Claims 101

HOLMES MURPHY

Resource and Action Guide

Turning Knowledge into Action

This guide summarizes key takeaways from the HMFP *Claims 101* webinar and outlines **recommended action items** for national, regional, and chapter-level leaders. The goal is to help organizations **reduce risk, improve readiness, and respond effectively** when incidents occur.

1. Understand Your Role: Broker vs. Carrier

Key Takeaway

Holmes Murphy is your **insurance broker**, not the insurance carrier. As your broker, we work **for you** and provide support and guidance when an incident occurs.

Action Items

- ✅ Encourage leaders to **call early, even if unsure**, to receive guidance on mitigation steps
- ✅ Reinforce: *"When in doubt, let us know."* When you call **Holmes Murphy, that does NOT automatically mean you are notifying the carrier.**

2. Risk Management Policies Exist for a Reason — and They Matter

Key Takeaway

Risk management policies are not arbitrary rules. They exist to meet insurance carrier requirements and to mitigate the specific risks, behaviors, and situations that can lead to a claim. General liability coverage is tied to compliance with the risk management policy.

Action Items

- ✅ Conduct an **annual risk management policy review**
- ✅ Good policy language should:
    - Define prohibited behavior
    - Prohibit the behavior explicitly
    - Use "including but not limited to" language
    - Follow the **Holmes Murphy template**
- ✅ Align policy language with **actual practice**
- ✅ Avoid drafting policies by committee
- ✅ Audit volunteer manuals, websites, and procedures
- ✅ Train volunteers, undergraduates, and staff on **policy and procedures**

3. Establish a Clear Internal Reporting Process

Key Takeaway

Claims are managed best when **one consistent internal process** is used across all regions, districts, chapters, and states.

Action Items

- ✅ Designate **one person or role** to receive all incident reports
- ✅ Create a **single reporting method** (form or email)
- ✅ Clearly communicate:
    - Who reports incidents
    - What details to include
    - When to report
    - How to report
- ✅ Stick to the facts. Any report should not draw conclusions on liability or negligence.

4. What the Organization Should Report

Key Takeaway

Small issues often become big ones if they go undocumented. Reporting early helps protect the organization and meet carrier reporting requirements.

Action Items

Report the Following Immediately:

- ✅ Any incident involving bodily injury or property damage
- ✅ Verbal or written threats of legal action
- ✅ Letters of representation or lawsuits
- ✅ Chapter suspensions or closures by the campus
- ✅ Negative news coverage or media inquiries
- ✅ Incidents that occur at third-party venue or at non-hosted events involving members

Remember: Reporting does **not** automatically mean a claim will be submitted.

5. Contact Holmes Murphy Before Hiring an Outside Attorney

Key Takeaway

Don't rush to hire an attorney if an incident occurs. Insurance carriers may assign an attorney once a claim is filed and cover the legal expense. Contact the Holmes Murphy staff first to avoid paying out-of-pocket for legal fees that may not be covered. Late reporting can also jeopardize coverage.

Action Items

- ✅ Understand that carriers often:
    - Assign experienced defense counsel from the carrier's panel
    - Pay legal fees as part of coverage

6. Understand What Triggers a Claim

Key Takeaway

A claim can be triggered by a variety of events, common triggers include lawsuits, letters of representation, clear policy violations, credible threats of action, and university investigations related to an incident. When in doubt, report the situation and consult Holmes Murphy for additional guidance.

Action Items

- ✅ Treat letters and lawsuits as **urgent**
- ✅ Forward documents immediately upon receipt

7. Claims Take Time — and That's Normal

Key Takeaway

Many claims remain open for extended periods due to factors such as statutes of limitation, discovery processes, and ongoing investigations. It's important to set internal expectations that "no news" often means nothing has escalated and that claims may stay open even after resolution or settlement.

Action Items

- ✅ Set internal expectations that:
    - It may take time to reach a resolution
    - Claims may stay open even after settlement
- ✅ Trust the process and maintain documentation

8. Focus on Prevention: Avoid, Reduce, Transfer Risk

Key Takeaway

The best claim is the one that never occurs.

Action Items

- ✅ Ensure events and activities are consistent with the risk management policy
- ✅ Review contracts **before signing** (venues, hotels, vendors)
- ✅ Use third-party vendors when appropriate
- ✅ Shift risk whenever possible through contract language
- ✅ Partner with Holmes Murphy for:
    - Contract review
    - Event planning guidance
    - Risk education tools

Don't hesitate to reach out to the Holmes Murphy Claims Team with any questions or concerns

fraternityclaims@holmesmurphy.com

General Liability Claim Form

Final Reminder: In an Emergency

📞 Call 911 first

Always prioritize health and safety. Insurance and claims come **after** immediate response.