



ALABAMA SELF-INSURERS

— A S S O C I A T I O N —

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ASIA Objectives

ASIA is committed to a workers' compensation program that:

- Adequately compensates the employee with a work-related injury
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- Reduces litigation
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- Operates within the bounds of reasonable and necessary regulations

ASIA Winter Workshop

January 17-18, 2013
Cahaba Grand Conference Center
Birmingham, Alabama

INSIDE THIS ISSUE:

A Word from the President 2

Claim Valuations and Settlements . . . 3

Calendar of Events 3

ASIA Summer Conference Review . . . 6

National Council News 10

Membership Update. 11



20 Years – Charles Carr, Bo Kirkpatrick and Donnie Carlisle reminisce about ASIA's 20 years of service.

ASIA Reaches its 20th Anniversary

EXECUTIVE DIRECTOR'S REPORT • CHARLES F. CARR

I can't begin to explain how proud I am that ASIA reaches its 20th Anniversary this year. It has grown to be such a wonderful organization primarily because of so many different people that have contributed to its success. Rather than mentioning all of them, I decided to pull 5 out of a hat. That way, no one who I don't mention can ever take offense at me for not writing about them as well. In the hat, I put 50 names on slips of paper. They included every name you see in the next paragraph (not in any order...neither alphabetical, age, beauty, or kindness):

Vicky Gamble, Tim Huffman, Sam Terrell, Richard Duren, Charlie Hough, Randall Ward, Larry Vinson, Karen Vinson, Donnie Carlisle, Allen McLean, Paul Carter, Ricky Brown, Libby Stephens, Fred McDuff, Harold Rice, T.W. Pugh, Doug Kitchens, Marion McQueen, O'Neal Oliver, Bobby Martin, Tony E. Wojciechowski, Mary Anderson, Don Young, Chuck Wright, Tom Dart, Scottie Spates, Allane Hybart, Sandra Sockwell, Connie Cox, Jim Cofield, Jeff Cofield, Wade Brown, Dr. Stan Faulkner, Davida McCloskey, J.D. Vinson, Nick Vaccaro, Chris Alexander, Donniss Chiarella, Don Jones, Boyd Kelly, Van Wilhite, Charles Delamar, Charlotte Deaton, Mike Fish, Bo Kirkpatrick, Joe Driver, Ellen Niland, Tom Roper, Alice Turner, Dr. Richard Meyer...

Ok, could I have made it 100...absolutely. Did I omit some people who should have obviously been on there? You bet. Will I hear from them? Yep, before you finish reading this article. And, I will take the lumps and beg forgiveness. Remember I have 5 kids and there is always one or two whose name I struggle to remember.

continued on page 5

Alabama Self-Insurers Association

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A Word from the President...

WOW.

**THERE IS NO
CONFERENCE LIKE AN
ASIA CONFERENCE.**



When I thought we had maxed out on attendance, sponsors, exhibitors and great speakers, look what happened on our 20th anniversary. I am proud to say Marion McQueen and Larry and Karen Vinson put on a great show. We had 655 attendees, sponsors, exhibitors and raised \$12,000.00 for COMP PAC in our silent auction. We had 65 golfers, sponsors for every hole and all refreshment carts. For the non golfers there was plenty of sunshine at the pool and on the beach and of course there was great shopping nearby. All of our presenters cooperated and only once did we get off schedule and the next presenter made up the time and we stayed on track. During the break in the silent auction the exhibit area was packed with attendees visiting booth after booth. Several exhibitors came up to me excited about the new business contacts they had made and look forward to coming back. All of this led us to extend our contract with the Hilton through 2014.

I, like Charles Carr, look back and can't believe how quickly 20 years has gone by. We began with a volunteer board with no management structure and then moved to hire a full-time manager. Randal Ward made the brilliant recommendation to hire Association Managers (Larry and Karen Vinson) and our association took off. It is good to know that someone wakes up each day thinking about ASIA. Some of you might remember several years ago we held our conference at The Perdido Key in Orange Beach, Alabama. We have grown so now they cannot handle us.

And last but surely not least, as I said at the meeting before I accepted the two year President's position I made sure Marion would stay during my watch. Without our great board, association managers, Marion and our loyal sponsors, we would not be where we are today.

Before we know it the winter conference will be here. Mark your calendar – it will be January 17-18 in Birmingham. Have a great fall, be safe and may your team win.

Charles

More than Meets the Eye – Claim Valuations and Settlements

Kim Piersol FCAS, MAAA • Huggins Actuarial Services, Inc.

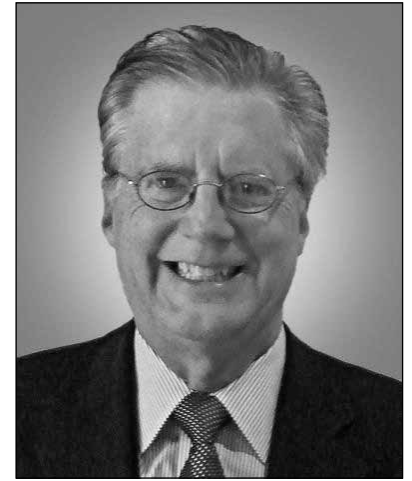
Companies that self insure their workers' compensation exposures, whether under a self insured retention, large deductible or an alternative funding program, must estimate the ULTIMATE future cost for both known and unknown losses. This valuation process must consider medical pension cases, including individual claim demographics and the effect of Medicare's interest in workers' compensation cases. A valuable tool in accomplishing this accrual analysis is an individual claim analysis that projects ultimate values after consideration of the many claim demographics which can affect this ultimate valuation.

A simple example will demonstrate the necessity to consider individual claim demographics in the valuation process. Two claims may exist for the same accident date with identical paid to date and case reserve amounts (i.e. the reported incurred losses are equal). "Traditional" valuation techniques will develop these claims to an ultimate basis identically by the same amount. However, upon closer examination, one claim may be for a 65 year old worker and the other one may be for a 25 year old worker with exactly the same disability. These claims will run off very differently not only because of the varying life expectancies based upon the mortality assumptions but also, and most importantly, because of the medical escalation trends which are built into the projection of future medical costs. The 25 year old may live another 50 years so we need to project what medical costs for this claim will be in the year 2062!! Also, if a claim settlement opportunity exists to settle these two claims, the claim on the 65 year old injured worker requires that the claim be submitted to CMS (Center for Medicare and Medicaid Services) for a Medicare Set-Aside ("MSA") evaluation, which

can have a significant impact on the ultimate claim settlement valuation.

Medicare's interests in all workers' compensation cases must be considered. An MSA will be required if the claimant is currently a Medicare beneficiary and the total settlement amount is greater than \$25,000 or there is a "reasonable expectation of Medicare enrollment within 30 months of settlement date and the anticipated total settlement amount of future medical expenses and disability / lost wages over the life or duration of the settlement agreement is expected to be greater than \$250,000." Consideration may be given to entering into an MSA arrangement to protect Medicare's interests even though CMS will not be reviewing the proposal. Lately, self-insured entities have experienced unusually high MSA evaluations due to the high cost of prescription medications.

Regardless of the individual claim situation(s), the valuation of these claims requires close coordination and communication between the actuary, claims handler, and Medicare secondary payer compliance vendor. Since the individual claim valuations are so important to a self-insured entity (and their risk management process) from both a financial reporting and an insurance/reinsurance purchasing perspective, the company's external auditor and insurance broker also may be consulted.



ASIA Calendar of Events

JANUARY 17-18, 2013

ASIA Winter Workshop
Cahaba Grand Conference Center • Birmingham, AL

AUGUST 10-12, 2013

ASIA Summer Conference
Hilton Sandestin Beach Golf Resort & Spa • Destin, FL

AUGUST 9-11, 2014

ASIA Summer Conference
Hilton Sandestin Beach Golf Resort & Spa • Destin, FL

Individual claim demographics that need to be considered in individual claim valuations include:

- Life expectancy
- Gender
- Impaired/"Rated Age"
- Comorbidities
- Cost-of-living adjustments
- Medical escalation rates
- Probability that the claim will settle

In summary, a robust individual claim valuation model can be of great value to the individual self-insurer to derive expected outcomes using probability distributions based upon the above individual claim demographics. The overall results of these individual claim valuations can be utilized by the self-insurer for:

- Individual claim settlement negotiations (including discounted indications)
- Commutation opportunities with the reinsurer(s)
- Loss portfolio transfers
- Financial reporting

Mr. Piersol is a Fellow of the Casualty Actuarial Society and a Member of the American Academy of Actuaries. Prior to joining Huggins, he served as Senior Vice President & Chief Actuary for Crum & Forester Insurance Companies. Prior to that he served as chief actuary for CNA Insurance Companies, and was a consulting actuary for KPMG LLP, Arthur Anderson LLP, and CFO of AIG Risk Management. He has over forty years of experience in the actuarial field. He may be reached at Huggins Actuarial Services, 610-892-1823.



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Out of this 50 that I put into the hat, I drew 5 out. Now I have to tell you a story about each one that I drew out:

J. D. Vinson: J.D. is a representative of the "Active Members" of ASIA. Those that have not been on the board and many who you may not know who they are, but when you see them you know they have been there every time. I don't think J.D. has ever missed a meeting. He owns a company called Vinson Guard Service in Louisiana. He has been as dependable as anyone has been in the ASIA organization. He is quietly and always supportive. If you want to know more about his company, link to: <http://www.vinsonguard.com/aboutus/history.html>

Marion McQueen: Wow... imagine me coincidentally pulling Marion's name out of the hat. Marion has spent half her career with ASIA trying to retire from the board. The board members always unanimously vote her request down. Next to my mama, my wife and my daughter Katelyn, she is the finest woman I have ever met. She gives constantly and never asks for anything. She lines up the exhibitors every year and when we are 2-3 short, she makes the calls. You never turn Marion down.

Larry/Karen Vinson: Ridiculous. They were both stuck together when I pulled the third name out of the hat. They finish second to Marion in making this organization tick. ASIA was struggling along with little momentum until Randall Ward suggested that we consider Larry and Karen to administratively run ASIA. Since then, I don't have to do anything but show up and smile. They are two of the most organized people in the organization and Larry keeps the perfect ear to the ground to let us know when winds are blowing down in Montgomery.

Scottie Spates: As my kids say, Scottie and I are BFF. If you don't know what that is, you don't have a child or grandchild on Facebook. We are like family, we may drift apart but I always know he is there for me and I am there for him. Many of our members come to ASIA just because they know that Scottie (or whomever he has as his boss as Director of the Department of Industrial Relations...currently Tom Surtees) is going to be at ASIA and is going to be cooperative with the business industry of this state. Scottie is about the best speaker I have ever heard when you can talk him into it. He would be a great minister and is only one stroke away from being as good as me in golf.

T.W. Pugh: On ASIA shirts that Donnie Carlisle gave out at ASIA, there is a logo: "ASIA Still Shooting Straight After 20 Years." That shirt was dedicated to T.W. who was long time head of the Associated General Contractors Comp Fund. When this organization was close to not being an organization 20 years ago, T.W. stood up and gave his "rifle" speech. I told it at the ASIA meeting and will happily tell it to you again if asked. T.W. passed away within the last year and his presence will be missed by many of us.

Stan Faulkner: Go figure it. I was surprised to see this name come out of the hat, but I should have known. Stan is the representative of all the many associate members of this organization without which ASIA could not exist. It includes people like Charlotte Deaton, Donnie Carlisle, Johnnie Munn, Davida McCloskey, Ellen Niland, and many many more. Stan is a good friend and a great orthopedic surgeon in Birmingham. Every year you will see him at the ASIA convention. One year he may be blending smoothies and the next year he has a photo booth where you can get your photo taken with goofy, oversized glasses laughing your head off. He doesn't just sponsor, he participates, he speaks (a great speech this year on a new procedure to eliminate pressure on the spinal cord), and he has fun.

All of these folks are merely representative of what we have at ASIA after 20 years. Someone else will be writing this article in 20 years and will insert the names of the folks who meant this much between now and 2032. Will it be you? Why not?

If you have a friend that is with a company that is self-insured or serves the self-insured industry, encourage them to come to ASIA. Make it a tradition. We don't just "shoot straight," we have a dang good time aiming!!



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IA SUMMER CONFERENCE



Balch Bingham's Doug Kauffman delivered an informative presentation on employer liability.



Senator Cam Ward and Rep. Paul DeMarco gave the audience an excellent update on happenings at the state capital.



Lisa Warren provided an excellent update on changes in workers comp.



Chairman of the House Judiciary Committee Paul DeMarco and DIR's Tom Surtees talk workers comp between sessions.



Carin Pendergraft, Celia Collins and Bill Lancaster give valuable advice on handling employee terminations.



Listed left to right: Cynthia Bates (Tennessee Valley Pain Center) Laura Christopher (Comp 1 One) Drew Luna (Summit Pharmacy Solutions) Andrea Wyatt (Image South) Beth Couch (Comp 1 One) Stacie Fanguy (MHCA).



Tracy Webster stresses the importance of wellness programs for all employees.



Dr. Thomas Barbour talks about tendonitis in workers comp.



Ted Hosp updates attendees on Alabama's new immigration law.



ASIA tennis players enjoyed a beautiful day.



Kids Chance – ASIA President Charles Hough presents \$10,000 ASIA contribution to Kids Chance Director Tracey Daniel



Renowned financial guru Paul Dietrich wowed the audience with an inspiring and enlightening presentation on the financial marketplace.



ASIA President Charles Hough presents ASIA Program Director Marion McQueen with a gift certificate for her work in producing another successful conference.



Terri Moore, Dr. Stan Faulkner and Carol Brooker enjoy the Lemak Photo Booth.

National Council of Self-Insurers News

Larry Holt, Executive Director • National Council of Self-Insurers

The National Council on Compensation Insurance (NCCI) has released research that says the duration of workers' compensation indemnity benefits paid to the most severely obese workers is more than five times greater than claimants who are not obese but filed comparable claims.

NCCI examined claims provided by insurance companies, operating in forty states to reach its conclusions. The data will help employers and insurers better manage the costs related to these claims.

NCCI's findings are close to those in a Duke University Medical School study of 2007. This research determined that obese workers file more claims, have higher medical costs and miss more workdays due to job-related injuries than do their non-obese counterparts.

It is important to note that NCCI's results apply to employees who are among the most severely obese, which is similar to the Duke findings.

Evidence of the effects of obesity on medical costs has been the large increase in hip and knee replacements among the 45 to 65-year-olds during the last decade. Previously, most replacements occurred in the 65 to 84-year-old age group.

The above was taken from an article in Business Insurance, written by Roberto Ciniceros, Senior Editor.

SUBJECT: MORE COMPANIES MOVING TO RESIDUAL MARKET

An increasing number of U.S. companies seeking workers compensation coverage are getting pushed into their states' markets of last resort, as insurers walk away friskier, less profitable accounts.

The size of employers forced to turn to the workers comp residual market also is growing.

Employers are turning to the residual markets as insurers raise their workers comp prices – particularly for less desirable accounts – in the face of insufficient investment income and rising medical and indemnity costs. For example, a California manufacturing company with about 125 employees recently had little choice but to buy coverage from the market of last resort, the State Compensation Insurance Fund, said Stephen Paulin, senior vp at broker SullivanCurtisMonroe Insurance Services in Irvine, CA, speaking about one of his clients.

The manufacturer's workers comp insurer sought a renewal price increase exceeding 40%, Mr. Paulin said. The premium increase was driven by a rise in the employer's experience modification rating, an overall rate increase and the underwriter cutting back on credit deductions it previously made available, he said.

"We were not able to get another private carrier interested, and the state fund was able to do it for 15% less" than the underwriter, Mr. Paulin said. Insurers "are basically saying, 'We are standing our ground, we need to get more money, and we may lose some business as a result.'"

Nationally, new accounts and existing business assigned to the residual market increased 31% during the first half of 2012 over the prior year in the 21 states, where NCCI Holdings functions as the residual market plan administrator.

The incidence of new and existing accounts generating at least \$100,000 each in annual premiums, turning to the residual market for insurance, increased by 80% during the second quarter of 2012, compared with the same period in 2011, said James Nau, general manager for residual markets at NCCI.

An employer generating \$100,000 each in annual premiums may not seem like a large account to some workers comp experts. But about 80% of accounts that participate in NCCI- administered residual markets generate premiums of less than \$25,000 annually.

For us, it's big when you have an over \$100,000 account in the residual market," Mr. Nau said.

The above was taken from an article in the August 6, 2012 issue of Business Insurance, written by Roberto Ciniceros, Senior Editor.



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ASIA Membership Update

These companies have become members or renewed membership since the last newsletter.



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MEMBERS IN THE NEWS...

Joshua G. Holden, a member of the insurance defense firm FISH NELSON, LLC, has been selected to serve as the Chair of the American Bar Association TIPS Workers' Compensation and Employers' Liability Committee. He is also a member in good standing with The Alabama Bar Association, The Birmingham Bar Association, The Alabama Self Insured Association, The Montgomery Claims Association, The Alabama Workers' Compensation Organization, The West Alabama Workers' Compensation Organization, The Mobile Claims Association, The Defense Research Institute, The Alabama Workers' Compensation Defense Lawyers Association, and The Alabama Defense Lawyers' Association.

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