

**T
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Agent's *Voice*



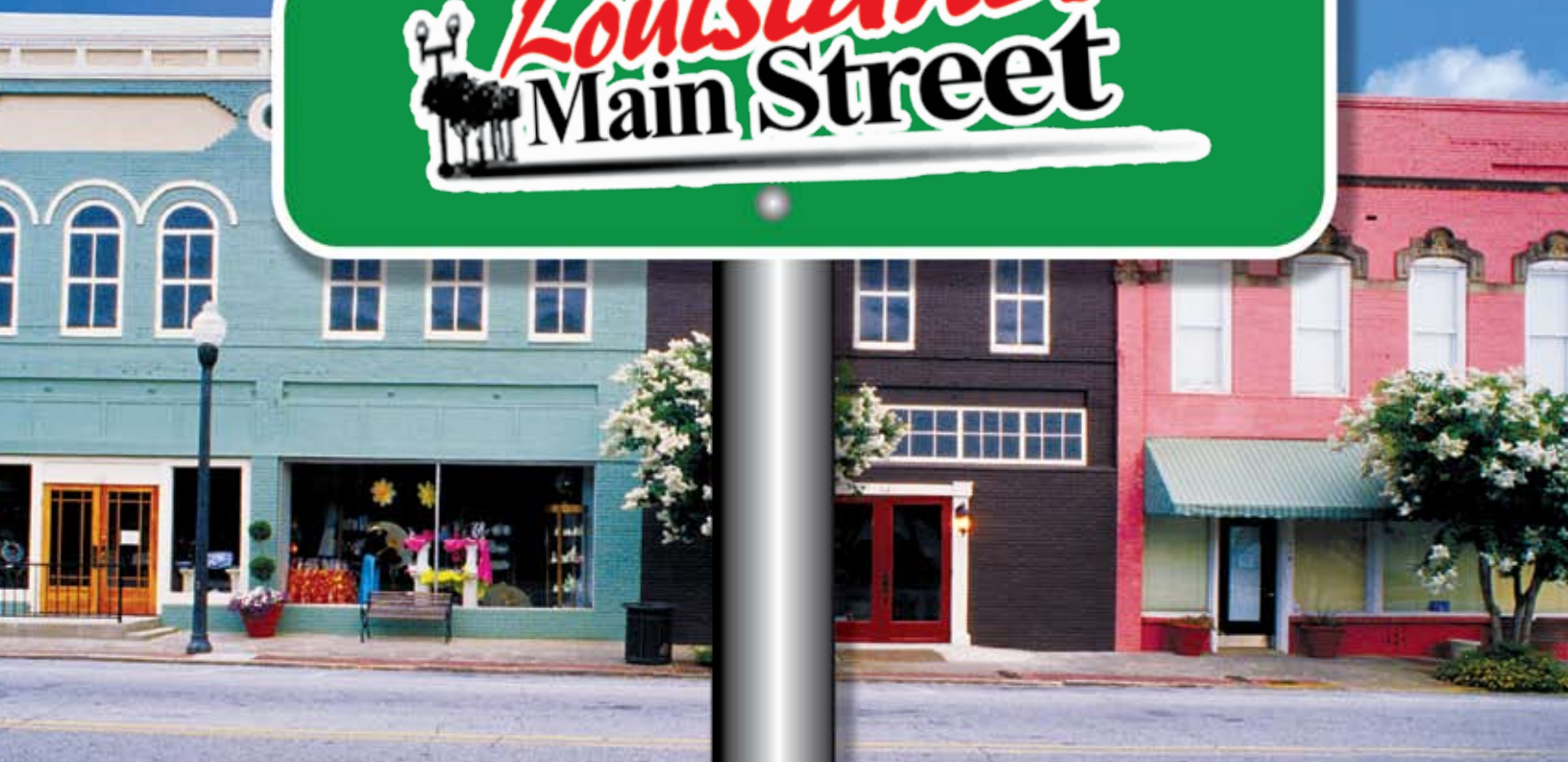
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Help Your Customers
Prepare Now!**
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ANDERSON, LA

**June 2012
Vol. XXXIX, No. 5**



A GREENE LIGHT FOR SAFETY.



Robert Vilyus (left), Chief Executive Officer of Greene's Energy Group, confers on-site with Damian Simoneaux (center), LWCC Senior Loss Prevention Consultant, and Steve Langlinais, Global Quality, Health, Safety, and Environment Manager for Greene's.

With corporate headquarters in Lafayette, Greene's Energy Group is an international provider of oil-field services that has earned a top-notch reputation for quality workmanship and attention to safety. The company has been a policyholder with us, the Louisiana Workers' Compensation Corporation, for over a decade.

Through its participation with the Occupational Safety and Health Administration, Greene's has been identified as a company that is "a model for worksite safety and health." Greene's CEO Robert Vilyus says, "We put safety at the top of our list of guiding principles, and we appreciate LWCC's partnership and

encouragement of our ongoing efforts to maintain safe workplaces for our employees."

LWCC's in-state presence as the leading workers' comp insurer in Louisiana means that decisions affecting Greene's and other policyholders are made on the local level. And the dividends that LWCC has historically paid are an added bonus.

George Guidry, Sales Representative for Dwight Andrus Insurance and the agent for Greene's Energy Group, adds, "LWCC is small enough to listen, and big enough to respond to its clients' needs."

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The Agent's Voice

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**President's
Message**



This month's article is a hodge-podge of subjects. With Hurricane Season having started on June 1, we will discuss Flood Insurance. Crop Insurance is also on Congress' agenda and very important to Louisiana. Lastly, I wanted to give some details about PIA's new sales-oriented designation (CPIA).

I am sure that you are aware, Congress, again, granted short term life to Flood Insurance extending the program 60 days with it expiring on July 31, 2012. Something else ends on July 31, just a reminder, our PIA Convention in Galveston. At this time, PIA National is lobbying Senators to urge their support of S.1940 which offers comprehensive changes to the flood program.

Probably one of the most important aspects of the bill is the long term authorization. However, the bill also moves the flood program toward actuarially sound, risk based, rates. With rates based on risk, taxpayers would no longer subsidize artificially low rates. Consumers would pay rates based on risk and would have more incentive to undertake mitigation steps. PIA National has pointed out that studies show that mitigation efforts save lives and money. For every dollar invested in mitigation, several dollars are saved by not having to clean up and rebuild.

This week there was an interview with Commissioner Donelon in the Monroe News Star daily printed addition urging Louisiana residents to purchase coverage. He pointed out that more than a third of flood insurance claims come from people who do not live in areas that are considered flood prone. From my experience, six inches of rain

no water, however, eleven inches and there was 5 inches in the house. Definitely not what my friends in south Louisiana suffered, but still a mess.

Please urge our senators to support S.1940 and urge your clients to purchase flood coverage. If they decline, have them sign the Flood Insurance Notice/Rejection.

President,
PIA of Louisiana
Gene Galligan Insurance Agency
geneins@bayou.com

We have talked about Crop Insurance in the past. The Senate is currently debating S.3240, the Agriculture Reform Food and Jobs Act of 2012 (Farm Bill). The bill is designed to improve many agricultural programs, including crop insurance, while reducing the country's deficit by \$23 billion. On June 18, PIA sent a Grassroots Action Alert, asking PIA members to contact Senators to oppose several amendments that would be detrimental to the crop insurance program. With our members help several amendments to the bill were defeated, but several were approved. National will focus on preventing them from being part of the House version of the bill.

Crop Insurance is a necessity. I read an interview with Louisiana Commissioner of Agriculture Mike Strain. He pointed out that the support available for existing farmers is changing. Strain said his best hope was that the bill was passed during this Congress, and that it is a fair and equitable bill for all regions of the country. He worried that this was not the case. While direct

Continued on page 21

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Commissioner's Column

By James J. Donelon

2012 LDI Legislative Package and Congressional Update

2012 REGULAR LEGISLATIVE SESSION ADJOURNED JUNE 4

Bills to recreate the Louisiana Department of Insurance (LDI) and include the Louisiana Citizens Property Insurance Corporation as an entity exempt from posting bonds in judicial proceedings are among the measures in the LDI legislative package approved by lawmakers in the 2012 Regular Session. The session convened on March 12 and adjourned on June 4. Even though some of the LDI-sponsored health care reform legislation failed to pass, the session gave us a forum to discuss the measures and better educate legislators on the complex issues impacting health care reform in our state.

Among the bills in the LDI package receiving final legislative approval are:

Act 694 (HB 94 by Rep. Cromer): Recreates the LDI in accordance with the state's sunset law, effective June 30, 2012.

Act 54 (HB 150 by Rep. Ritchie): Clarifies that the minimum capital and surplus requirements for health maintenance organizations is \$3 million.

Act 56 (HB 160 by Rep. Ritchie): Includes vehicle mechanical breakdown insurers and property residual value insurers among insurers assessed an annual financial regulation fee of \$1,000 by the commissioner of insurance.

Act 60 (HB 193 by Rep. Reynolds): Provides relative to compensation of personnel employed by the commissioner of insurance to conduct examinations of insurers, including deleting provisions relative to disposition of such monies.

Act 78 (HB 308 by Rep. Thierry): Repeals provisions relative to unfair trade practices in automobile insurance declared to be unconstitutional in the case of *Globe Glass & Mirror Co. v. Brown*. In that case, the Louisiana Supreme Court declared that the practice of limiting which company an insurer may contract with for repairs is an impermissible violation of the dormant Commerce Clause and is unconstitutional.

Act 387 (HB 354 by Rep. Cromer): Authorizes Professional Employer Organizations registered and regulated by the LDI and the Louisiana Workforce Commission to register electronically and through certain approved assurance organizations.



Act 192 (HB 359 by Rep. Pierre): Clarifies language related to criminal background checks

on individuals who are directors, officers, or employees of corporations, partnerships, or other legal entities who apply for a license or certificate of authority to transact a business of insurance.

Act 89 (HB 513 by Rep. Greene): Requires prospective apprentices in the Bail Bond Apprentice Program to register identifying information including their name, home address, telephone number, date of birth and social security number with the commissioner of insurance. The law further requires the apprentice to disclose the date he will enter the program and the contact information for his supervising licensed bail bond producer, and it changes the duration of the program from six to three months.

Act 91 (HB 564 by Rep. Johnson): Provides relative to prompt payment of long-term care insurance claims, including defining the term "clean claim," requiring interest on unpaid clean claims after 45 days, and making certain flagrant violations of proposed law an unfair trade practice.

Act 301 (HB 569 by Rep. Hunter): Clarifies terms relative to duties to report insurance fraud. The law previously provided that any person, company, or other legal entity which believed that a fraudulent claim was being made, shall report it to the insurance fraud section of the LDI

Commissioner of Insurance
Louisiana Department of Insurance
public@ldi.state.la.us

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Get to know us.

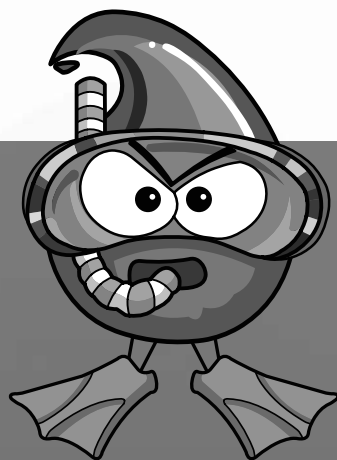
Tim Killian

Flood Underwriter & Monster Mitigator

Deborah Brcka

Vice President & Risk Wrangler

We were one of the first carriers admitted to the NFIP, back in 1983. Our CAT team has been recognized by FEMA for its diligence and response. Our trusted reputation with agents and policyholders is well-earned, and earned over time. We know what to do and we are ready to help you.



"Flood Zone? I don't need no stinkin' flood zone. I show up when and where I'm least expected, ruining property and running up big bills. These two "flood experts" follow me around, making it easy for agents to help homeowners recover after I've gone. They're very annoying..."

Felix Flood

Risk Monster, Soggy SOB & Star of MeetTheRisks.com

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Passing It On!

By Jody M. Boudreaux, CAE, CIC, CISR



Like many of you I've been following with interest the monthly column in the Louisiana Surplus Lines Reporter by Mike Manes the Dinosaur and his struggle to evolve from an analog to this new digital world. Knowing Mike I see the image of a Barney type character – kind of pink or purple like and goofy, rather than a green / brown fierce T-Rex. Regardless, I decided to give a call to the tar pits and interview my old friend. As I dialed his number I realized I didn't need to prepare questions – my job would not be in getting him to talk – it would be to get him to stop. After a few minutes of friendly chat I asked what's happening in the market. A short version of his response follows:

Executive Vice President,
PIA of Louisiana
jody@piaoflouisiana.com

can provide quotes and coverage comparisons for multiple markets in minutes not days. This is part of the future for agencies embracing this type of model and the beginning of the end for those that don't.

Personally I'm doing in-house Ethics courses for larger agencies. As you know CE Ethics courses are required. No one really wants to take these courses so I try to make it thought-provoking and fun. If your members are interested I can do this program or the Agency 2020 program for PIAL.

"Jody, it's great to hear from you. The crazy times that I've been predicting for 20 years have finally arrived. The next 3 years will make the previous 10 seem like a Monday in a monastery. Those that are willing to adapt to change will do well – those that can't or won't, will struggle. If you don't mind – I'll just ramble."

I'm doing an advanced version of this Agency 2020 program in New York City in July for the Innovation Advisory Council of Resource Pro. These are agencies that are outsourcing their backrooms to China. These agencies are driving

Right then Mike sneezed so it gave me a chance to get in a few more words. I said, "Sure Mike – tell us what you think." He started and never stopped.

"In terms of fun stuff – I recently spoke to an ARM Partners Conference in New Orleans. My topic was Agency 2020. My opening statement was 'I'm here to cause chest pains since that's the only thing that might change your behavior.' I then presented a model for those committed to creating their agencies anew.

Another session at ARM included a wholesaler (www.rpsins.com), Ryan Collier demonstrating his model for executive liability coverages. This system

a positive bottom line by finding savings in the operating expense side. I'm also doing a Bank 2020 model for a group of Louisiana bankers soon.

Even the most secure are getting anxious about the future.

With the new 'cat' modeling property (particularly HO) rates are going to increase to, in my opinion, levels the market can't or won't pay. I believe we'll see new product offering with bare bones policies to mitigate costs. As for a hard market – I don't think it will be forthcoming. In these hard times I believe our customers can't or won't pay substantial rate increases. These will be interesting times.

I've met Jeff Chesky, CEO of Insuritas. He's working with banks to sell insurance to a bank's customer base. He creates a virtual marketplace. Some of your

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PIA OF LOUISIANA'S 69TH ANNUAL CONVENTION

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of '69

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of PEACE,
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INSURANCE

JULY 28 - 31, 2012 @ MOODY GARDENS HOTEL @ GALVESTON, TEXAS

PIA Errors & Omissions

By Curtis M. Pearsall, CPCU, AIAF, CPIA
President – Pearsall Associates, Inc., and Special
Consultant to the Utica National E&O Program



The limits of insurance have been selected by you and we can't

When an Errors & Omissions claim occurs, the file, for the most part, will heavily determine the direction the claim goes. Solid documentation in the file will help the agent's defense, while little or sketchy documentation could very well hurt the agent's odds of prevailing. At that point, as the old expression goes, "it is what it is."

The key for agents is to proactively take the initiative to implement various loss control measures; in other words, try to impact the direction an E&O claim could go before it occurs. It may be too late afterward.

A common strategy E&O carriers use when defending a customer involves the client's duty to read the policy. Even though this duty imposed on the client may not be applied in every state, an agency initiative centered on this issue can still prove beneficial.

READ AND UNDERSTAND

In the vast majority of states, the duty for the client to read the policy states the client must read and understand policy content, provisions, duties and exclusions. Typically, there is a requirement that if the client has any questions, does not understand the coverage or discovers the coverage is not what they thought was requested, the client should contact the agency to make any additions, alterations and modifications to the policy. Some states take it a step further, requiring the client to reject the policy if the policy terms are unacceptable.

Special Consultant
Utica Nat'l E&O Program
Utica Mutual Insurance Co.

So what should the agent do? To bolster this presumption of the insured's assent to the policy terms, the agent/broker should promptly send the complete policy to the insured and in the cover letter urge the

insured to fully review the policy – including the declarations and endorsements – for accuracy and, to the extent the insured has any questions on policy contents, the policyholder should immediately contact the producer.

It is important to note that client ignorance or a statement such as "I didn't have the time" are not valid defenses for the client.

This letter should be general, such as:

Dear "client,"
Enclosed please find the renewal of your Businessowners package written with XYZ Insurance Co. You will be receiving your premium invoice shortly.

It is important that you take the time to read this policy to ensure your understanding of the limits and the coverages. If there are any questions or you wish to make any changes to this policy, please contact the agency promptly.

guarantee that the limit selected will be sufficient in the event of a major loss. Higher limits are available upon your request.

Thank you for your confidence in our agency; we appreciate your business.

Sincerely,

Once again, it is best to keep the cover letter general and not restate limits and coverages in it. The theory behind this is if you "recap" the limits and coverages in the cover letter, you are essentially telling your client he or she does not need to read the policy because you are telling them what's in it.

Obviously, an agency may choose to personally deliver policies. If this is the case, it is still suggested that a cover letter be included with the policies and brought to the attention of the party to whom you are delivering the policies.

TREMENDOUS BENEFITS

Another common scenario involves a policy that will be sent directly to the customer from the carrier. If this is pertinent in your situation, it is still highly recommended that you use the above letter with a slight modification. Instead of stating "enclosed please find your renewal," a phrase such as the following could be used:

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2012 Legislative Update

By J. Robert Wooley

Once again we had an odd session when it comes to insurance legislation. There was more legislation this session than the session in 2011 but it was mostly technical legislation filed on behalf of the Louisiana Department of Insurance. Part of the reason may be the fact that we had a new legislature and new legislative leadership. Add to that the fact that the leadership was put in place late in the process and the session itself was moved up to have an earlier adjournment date. All of these factors probably contributed to a lack of substantive insurance legislation. In addition to all of those factors Louisiana's property market continues to improve and the number of policies written by Louisiana Citizens continues to decrease.

Therefore, most of the legislation that ended up moving through the process was the Louisiana Department of Insurance package. The biggest bill in that package that may impact our agents is the Model Reinsurance statute. This legislation would give the Commissioner discretion to reduce the 100% collateral requirement imposed upon foreign reinsurance companies currently. This could create more reinsurance capacity thereby leading to more primary insurance capacity in the domestic homeowner's market.

Some of our legislative activity occurred before the session began and involved local governmental units. Approximately one month before the session we were informed that the Jefferson Parish Council had passed a resolution to renege on their compromise with the independents agents regarding fees in lieu of commissions. We immediately started a grassroots effort to repeal this resolution. Thanks to your efforts the Council received so many phone calls and emails that they repealed the resolution.

Other bills of interest to our membership include:

SB 209 was a bill that would have allowed insurers to avoid the three year rule on up to 3% of their book of business per year. The Board had voted to oppose this bill and the bill was never heard in committee.

HB 896 and HB 1032 were bills intended to apply the "compromise" on fee in lieu of commissions to health insurance sales. These bills were opposed by PIA and these bills were never heard in committee.


HB 1210 addresses a ruling by the LA Board of Ethics that if you are an agent that provides insurance to a governmental entity and you receive commissions from an insurer that you recommend provide the governmental entity insurance then you have



PIA Lobbyist
Adams & Reese, LLP
robert.wooley@arlaw.com

violated the Ethics Code by accepting money, in the form of commissions from the company you recommended regardless of the source of the commission. This even applied to individual insurance commissions received by the agent. This bill has been enacted. The change in the Ethics Code will now allow an agent to recommend a company from whom he has previously received commissions without violating the Code if the agent discloses to the governmental entity the company and commission relationship.






PROFESSIONAL INSURANCE AGENTS OF LOUISIANA

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PIA of Louisiana is rolling out a new designation! The Certified Professional Insurance Agent (CPIA) is first-of-its kind, hands-on, how-to training. To earn the designation, candidates are required to participate in a series of three, one-day Insurance Success Seminars. These seminars are designed to enhance the ability of producers, sales support staff and company personnel to efficiently create and distribute effective insurance programs. Throughout each section of the seminars tips for preventing Errors & Omissions are highlighted & discussed. Participants leave each class with ideas that will produce sales results immediately.

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CPIA 2 - Implement for Success
Course Objectives: During this session, participants will be provided with specific tools for analyzing consumer needs; will learn to utilize risk identification techniques to gather pertinent information; will develop skills necessary to assimilate information gathered into a customized protection program; and will participate in exercises designed to promote effective delivery of proven solutions.


CPIA 3 - Sustain Success
Course Objectives: This program focuses on fulfilling the implied promises contained in the insuring agreement. Students will review methods of providing evidence of insurance coverage; will discuss policies and procedures for controlling E&O including policy review and delivery, endorsements, claims processing, and handling of client complaints. This course includes a review of Professional Expectations; the Law of Agency, and Legal and Ethical Standards.

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AROUND THE STATE

North Shore Chapter of PIA Poker Run Winners:

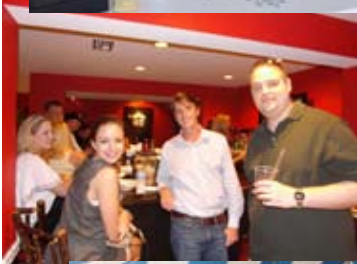
1st place – Wayne Forest –
Straight Flush Queens High;


2nd place – Shantell Perniciaro –
Four Tens

3rd Place – Ronni Walker –
Full House – Aces over Kings


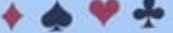
4th Place – Danielle Gendusa –
Full House – Kings over Aces

5th Place – Anthony Musso –
Nines over Aces



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Seven Qualities That Produce Star Performers

By John Graham



Possessing the correct skill sets for a position in today's economy is absolutely essential -- but it's not enough to be a star performer. With so much emphasis on job qualifications, it's easy to give little thought to certain personal qualities that, when combined with outstanding competencies, result in extraordinary performance.

And it's the star performers that are missing today. In a recent study of 600,000 people Indiana University's Kelley School of business found that individual performance doesn't fall on a bell curve. Rather, the researchers found a "power-law" distribution, with a few elite performers contributing the most to the productivity of an organization.

Is productivity destined to be the domain of a few or is possible that star performance can be achieved by looking beyond the right skill sets? It may take a combination of job competencies and certain personal qualities to drive top performance.

Here are seven personal qualities that can make a difference in the workplace:



1. A willingness to speak up. To set the record straight, blathering at the after-work watering hole and texting don't count. In other words, complaining doesn't count.

Speaking up is about expressing thoughtful ideas, offering suggestions, taking exception to things when appropriate, and coming to your own defense when you believe you've been wronged.

John Graham of Graham-Comm is a marketing and sales consultant and business writer. He publishes a monthly eNewsletter, "No Nonsense Marketing & Sales." Contact him at johnrg31@me.com, 617-774-9759 or johngraham.com

More than anything else, speaking up expresses a commitment to your work and your employer. It sends the signal about something important: you think for yourself, a capability that's lacking in business.

In a highly competitive business environment, those who spend their working lives keeping "a low profile" may find that their tenure is shorter than expected.

2. A sense of modesty. At the start of the commencement season, WSJ Global Vision columnist, Brent Stephens, offered advice to this year's graduates. At one point he wrote, "Your prospective employers can smell BS from miles away. And most of you don't even know how badly you stink."

But self-puffery isn't limited to recent graduates; it's pervasive. Just read online self-profiles and self-serving recommendations. There is the sadly mistaken notion that this is the way to do it because everyone does it. Being the exception by letting your ideas and performance speak for you may be the way to attract the attention of

those who are looking to align with competent people.



3. People who don't fall for "magic bullet" answers. It's so easy to be prisoners of our inclinations -- to the point of actually distorting reality. In a recent insurance publication, an agent states, "Not being on social media is like starting an insurance agency but not having a website and not showing up at meetings."

The assumption seems to be that unless such advice is heeded, an agency is headed for failure.

In fact, the same agent suggests that failing to join certain sites isn't an option. "I think that not doing something actually is not neutral . . . [it's] a negative branding signal."

It's easy for businesses, both small and large, to fall prey to "magic bullet" solutions. They are dangerous because they drown out rational thought and force decisions that take the focus away from reaching sound business objectives.

4. People who are ruthless with themselves. Self-knowledge is perhaps the most critical trait that star performers share. A young, competent event planner alienated a key partner with her aggressive, demanding approach. When she learned of the partner's dissatisfaction, she sought advice on

how to change and was so successful that the partner declared she had undergone a metamorphosis and was a joy to work with.

David McCullough, Jr., a teacher at Wellesley High School, was equally ruthless in his 2012 graduation remarks. With utter clarity, he stated, "You are not special. You are not exceptional." He went on to say, "You see, if everyone is special, then no one is. If everyone gets a trophy, trophies become meaningless. ... We have of late, we Americans, to our detriment, come to love accolades more than genuine achievement."

Achievement comes from being ruthless with ourselves.



5. People who possess a deep understanding of the customer.

While this should be obvious by now, it isn't. Far too many of us have substantial difficulty recognizing that customers can either help or hurt a business. If you want proof, just visit any nearby store or speak with almost any "customer service representative."

A customer of a neighborhood supermarket that's part of a large chain responded to an electronic message asking for comments about the store, indicating that there were personnel issues and problems with the freshness of the produce. When the information got back to the store manager, the produce department changed dramatically and personnel improvements were quickly evident.

What's interesting is the store's management team had long been aware of these particular issues, but nothing happened -- until a customer became involved. "Our neighborhood

needs a supermarket where we want to shop," said the customer to the manager. "And we want to help."

6. People who avoid using jargon.

They may not be the worst words in the world of business, but they'll do until something else comes along. Here they are: "I thought I would reach out to you." What's wrong with "reach out"? It's pompous. And the list is endless -- bleeding edge, core competency, best practices, leverage, scalable, robust, and impact. There are many others, but you get the picture.

The problem with jargon is that the words don't have concrete meaning. Jargon is a substitute for clear thinking and communicating accurately. When you see or hear it, it should be a red flag, indicating that the person using it is incompetent.

If you insist on being part of the jargon crowd, go ahead and use it. You have permission to embarrass yourself.



7. People who work without earbuds.

Many workplaces have gone silent, compared to the way they were even in the recent past. They've become "quiet zones." There's almost no talking and the phones gather dust, thanks primarily to email and texting. And it's not all bad, to be sure, particularly if you work in an open office environment that's home for most of us during the day.

But that's not all. There are the pervasive earbuds, which send quite a different message, consciously or unconsciously. They are the new "Do not disturb" or "Leave me alone; I'm in my own little world" signs, replacing the closed office door that sent the same messages.

We feel as if we're invading the privacy of those wearing earbuds and we feel guilty as they yank them off, as if to say, "Why are you disturbing me?" It seems that more and more of us want to be left alone, to be isolated from everything and everyone else, particularly when working.

Earbuds may be a way of asserting our independence or expressing disdain for what we are required to do on the job.

While much office chatter was totally trivial and wasted time, the opportunity for interaction through "conversation" could be stimulating, an effective way to understand each other better, and a contributor to increased productivity, something that's suffering today.

Well-honed skills are more essential than ever. Yet, certain personal qualities are also critical for creating star performers in every job and profession.



Hurricane Season is Here – Help Your Customers Prepare Now!



A Word From FloodSmart

Last year, Tropical Storm Lee came ashore in Louisiana and left a path of destruction across the region. In all, there were more than 9,000 paid flood losses totaling more than \$395 million. Now that Hurricane Season has officially begun, it's important to inform your customers that homeowner's insurance policies typically don't cover flooding and that most flood insurance policies take 30 days to become effective. They should also know that the average flood insurance policy is around \$600 a year, and in moderate- to low- risk areas, homeowners may qualify for a low-cost Preferred Risk Policy (PRP), which starts at just \$129 a year for building and contents coverage.

Use FloodSmart resources for your own marketing efforts.

Don't forget that Agents.FloodSmart.gov offers various marketing tools that will help you reach your customers and inform them of the risks hurricane season can bring.

- An Advertising Co-Op Program with tools that help you plan and execute effective advertising campaigns and receive reimbursement of up to \$7,500 for your ad placement costs;
- A desktop computer Mail-on-Demand program that enables you to create consumer direct mail with letters and postcards that can be customized with your photo, logo and contact information;
- Step-by-step information on building integrated marketing plans;
- An Agent Field Guide that offers information to help you describe flood risks to your customers, along with "barrier-buster" talking points to counter resistance to obtaining a policy.

- Consumer testimonials and shareable interactive digital tools that you can post on your own Web site, including a "cost-of-flooding" tool that demonstrates the likely cost a homeowner will pay for various levels of water damage; and,

- Perhaps best of all – a free Agent Referral Program, through which agents who have received NFIP training (which can be applied toward Continuing Education credits) can be

Continued on page 25

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Know the risk.

Did you know?

Did you know that PIA recently partnered with internet marketing firm Agoragate (pronounced “AGRA gate”) to enable PIA members to dramatically increase their visibility online?

Agoragate positions agents as local insurance heroes when web surfers conduct insurance-related web searches. The secret is a series of sales-driven “microsites”—simple websites with one goal in mind: to help connect web searchers with participating agents. Each agent’s microsite is interconnected with the other participating agents’ microsites, providing for combined strength in the eyes of search engines such as Google.

The Agoragate system contains a huge amount of professionally-written and constantly updated articles. These articles have been written to answer questions commonly input into search engines. When web surfers enter these questions into search engines, Agoragate articles will increasingly be among the top results. When the web surfer clicks on the link to the article they will be directed to a web page containing both the article and also the profile of the closest insurance agent participating in the Agoragate program — the searcher’s “local hero.” The Agoragate system is able to use the IP address of the user’s computer to identify their location and match them up with the appropriate local agent.

To learn more about Agoragate visit www.pianet.com/agoragate. PIA members get a big discount with Agoragate. If you are not a PIA member, please visit us online at www.pianet.com/join/agents to join PIA.



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Partner News

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"A.M. Best is a very respected standard for the insurance industry," said LUBA Chief Operating Officer Mike DePaul. "LUBA's rating demonstrates the effectiveness of our business model and the importance of our relationships with agents and policyholders."



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Continued from page 4
(President's Message)

payments to farmers is on the way out, Strain sees the crop insurance program a must because many farmers do not own the land they farm. For these farmers, banks require crop insurance because there is not land as collateral.

While most of us do not sell Crop Insurance, we do eat, so it is important to all of us.

Lastly, PIA of Louisiana has rolled out a new designation. "The Certified Professional Insurance Agent (CPIA) is a hands-on, how-to training that you can immediately put to work back in your office!" There are three Insurance Success Seminars: CPIA 1. - Position for Success: CPIA 2 - Implement for Success: CPIA 3 - Sustain Success. The first seminar was held in Baton Rouge with a great turn out. If you are interested contact Jody or Coleen for further details.

In conclusion remember never be afraid to try something new. Amateurs built the Ark. Professionals built the Titanic.



Continued from page 9
(PIA Errors & Omissions)

"You will be receiving the renewal of your Businessowners policy directly from the carrier, XYZ Insurance Co. When you receive it, it is important..."

There are tremendous benefits to this approach. Hopefully, the coverage provided is what was requested. If not, the client should discover those areas of concern upon review. For example, if the client asked for full coverage or remarked "protect me for whatever can happen," they will now find every policy has exclusions and limitations.

The benefits to your agency are also tremendous. It shows you want your customers to understand their coverage, and there may be situations where a customer asks for coverage modifications that result in a program that better suits their needs. It

Continued from page 8
(Passing it On)

member's customers will start receiving competitive HO renewal quotes from their bank's agency without even there even knowing their bank is in the business. PEOs are pursuing similar virtual models as are association and affinity groups. Competition in a non-verbal world will be much more aggressive then we knew in the 'good old days.'


As intelligent customer management systems become more ubiquitous you'll see more and more non-traditional agencies offering quotes to your customers. Think about how Amazon anticipates your needs and offers a shopping cart when you enter their site. I don't think you'll hear, 'Would you like an auto quote with those fries?' anytime soon but I wouldn't be shocked if you did.

I believe the continued aggressive competition from YOUR directing writing carriers should be a significant worry for each of you. When these carriers get more comfortable with their new toy - they may become less cozy to you. I believe volume and profitability are your best safety net. Mergers and acquisitions remain a hot topic. Most want to buy. Prices aren't at the levels they once were but a good agency or a good book still can be sold. Sellers tend to want cash - buyers want to do a sale based upon retained business. A well structured deal can still work well for all parties.


Disposable income will shift from Baby Boomers to Gen X and Y. This will require retooling. Gen X and Y are more value driven and have a different system for valuing relationships and communicating. Gen X and Y will teach elders to shop in a virtual world (traditionally elders taught the youth).

Social media will become the main source of marketing. Facebook will continue to decline as Google begins higher market saturation. Understanding all forms of social media is critical. There will be a shift away from traditional computers to smart phones and tablets and the next innovation. Full featured iPhone and Android apps will become a requirement. The value of location - place and space - will be greatly reduced. Your agency branch will be in the pocket or purse of the client."

He caught his breath and I closed by asking, "Mike, what does it mean for agencies?"

He answered with a smile and a wink, "Jody, if you saw Jurassic Park - remember the only survivors from that era were people and cockroaches. The people learned to adapt - innovate and the cockroaches proved to be the first niche marketers - they found cracks to hide in." 

is better to resolve these issues before the claim occurs than after. Lastly, there are many E&O claims where such a letter dramatically determined the direction of a specific E&O claim.

This type of initiative can probably be implemented without too much additional work or expense. This extra step could just make a big difference if an E&O claim comes knocking at your door. 

Continued from page 6
(Commissioner's Column)

within 60 days on a form prescribed by the section. The new law changed and broadened the relevant terminology from a "fraudulent claim" that is being made to a "fraudulent act" that will be, is being, or has been committed, so any person, company, or legal entity that suspects that a fraudulent act, not only a claim, will be, is being, or has been committed shall report such suspicion to the insurance fraud section of the LDI.

Act 271 (HB 595 by Rep. Cromer): Provides for technical recodification of certain provisions of the Louisiana Insurance Code, including correction of citations, updates of terms and language, reorganization of provisions, elimination of obsolete or ineffective provisions, such as transition provisions and past effective dates, and harmonizing of inconsistent provisions.

Act 96 (HB 624 by Rep. Chaney): Requires persons acting as appraisers for fire and extended coverage to register with the commissioner of insurance and pay an initial fee of \$55. The law further provides that registrations shall expire one year from the anniversary date, at which time the registrant shall file a request for renewal and pay a renewal fee of \$50. The new law also grants the commissioner of insurance the authority to adopt rules and regulations to carry out and enforce said law.

Act 206 (HB 634 by Rep. Huval): Removes conflicting provisions for certain fees for health maintenance organizations. The new law, relative only to HMOs, deletes the provision that provides for a fee of \$5 for filing a charter, other documents and amendments, and a fee of \$3, per page, for certified copies of any document to be collected by the commissioner of insurance. The measure retains current law that provides for a fee of \$25 for filing a charter, other documents and amendments, and a fee of 25¢ for certified copies of any document, per page, to be collected by the commissioner of insurance.

Act 419 (HB 849 by Rep. Talbot): Provides relative to reinsurance credits and accreditation requirements. Among the numerous changes, the new law makes technical changes and clarifies that the type of institution from which an assuming insurer may use a clean, irrevocable, unconditional letter of credit as a form of security shall be a financial institution.

Act 294 (HB 1191 by Rep. Thibaut): Provides relative to holding companies. Among the numerous changes, the new law provides for definitions relative to insurance company holding company systems. The new law shall become effective for the 2014 calendar year reporting cycle and makes technical changes and clarifies language relative to property, changing the modifying language from "real or tangible" to "immovable or corporeal."

Act 307 (SB 118 by Sen. G. Smith): Grants authority to the commissioner of insurance to promulgate regulations and marketing practices for independent review of benefit determinations relative to long-term care insurance.

Act 309 (SB 146 by Sen. Long): Prohibits public adjusters from acting as appraisers on claims they are adjusting.

Act 632 (SB 204 by Sen. Morrish): Includes the Louisiana Citizens Property Insurance Corporation among the entities exempt from furnishing bonds in judicial proceedings. The measure further waives the requirement that Citizens must charge rates that are 10% higher than private insurers in the following parishes: St. Mary, Calcasieu, Cameron, Vermilion, Iberia, St. Tammany, Orleans, Jefferson, St. Bernard, Plaquemines, Terrebonne and Lafourche.

Act 633 (SB 205 by Sen. Morrish): Provides for the minimum capital and surplus requirement for pure captive insurers and association captive insurers.

Act 634 (SB 213 by Sen. Troy Brown): Adds the Louisiana Department of Insurance to the list of those organizations authorized to receive and use expunged records of arrest.

Act 350 (SB 230 by Sen. Troy Brown): Clarifies definitions and company-action level events relative to risk-based capital for domestic insurers.

Act 319 (SB 232 by Sen. Broome): Permits the commissioner of insurance to issue cease and desist orders for Insurance Code violations.

Act 642 (SB 281 by Sen. Johns): Provides for confidentiality of records and reporting of complaints against persons and entities subject to jurisdiction of the LDI.

SB 391 by Sen. Riser: Exempts Louisiana Medicaid programs from insurers who may be taxed by a municipal or parochial corporation.

Act 468 (SB 394 by Sen. G. Smith): Changes the rehabilitation, liquidation and conservation provisions in the Louisiana Insurance Code in order to comply with the federal Dodd-Frank Wall Street Reform Consumer Protection Act.

For more information on legislation passed in the 2012 Regular Session visit www.legis.state.la.us.

Continued on page 23

CONGRESSIONAL UPDATE

NFIP

Congress has approved a short-term extension of the National Flood Insurance Program. President Obama signed the 60-day extension bill in June, ensuring there won't be an immediate lapse in the program that provides flood insurance for nearly half a million Louisiana households. S. 1940, the measure authorizing a five-year extension of the program, has yet to be scheduled in the Senate, but the House passed its version of the bill last July that provides for a five-year extension of the program.

SRO


The House Financial Services Committee is conducting hearings on H.R. 4624, the Investment Adviser Oversight Act, aimed at shifting regulation of investment advisors to a self-regulatory organization (SRO) rather than direct oversight by the Securities and Exchange Commission. This issue is expected to be hotly debated in the coming months.

PPACA

The fight over the implementation of the individual mandate provision of the Patient Protection and Affordable Care Act continues in Congress and in the courts. Two of the most popular aspects of the law are: extending coverage of adult children to the age of 26 and the elimination of pre-existing condition exclusions (guarantee issue). A decision in the individual mandate case is expected from the U.S. Supreme Court in late June.

The court could overturn the entire reform package or eliminate selected provisions, including the individual mandate, which requires most Americans to obtain health coverage by the time the law becomes fully effective in 2014. This case is one filed by 26 states, including Louisiana, the National Federation of Independent Business and two individual plaintiffs. Five other legal challenges to PPACA are pending with the U.S. Supreme Court.

Health Care Cost Reduction Act

The House has approved H.R. 436 called the Health Care Cost Reduction Act that includes provisions to eliminate a requirement that flexible spending account (FSA) holders forfeit any unused FSA balances at the end of the plan year. The package also contains language to: repeal the 2.3% excise tax on medical devices that's set to be imposed by PPACA; change the health savings account tax rules; repeal a PPACA provision that prohibits holders of FSAs and HSAs from using account assets to pay for over-the-counter drugs unless the drugs are prescribed by a doctor; and to require taxpayers to return 100% of any extra PPACA health insurance purchase tax credits they get. Current law would limit the amount of excess health insurance tax credit payments that the IRS could claw back from low-income and middle-income taxpayers. 



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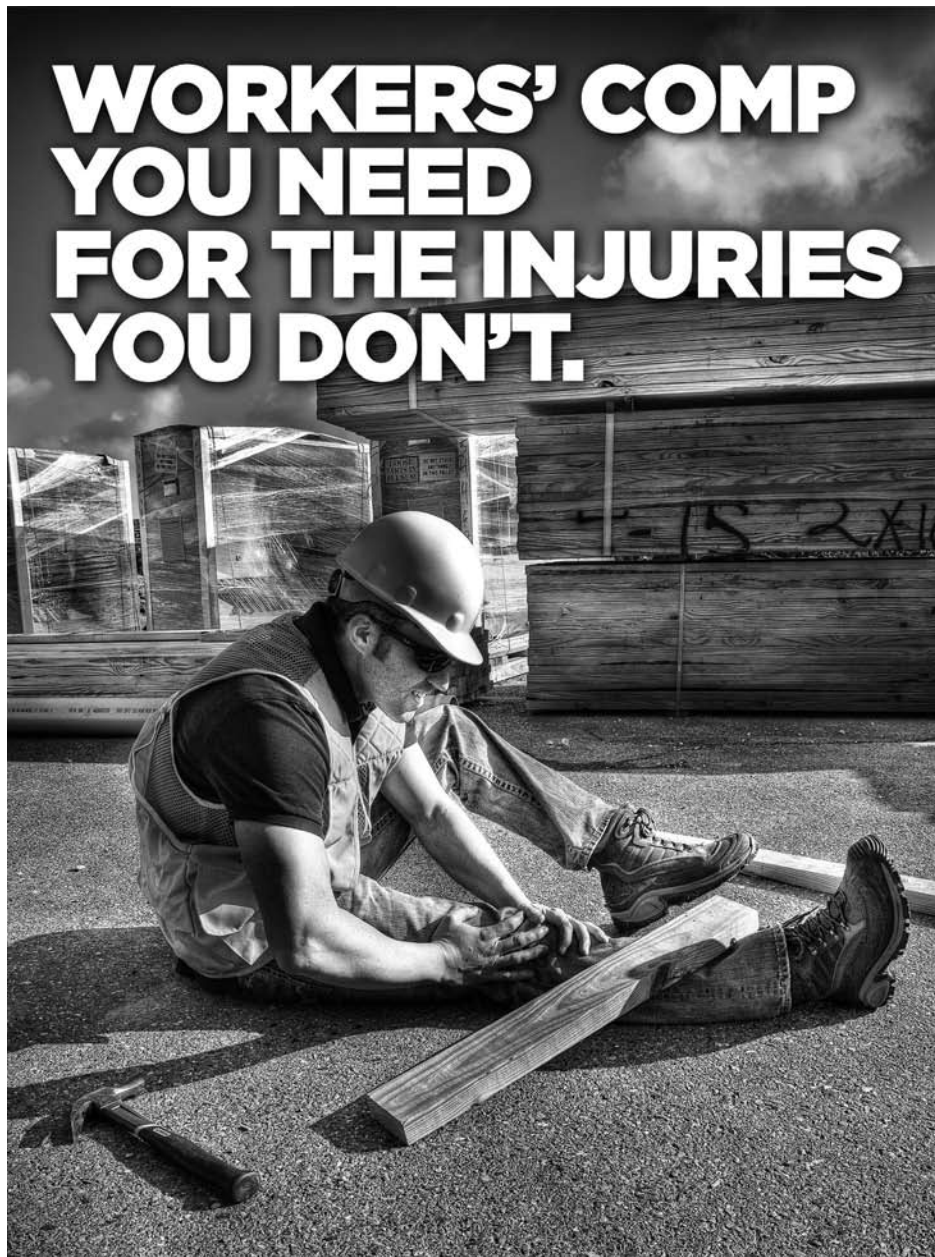
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(Hurricane Season is Here -
Help Your Customers Prepare Now!)

listed on the agent referral feature at FloodSmart's consumer site, located at FloodSmart.gov. Through that site, renters and home and business owners who want to learn more about flood insurance can type in their zip code and be directed to a list of agents who sell flood policies in their community.

Agents.FloodSmart.gov also offers information about training opportunities, tips to help you retain your book of business, "barrier buster" talking points to help you counter misconceptions that often lead customers to believe they don't need a policy, and other tools and information to help you grow your business.

You can also find information on FEMA's nationwide plan to update Flood Insurance Rate Maps (FIRMs). FIRMs help property owners identify and better understand their flood risk. In addition, you can learn about RiskMAP, an initiative that helps increase consumer and policy maker awareness of flood risk and encourages actions that will help mitigate risk. And you can access information about the NFIP itself, which not only makes insurance available to consumers, but also enables more than 21,000 participating communities to become more flood-resilient by adopting and enforcing ordinances that meet or exceed FEMA requirements to reduce the risk of flooding.

FEMA and FloodSmart have created these resources to support your efforts in ensuring that your customers understand the importance of buying flood insurance. Please visit Agents.FloodSmart.gov to learn more about them, and write to us at info@femafloodsmart.com if you would like to suggest other ways FloodSmart can support your efforts.



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Find out more details on advertising in *The Agent's Voice* by calling the PIA office at (800) 349-3434.

PIA Agency Preparedness and Recovery Plan — The PIA guide to creating an agency-specific business contingency plan

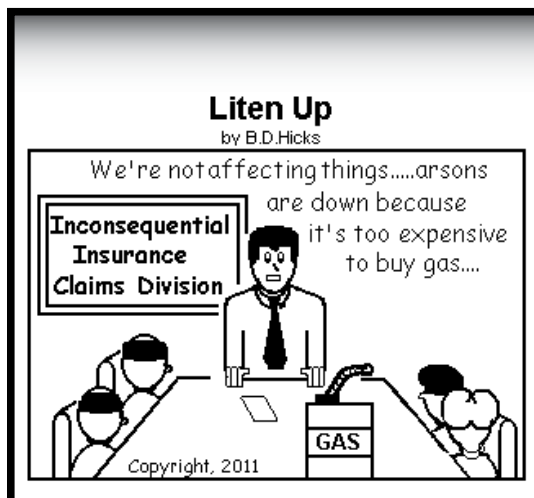
This resource is designed as a planning guide and notebook for use by PIA agencies in creating and documenting their own agency preparedness plan. With the support of ACORD, we've included in this package updated sample ACORD forms, made available for educational purposes only.

The PIA Guide is included as a linked resource in the PIANet Disaster Resource Center on the PIA National website, available to all members. You can access it here: <http://pianet.com/issues-of-focus/natural-disaster>.

The timing of this package could not have been better. In 2011, every region of the United States suffered through a major natural catastrophe of one kind or another and if the first quarter of 2012 is any indication, we may be in for another year of severe catastrophes.

These resources are critical to every PIA agency. As insurance and risk management professionals, every PIA agency should put into practice exactly what we advise our customers and communities to do — be prepared. And remember, both carriers and insurance departments expect that as seasoned, responsible professionals, all insurance agencies have in place a current, comprehensive plan of this nature.

This updated disaster preparedness guide is the first of several segments of updated resources that PIA National will be providing to you. The Natural Catastrophe Working Group is currently updating our list of laws, regulations and rules modifications that need to be considered in the wake of a NAT-CAT; and the PIA Insurance Foundation is working on a simplified version of the planning guide for members to share with their customers in discussing risk management; as well as a PowerPoint presentation members may use in their communities to raise awareness of the need for preparedness. These additional segments are tentatively scheduled to be completed by September.



More Agents are Selling Preferred and Earning Higher Commission in Louisiana with the Signature Agent® Program.

Congratulations to the following agents who have joined the Progressive Signature Agent® program in January.

<p>ABC Insurance Agency Lafayette</p> <p>Walpole Insurance Agency Bossier City</p> <p>ABC Agency Network Alexandria</p> <p>Baton Rouge Insurance Agency Baton Rouge</p>	<p>Market Insurance Covington</p> <p>First Federal Insurance Services Lake Charles</p> <p>Beard Insurance Baton Rouge</p> <p>Insurance Unlimited Lake Charles</p>	<p>Semon Insurance Agency Shreveport</p> <p>Cypress Insurance Hammond</p> <p>Kyle Thomas Insurance Agency Shreveport</p>
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They join an elite group of agents already in the Signature Agent Program.

<p>A Victory Agency Mandeville</p> <p>ABC Agency Network Houma</p> <p>Action Insurance Lafayette</p> <p>Advanced Insurance Solutions Hammond</p> <p>Alliance Insurance Agency Metairie</p> <p>Barry Hebert Insurance Metairie</p> <p>Beasley-Keith Bossier City</p> <p>Boswell Insurance Agency Shreveport</p> <p>Bourg Insurance Agency Donaldsonville</p> <p>Castello Agency Zachary</p>	<p>Community Financial Monroe</p> <p>Courtney Insurance Hammond</p> <p>Curtis Insurance Agency Lake Charles</p> <p>DJW Insurance Agency New Iberia</p> <p>David E. Cordell Insurance Baton Rouge</p> <p>Dupre Carrier Godchaux Opelousas</p> <p>Eagan Insurance Agency Metairie</p> <p>Emery & James, Ltd. Hammond</p> <p>Epperly Insurance Lafayette</p> <p>Gary Losey Insurance Baton Rouge</p>	<p>Gendusa Insurance Agency Hammond</p> <p>Glenn Dean Insurance Agency Deridder</p> <p>Grant C. Bennett Insurance Slidell</p> <p>Harlan Insurance Agency Alexandria</p> <p>Insurance Network of Louisiana Baton Rouge</p> <p>Integrity Insurance Livingston</p> <p>J. Everett Eaves New Orleans</p> <p>John Kelly Dabdoub Mandeville</p> <p>Liggio Insurance Agency Lafayette</p> <p>Moore-Jenkins Bogalusa</p>	<p>Moore-Jenkins Franklinton</p> <p>Page & Sons Insurance Agency Houma</p> <p>Pam Price Insurance, Inc. Jena</p> <p>Plescia Insurance Agency Slidell</p> <p>Premier Metro Group Metairie</p> <p>Quality Plus, Inc. Lafayette</p> <p>Riverlands Insurance Services Luling</p> <p>Shaver Robichaux Agency Thibodaux</p> <p>Southern Coastal Insurance Covington</p> <p>Steve Teal Insurance Slidell</p>	<p>Stone Insurance Mandeville</p> <p>The Hopper Agency, LLC Farmerville</p> <p>Thomson Smith & Leach Lafayette</p> <p>Tim D'Angelo Insurance Agency Marrero</p> <p>Total Insurance of Watson Denham Springs</p> <p>Toups Insurance Agency Thibodaux</p> <p>TWFG Insurance Services Lake Charles</p> <p>TWFG Insurance Services Mandeville</p> <p>Warren Tibbetts Baton Rouge</p>
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