

# A Claimscene

February 2023



## Save The Date



Atlanta Claims Association Annual Educational Seminar

Back to The Future

A Journey Through 100 Years of the ACA

Thursday, April 13<sup>th</sup>, 2023

Hyatt Regency Atlanta Perimeter at Villa Christina

**ACA**  
**ATLANTA CLAIMS**  
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ACA Annual Golf Outing 2023  
Monday June 19<sup>th</sup>  
Country Club of Roswell

# Letter from the President Jennifer Sweat



Greeting ACA family,

I hope your year has started off with a bang. I cannot believe we are already almost through the 2<sup>nd</sup> month of the year. This year is moving quickly, and the ACA educational seminar is right around the corner. Please plan to attend.

This month is national cancer prevention month; please plan to get your screening. The best way to combat this horrible disease is early detection.

Something we have started within my team at work is a word for the year. It is your word, what you want your 2023 to be. My word is ENCOURAGEMENT.

I want to encourage those around me and be a positive light in their world. Encourage them to follow their dreams. Encourage them to get up and take on a new day with a new and positive outlook. This world is hard, and we never know what someone is going through, so I challenge each of you to encourage your fellow members. Reach out and see how they are doing. Provide them with a little positivity, so they know someone cares, it goes a long way. I am here to encourage and support each and every one of you. If you need someone to talk to, please do not hesitate to reach out, we are all here to support one another.

As mentioned above we have the annual conference in April, and we have the golf outing in June, please plan to attend and mark your calendars.

As a reminder – please renew your membership if you have not already done so.

Truly yours and hope you had a nice Valentine's Day.

Jennifer Sweat

# WELCOME NEW MEMBERS

January 12<sup>th</sup> thru February 13<sup>th</sup>, 2023

Heather Holcombe	Georgia Spine and Orthopaedics
Mike Kuchicki	Carlisle Medical
Brandi Skinner	Bennett International Group, LLC
Diane Chamblin	Chubb (ESIS)
Samantha Davis	AXA XL
Wendy McCracken	The Kingstree Group
Timothy R. Bennett	Bovis, Kyle, Burch & Medlin, LLC
Todd Rogers	PMA
John McKinley	Mozley, Finlayson & Loggins LLP
Richard A. Rice, PE SE CBO	Mutual Engineering, Inc. - MEI

We  Our  
Members!

HAPPY  
VALENTINE'S  
DAY 2023



# Webinars of Interest

## Genex Webinar: IME Best Practices

**Date:** Thursday, February 23, 2023

**Time:** 2:00 PM Eastern Standard Time

[REGISTER](#)



**Duration:** 1 hour

In today's environment, where many claims teams are in flux and have varying levels of experience, a quality IME program gets team members to operate from a common set of IME best practices. This IME course is designed to give claims handling professionals best practices when requesting IMEs, from selecting the right provider and knowing jurisdictional requirements to the importance of a good cover letter and asking the right questions. This course will assist the claims manager in understanding the IME process, with the ultimate goal of returning the injured employee to work.

**PLEASE NOTE:** In order to qualify for CE credits, you must attend the **LIVE** webinar event being held on **Thursday, February 23, 2023, from 2-3:00 PM Eastern time.**



## Pipe Freeze Investigations

Wednesday, February 22, 2023, at 10 am CT

Presented by:



Thomas M. Kosanda, P.E.  
District Manager



Trevor L. Thuett, P.E.  
Senior Consultant

[REGISTER](#)

## Your Webinar Here

**If you are a member of the ACA and your company has an upcoming webinar please let us know.**

**Calling all members: Does your company have an upcoming webinar of interest to the membership of the Atlanta Claims Association that you would like to share?**

**Do you have an article for Legal Corner that you would like to share?**

If so please let us know at: [Admin@AtlantaClaimsAssociation.com](mailto:Admin@AtlantaClaimsAssociation.com) or contact the newsletter chair, Jamaal Wilson, at: [Jamaal.Wilson@pmagroup.com](mailto:Jamaal.Wilson@pmagroup.com)

Join Us on Social Media!





# Read the darn policy..... Oh Wait

For those of you reading this brief article, you may have heard the first part of this title numerous times. When dealing with any 1<sup>st</sup> party property loss, the first place claims handlers tend to look for guidance is the policy (or at least it should be near the top of the list). But what happens when THE POLICY is adverse to your state's Fair Trade / Unfair Trade practices / Rules & Regulations? How would you know if it was? Well, that requires you to be familiar with the Rules & Regulations in the jurisdiction you are working in. And as most of you have experienced, you most likely have been a part of a meeting at least once annually where the Fair Trade Practices are reviewed by you and your team.

As an example that may arise in a simple automobile claim, most auto claims handlers would likely expect to see Comprehensive / Collision coverages on a declarations page if the automobile involved has Rental coverage. While most agents and carriers would list those coverages, a policyholder could opt to list Rental coverage on that particular vehicle without the physical damage coverages (Comp/Collision). So if a covered vehicle was involved in a deer hit, with no Comp / Collision coverages, but it did have Rental coverage, according to the State of Georgia, the insurance carrier owes for the reasonable rental cost, subject to their policy limit. This may be contrary to what most Personal Auto Policies say and what you'll often see in these policies is if there is no associated Comp/Collision coverage then no rental is owed.

See below from the Rules and Regulations of the State of Georgia - Rule 120-2-52-.07 Loss of Use (font bolded for illustrative purposes):

## [Rule 120-2-52-.07 Loss of Use](#)

If a policy provides loss of use or rental reimbursement coverage, reimbursement is limited to actual expenses incurred while an insured vehicle is inoperable due to a loss payable under either comprehensive or collision coverage. **It is not necessary that the policy include coverage for the kind of loss itself (i.e., a comprehensive loss, but no comprehensive coverage), as long as rental reimbursement is applicable to the loss.**

- (a) Actual expenses include reasonable fares for substitute transportation. If a rental car is used, the expenses can include daily charges, mileage expenses and taxes, subject to policy limitations.
- (b) The insurer may apply daily or aggregate monetary limitations to the actual expenses subject to policy provisions.
- (c) The insurer may limit the benefits to the period the vehicle is inoperable or under repair, or ending when an offer to pay for a total loss is made. The offer to pay for the total loss must be made in accordance with these rules, and the date of the offer must be clearly documented in the insurer's claim file.

This is not a common scenario but it is a good example of when a perfectly reasonable reading of a policy may go against the Rules & Regulations established in your respective state.

Matthew Carlson, AIC, AINS, CPCU  
Executive General Adjuster  
Tenco Services, Inc.  
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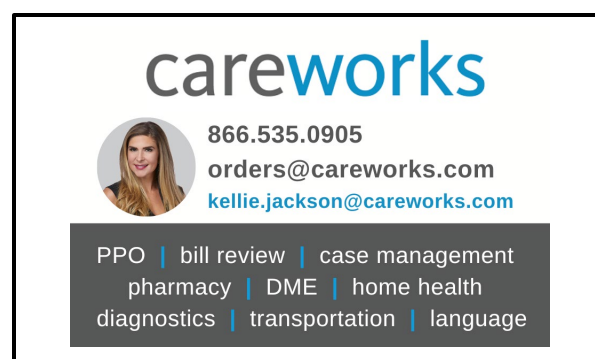
Save The Date



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April 13th, 2023  
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For more information, and for sponsorship opportunities, please contact the Educational Conference Chair, Jesse Parker, at: [jparker@synergyinsurance.com](mailto:jparker@synergyinsurance.com)

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- **Would you like to support the ACA by having an ad for your company or organization** Included in *A Claimscene* each month? If so, please contact the ACA advertising chair Stephen Rios at: [s.rios@ionptnetwork.com](mailto:s.rios@ionptnetwork.com)
- **For submissions or questions** regarding *A Claimscene*, please contact the ACA newsletter chair Jamaal Wilson at: [Jamaal\\_Wilson@pmagroup.com](mailto:Jamaal_Wilson@pmagroup.com)

*Please join us on social media*





# Membership 2023



**Become a member and help the Atlanta Claims Association celebrate our 100th year in 2023!** Membership runs a full calendar year from January until December. Membership for 2022 ended Dec. 31st, 2022. Make sure you renew for 2023 in order to continue your membership.

## Membership includes:

- Special Events free for members
- Online Webinars with CE credit
- Networking
- Joining a committee
- Being a valued member of a well-recognized and respected group of claim professionals!

## [MEMBERSHIP](#)

For more information or assistance, please contact the ACA Membership Chair,  
Tracey Reid at: [tracey@trimedmgmt.com](mailto:tracey@trimedmgmt.com)