

# Allegiance/Beazley Remedy Coverage Enhancements Summary

## OVERVIEW

Beazley Remedy is a vital risk management tool and insurance solution for all healthcare organizations. It provides financial protection and peace of mind to organizations and individual directors, officers, managers, and fiduciaries against the following common claims/exposures:

- Wrongful employment termination/discrimination claims
- Shareholder/partner claims
- Regulatory claims
- Antitrust claims
- M&A exposure
- HIPAA liability
- Fiduciary/ERISA liability claims

## CUSTOMIZABLE COVERAGE SOLUTIONS

- (1) Package policy providing separate towers of insurance for Directors & Officers Liability, Employment Practices Liability, Fiduciary Liability, and Regulatory Liability (if purchased); (2) Additional excess limits available for defense costs and for non-indemnifiable loss (if purchased); (3) Specialized sublimits provided for antitrust claims, derivative demands, provider selection claims, EMTALA, IRS, and HIPAA claims

## Policy Terms and Conditions Enhancements

- (1) Assistance, Cooperation, and Subrogation Clause amended to final adjudication trigger as respects subrogation against an individual **Insured**; (2) Run-Off coverage provided to former **Subsidiary** and its **Insured Persons** after the Inception Date of this **Policy**, or of any **Policy** issued by the Underwriters of which this **Policy** is a renewal or replacement; (3) Retention shall not apply if indemnification by the **Insured Organization** is not permitted by law or if the **Insured Organization** is not able to indemnify solely by reason of its **Financial Impairment**; (4) Nonrescindable solely for Insuring Clauses A., B., and C. of the Directors & Officers Liability Coverage Section; (5) Optional extension period available if **Policy** is cancelled or nonrenewed by the **Named Insured** or if Underwriters nonrenew; (6) Representations Clause amended to provide knowledge of such misrepresentations by an **Insured Person** will not be imputed to any other **Insured Person**

## Employment Practices Liability Enhancements

- (1) Duty to defend coverage with 100% allocation of **Defense Costs**; (2) 80/20 hammer clause; (3) Carveback to Bodily Injury Exclusion to that portion of a **Claim** for a **Wrongful Act** in **Provider Selection** seeking **Loss** for mental anguish, emotional distress or humiliation, and to that portion of a **Claim** for a **Wrongful Act** seeking **Loss** for mental anguish, emotional distress or humiliation

## Directors & Officers Liability Enhancements

- (1) Duty to defend coverage with 100% allocation of **Defense Costs**; (2) 80/20 hammer clause; (3) Whistleblower carveback to to Pollution Exclusion

## Fiduciary Liability Enhancements

- (1) Duty to defend coverage with 100% allocation of **Defense Costs**; (2) 80/20 hammer clause; (3) Coverage for **Settlor Wrongful Act**; Sublimit provided for Section 4975 Penalties, HIPAA Civil Fines, Section 502(c) or Section 507 Penalties; (4) Defense Costs carveback to Benefits Due Exclusion

## Regulatory Liability Enhancements

- (1) Non-commercial payor **Claim** carveback to the Breach of Contract Exclusion

For more information or to become an appointed agent or broker, please contact:

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