Counsel to the Receiver, Texas Department of Insurance,
Todd W. Martin, Partner, STINSON LLP
Kim Yelkin, Partner, Foley & Lardner LLP

Fraternal benefit societies have unique characteristics that can pose challenges in an insolvency. The panel will discuss how regulators can deal with a troubled fraternal, and recent legislation that gives them additional tools to prevent insolvencies.

FEBRUARY 26-28, 2020 | THE MILLS HOUSE WYNDHAM GRAND, CHARLESTON, SC

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THURSDAY, FEBRUARY 27

11:45 am – 1:15 pm

Luncheon

Keynote Speaker

Harlan Greene, Archivist, Director of Special Collections,
College of Charleston

1:30 – 2:45 pm

Commissioners Panel

Commissioner Mark V. Afable, Wisconsin Office of the
Commissioner of Insurance

Superintendent Elizabeth Dwyer, Rhode Island Department
of Business Regulation

Julie Mix McPeak, Shareholder, Greenberg Traurig (former Commissioner,
Tennessee Department of Commerce and Insurance)

Division Commissioner Glen Mulready, Oklahoma Department
of Insurance

2:45 – 3:00 pm

Networking Break

3:00 – 4:00 pm

Insurance Business Transfers: Moving from Theory to Practice

Kirsten Byrd, Partner, Husch Blackwell

Superintendent Elizabeth Dwyer, Rhode Island Department
of Business Regulation

Insurance Division Commissioner Glen Mulready, Oklahoma
Department of Insurance

In addition to giving you the legal framework for an IBT and highlighting
new developments, we will work through a practical example of an IBT.
Come for a lively discussion with perspectives from all stakeholders.

4:05 – 5:05 pm

Watching Worlds Collide: An Outsider's View of a Deputy Receiver's Ethical Quandaries

Bill Goddard, Consultant

A discussion of hypothetical scenarios when outsiders would see the
receiver as having an apparent conflict of interest with the estate's creditors
and analyzing them in light of professional guidance.

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THURSDAY, FEBRUARY 27

6:00 – 7:30 pm **Reception**

FRIDAY, FEBRUARY 28

7:15 – 8:00 am **Breakfast**

8:00 – 9:00 am **L&H GA Model Act Changes: Balancing the Burden**

Bart Boles, Executive Director, Texas Life & Health Guaranty Association

Christine Cappiello, Senior Director, Government Relations, Anthem

Nick Thompson, VP Regulatory Affairs, UnitedHealthcare

This panel will discuss the impetus to the recent revisions to the L&H Guaranty Association Model Act, summarize the primary changes approved by the NAIC, and explain how the guaranty associations and industry have been preparing to implement the changes.

9:05 – 9:50 am **Receivership Court – the Ultimate R. ACA and the 3Rs through the Lens of the Receivership Court**

Joel Glover, Partner, Faegre Baker Daniels

Eric Scott, Director, Risk & Regulatory Consulting, LLC

Dan Watkins, Law Offices of Daniel A. Watkins

This panel will focus on strategies used to deal with the ACA and the 3Rs, whether as assets or liabilities, from the perspective of a Co Op in Receivership. Among other things, the panelists will discuss setoffs, priority systems, litigation and related pleadings in the Receivership Court and the Federal Courts and how they have affected and might affect insurance receiverships.

9:50 – 10:05 am **Networking Break**

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FRIDAY, FEBRUARY 28

10:05 – 11:05 am

Cyber Liability Insolvency: Preparing for an Unknown Challenge

Chad Anderson, Executive Director, Western Guaranty Funds

Tim Schotke, Director, Illinois Guaranty Association

Donna Wilson, Oklahoma Receivership Office, Inc.

Panelists and the audience will go through a tabletop exercise examining what receivers and guaranty associations would need to do in order to protect policyholders if a carrier that wrote Cyber Liability policies were to go insolvent.

11:10 am – 12:10 pm

Dealing with Reinsurers in Receiverships

Kelli Kukulka, Ren Re

Steve McElhiney, EWI Re

Francine Semaya, Legal & Insurance Regulatory Consultant

This session will discuss Reinsurer and Receiver Perspectives of the Receivership, how the Receiver and the Reinsurer can work together with the existing reinsurance programs, how The Reinsurer can be a valuable resource to the receivership, including a discussion on working with new reporting formats that will be utilized in a receivership and the unique reinsurance needs in a receivership.

12:10 – 12:15 pm

Program Wrapup