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I was on a conference call with some agents last week and we were discussing how do we differentiate ourselves, the independent agent, from the direct writers. We talked about improving our websites, increasing our social networking and better training but what we all decided was our biggest asset is us, the independent agent.

I believe we have the best agents in the industry. We are knowledgeable, helpful, understanding and willing to do what we can for our customers and companies.

A lot of direct writers know if they are failing at something they can turn to their “Mother Ship” to help them monetarily, or with some free marketing. Independent agents on the other hand are on our own, and we like it that way. Even though there may not be a safety net to catch us when we’re falling, there also isn’t anyone watching over us for our weekly numbers, or why we left early on Thursday to attend our daughter’s piano recital. You only answer to the person you see in the mirror in the morning for your honesty, ethics and integrity. We are a community of small business people that are invested in our own success and our customer’s satisfaction.

This brings me back to the numbers at the beginning of the article. Those are the amount of money that Geico, State Farm, and Allstate respectively spent on adds in 2012 (2013 information is not out yet). Are we ever going to match that type of corporate ad revenue with our independent companies, probably not. But are the direct writers ever going to match the quality of agents we have, again, probably not.

When I compare the two agency forces I imagine them as cars in a race. I see the direct agent as a flashy new Ferrari with a 50 cc moped engine and the independent agent as a 1970 Boss 302 Mustang with a 302 V8 engine. Sure the Ferrari looks cool and new on the outside, but can it perform when it needs too, not with that engine.

Our agency force is at an advantage that we have what we need to use to grow the independent channel. We need to let people know the advantages of going with an independent agent. We have done a good job letting our communities know how good we are, we just have to work on expanding on that. How do we do that? By taking the bull by the horns and providing professional offices with up-to-date technology, properly trained staff and excellent representation from our affiliated companies to set us apart from the average captive insurance agent. I know with the independent agents we have, we will attain this goal.

Chad Bjugan
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2014 Goals and Objectives

The MIIAB will be concentrating on many areas that will help benefit our member agents and our company partners for the upcoming year. MIIAB will focus on the following areas:

Legislative Initiatives
MNSure- Our lobbyist, Dominic Sposeto will be looking to help improve the agent’s position and its relationship with MNSure. We all know MNSure is in tremendous turmoil and they are trying to refocus their efforts on getting their software products resolved. After working closely with MNSure through Dominic’s efforts, we are now aware that agents are having problems submitting customers to the MNSure website and more importantly when they do, they’re not getting paid for their efforts in placing business with this new entity. Dominic has a great relationship with the new CEO of MNSure and he is working overtime to resolve these problems. A few members have asked what we have been doing with MNSure over the last several months. Unfortunately, this is a governmental program and they have ignored many of our requests to improve the system and rely on agents in the health care process. We hope that Dominic’s efforts will help improve our members’ ability to place their clients in MNSure moving forward.

MVRs- We were all caught by surprise when the state decided to change the MVR availability to our members through group purchasing of MVRs which made it very affordable for our members to analyze a risk prior to submitting it to a customer. Out of nowhere, they decided to ban any group purchasing of MVRs through the DMV by outside companies, instead all MVRs will be purchased directly from the state. The cost relating to this recent move by the state is staggering for our members and has put all these companies that provided this service out of business. Our board has directed Dominic to work with his legislative contacts to resolve this problem and make available MVRs at a reasonable cost in the future. Unfortunately this will take legislative action in the upcoming session; however Dominic assures me that this will be a major priority for him. The good news is we have close friends in the MN Legislature that are independent agents who understand the financial impact on insurance agents and more importantly the service that this provides to their clients on a personal lines and commercial lines basis. More than likely we will need your help as this process moves through the legislature.

Membership growing in Minnesota-
Last year, our membership grew by 10%. This year it looks like we’ll exceed that mark in upcoming year. We are concentrating on retention of our current members and the recruitment of new members through a program that Frank Whitcomb, our new Sales and Marketing Director has put together for us. As you all know, Frank has over thirty five years of field experience with many insurance companies in Minnesota. Last year Frank joined our team to help improve
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Building Upon Our Relationships with Insurance Company Partners
We finally completed our annual company visits in December which began last July. During this time, members of the MIIAB Board and key staff personnel visited over thirty five insurance companies. We met with all of the domestic insurance companies in Minnesota as well as traveling to Iowa, Wisconsin, Michigan and Illinois to discuss industry issues with company executives in these states. Over the last six years, we have built a strong relationship with these companies and in fact when legislative issues come to the forefront, we go directly to these executives to determine how these issues will affect the insurance industry in Minnesota, the companies and our members. This has been an invaluable part of our mission over the past number of years and we look forward each year in visiting these company executives. We thank them for all the time & effort they put into meeting with us each year.

On behalf of the Board of Directors and Staff, we wish everyone a happy and successful 2014.
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When Playing Dumb Is Smart:
Seven Rules for Making the Sound of Silence Work in Your Favor

By Geoffrey Tumlin

These days, it’s difficult to watch the evening headlines or scroll through a news website without seeing that a politician, celebrity, athlete, or business leader is in the spotlight for saying something stupid. Sure, you might laugh—or wince—at these gaffes and wonder aloud why anyone would ever think saying that was a good idea. But secretly, a part of you may sympathize with the clueless celebrity or the foot-in-mouth politician, because you’ve seen similar things happen in your own conversations: Jim in accounting shares a little too much about his weekend during a lunch conversation, your boss says something completely loony about a client on the way to a sales call, or your coworker Sarah lays a nutty conspiracy theory on you during an informal chat in the hallway.
Yes, dumb statements are a fact of life. You can reduce the negative impact of someone else's dumb statements by playing dumb yourself.

Playing dumb means that you pretend like you didn't see it or hear it when another person does or says something ill advised. This strategy benefits you, the other person, and the underlying relationship.

Specifically, playing dumb allows your conversational partner time to self-correct (e.g., “That's not what I meant” or “I can't believe I just said that, sorry”) after an ill-conceived statement. This valuable conversational space allows hasty and counterproductive words to disappear without comment, thus preventing unnecessary damage to the underlying relationship.

Playing dumb is an especially smart strategy in the digital age where we are doing so much more talking, texting, and tweeting. Because communication and people are fundamentally imperfect, more communication means that there will be more incidents that require the silent treatment.

Here are seven rules to help you smarten up by playing dumb when you see or hear something stupid:

**Put on your best poker face...** When an I-can't-believe-she-just-said-that moment happens, your first instinct is probably to react physically: You might roll your eyes, sigh, raise your eyebrows, or even throw your hands in the air. But remember: Actions speak just like words, so if you're serious about defusing the episode instead of escalating it, you'll need to pretend that you're competing in the World Series of Poker.

Playing dumb is considerate when it's done discreetly, but it's embarrassing to the other person when it's overt. So while you're being silent, also keep your eyes from rolling at whatever ridiculous thing you've just heard.

**...but don't overplay your hand.** Making an effort not to react to a dumb statement is considerate—but don't take the act too far. Remember, you're in the midst of a real-life interaction, not an after-dinner game of Charades, so you need to make sure your “performance” is believable.

**Be inconspicuous.** If you oversell your dumbness by acting totally clueless or befuddled like one of the Three Stooges, you'll draw unwanted attention to your actions. You may even cause the other person to double down on her unproductive words, repeating them in an attempt to help you understand. Remember, dumbness works best when you subtly allow the other person to walk back from her ill-advised words.

**Muzzle your inner know-it-all.** It's human nature to want to be right. However, the urge to prove another person wrong often gets people into hot water and torpedoes conversations. Correcting another person can spark arguments, damage the way he perceives you, and harm the underlying relationship. Remember, nobody likes a know-it-all, and nobody likes being contradicted.

Unless something crucial hangs in the balance, if you hear someone misquote a statistic, mangle a story, or make a logical error, don’t whip out your smartphone and start searching the Internet to prove her wrong. And when someone lays a goofy conspiracy theory or profoundly loopy worldview on you, don’t treat it as your moral
obligation to set him straight. Playing dumb means letting go of the need to be right about everything.

**Don’t expect it to be easy.** Playing dumb sounds simple: Just don’t react. And it yields compelling relational benefits. But despite its usefulness, don’t expect playing dumb to be easy. It’s often difficult to override your instincts—and your desire—to respond with comebacks, criticisms, and corrections.

Playing dumb is challenging because we feel obligated to respond when spoken to or to reply when we receive a message. As conversations pick up a rhythm, or as our inbox stacks up, we feel increasing pressure to respond when it’s ‘our turn.’ Playing dumb requires us to resist the urge to reply.

Playing dumb is also difficult because, frankly, we like to pin the tail on the donkey. We get guilty pleasure when we hold someone to their illogical and goofy words, even though this is totally counterproductive. Always keep in mind that the most important thing is to move the discussion away from the offending words and give the other person an opportunity to self-correct—not to gain short-term satisfaction by hanging the dumb words around your conversational partner’s neck.

**Don’t play dumb too often.** There’s a line between playing dumb for relational harmony and playing dumb because you are in denial about a clear and present relational problem. If you find yourself playing dumb frequently, it may be a warning sign of a larger issue that you need to address.

Fundamentally, playing dumb involves a tradeoff: We sacrifice part of a conversation in the short term in order to preserve an underlying relationship. Don’t misuse the technique to avoid important relational issues. There are other communication tools to help you handle relationship problems.

**Don’t feed the fire.** It’s easiest and best when your silence and intentional gaps provide enough room for someone to self-correct. But you can play dumb and still talk, as long as you don’t add anything to the conversation that redirects attention back to the offending words. If you feel like you need to say something after your conversational partner says something stupid, you can use neutral continuers like um-hum, I see, okay, or I hear you. There’s a danger that the other person will hear your neutrality as a tacit approval of his statements, so use them selectively and exert your right to remain completely silent when you hear something so offensive that you don’t feel comfortable being neutral. If your conversational partner asks about your lack of reaction, you can say you have nothing to add, politely request a topic switch, or just start talking about something else.

**Pick and choose your targets.** Build a mental list of people with whom you might need to make a special effort to play dumb, so that when you interact with them you can remind yourself beforehand to keep your reactions on a leash.

You might find that it’s beneficial to play dumb more consistently with bosses, key clients, and important colleagues, where you have less leverage to alter their behavior. You might also choose to play dumb with older relatives who have a penchant for saying things that drive you crazy but don’t really harm you.
In these cases, your long-term strategy might be to listen and comment when necessary, without adding anything substantive, or you could change the underlying conditions to limit the instances of problematic communication. If a key client tends to make off-color jokes after a couple of happy-hour cocktails, start inviting him to breakfast instead. Or if Aunt Sarah can’t resist criticizing your housekeeping every time she comes over, try to visit at her home instead.

Playing dumb illustrates the power of communication in its absence and is one of the smartest, most altruistic moves you can keep in your conversational toolkit. We exert a profound influence on interactions with what we don’t say, type, or forward. And in today’s communication environment where speed routinely trumps deliberation and where restraint is often abandoned by the desire for self-expression, playing dumb is a tool that’s both necessary and effective.

# # #

**About the Author:**

Geoffrey Tumlin is the author of Stop Talking, Start Communicating: Counterintuitive Secrets to Success in Business and in Life. He is the founder and CEO of Mouthpeace Consulting LLC, a communication consulting company; president of On-Demand Leadership, a leadership development company; and founder and board chair of Critical Skills Nonprofit, a 501(c)(3) public charity dedicated to providing communication and leadership skills training to chronically underserved populations. His writing on communication and leadership has appeared in scholarly journals, newspapers, and textbooks, including Discourse Studies, the International Leadership Journal, the Encyclopedia of Leadership, the Austin American-Statesman, and five editions of Professional Communication Skills.

Tumlin holds a PhD and an MA in communication from the University of Texas at Austin and a BS from West Point. He received the Eyes of Texas Excellence Award in 2010 for his work as the assistant director of the Center for Ethical Leadership at the University of Texas at Austin. He was a faculty fellow at the University of Texas at Austin’s RGK Center for Philanthropy and Community Service and a Cátedras Laboris Fellow at the University of Monterrey in Nuevo León, Mexico.

Tumlin currently serves as trustee of the National Communication Association’s Mark L. Knapp Award Individual Endowment, the most prestigious interpersonal communication honor bestowed annually by the National Communication Association in recognition of career contributions to the academic study of interpersonal communication. Tumlin has taught thousands of people about communication and leadership and has consulted with some of the most prestigious organizations in the world, including Shell Oil, Wyeth Pharmaceuticals, the Boston Scientific Corporation, Hibernia National Bank (now Capital One Bank), Blue Star Management, and the Honolulu Police Department. He lives in Austin, Texas.

You can learn more about Geoffrey Tumlin at [www.tumlin.com](http://www.tumlin.com) and you can reach him by e-mail at geoff@tumlin.com

**About the Book:**

Stop Talking, Start Communicating: Counterintuitive Secrets to Success in Business and in Life McGraw-Hill, August 2013, ISBN: 978-0-0718130-4-4, $20.00, [www.tumlin.com](http://www.tumlin.com) is available at bookstores nationwide, from major online booksellers, and at [www.tumlin.com](http://www.tumlin.com)
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Minnesota MVRs & MNsure Agents

Minnesota MVRs
The Minnesota Department of Public Safety has made a significant change in its procedures to provide motor vehicle records to the public. In a move they claim will provide greater privacy for drivers, they will no longer be providing bulk MVR data to third party contractors. This move will no doubt increase the state’s general revenue fund.

Agents will be able to access online MVR data and be able query a specific individual’s date at a cost of $5 per query. We are aware that this is substantial increase and is more than agents paid to third party vendors who were previously able to access bulk data. Check with your MVR provider for their response to this development.

You will have an opportunity to establish a “business partner” agreement with the Department of Public Safety and access multiple MVRs online. Agents will be able to establish escrow accounts with a minimum of $100 and funds will automatically be debited after each query. Online access will be available to DVS business partners from 6:00 AM to 9:00 PM Monday through Friday and on Saturday from 6:00 AM to 6:00 PM with no access on Sunday.

You can find out more information about business partners and the forms and requirements for participation at the following site.


The MIIAB is exploring various avenues to address this major change in MVR access. We will you keep posted.

MNsure Agents
Recent media reports have highlighted an issue regarding the role of agents and MNsure the state’s health insurance exchange. The initial roll-out of the MNsure has been a disaster, not just for individuals trying to navigate the web site, but especially for agents who have been trying to assist persons in signing up online.

First, it is very difficult for a person to identify an agent or broker online. The MNsure site does not provide links to certified agents as promised. Instead, one may locate a PDF file listing agents who are certified by zip code. The original idea of a “broker portal” which would allow agents and brokers access to their clients and the ability to monitor their progress during the application process is not available. In the rush to meet the October deadline for enrollments, the broker portal fell through the cracks. It won’t be available for several months.

If you have been able to use the web site to enroll persons in MNsure health coverage you have probably been disappointed with the results. Agents may help people to establish accounts, but once a person has been deemed to be eligible for either Medicaid or MinnesotaCare, there is no further role for an agent. You cannot...
Our Main Line Business Owners Policy (Main Line BOP), tiered commercial auto, workers’ compensation and commercial umbrella products – written through our Spring Valley Mutual Insurance Company – are now available for you to sell to your commercial insureds. Our tiered commercial auto is available as a standalone product or you can pair it with our Main Line BOP, which includes many coverages not available in competing products.

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be paid to enroll person into public programs. This is the role for MNsure assisters and navigators. We have been told that federal law prohibits agents from acting as navigators or assisters.

All compensation to insurance agents and brokers must come from the companies for which they write business. During the initial debates about the role for agents with the Affordable Care Act and eventually MNsure, the Agents Coalition for Health Care Reform lobbied to maintain the current license and reimbursement systems with carriers. We did not wish to have agents work for or be agents of the insurance exchange nor have their reimbursement set at the same minimal fee that is being paid to assisters and navigators. These lobbying efforts were successful and the role of the agent and the current system of independently appointed agents was maintained. Unfortunately, the initial MNsure roll-out concentrated on the three fourths of applicants who qualify for state programs, and the role of agents in enrolling people in private insurance was less developed.

Agents may only enroll individuals into health plans with carriers for which they have an active appointment. In fact, you are required to disclose to potential MNsure policyholders the fact that you are not authorized to sell every plan on the exchange and that you may be compensated from the health plan that they choose. This was part of the MNsure authorization law passed during the last legislative session. Here is the language in that act:

Any insurance producer assisting an individual or small employer with purchasing coverage through the Minnesota Insurance Marketplace must disclose, orally and in writing, to the individual or small employer at the time of the first solicitation with the prospective purchaser the following:

(1) the health carriers and qualified health plans offered through the Minnesota Insurance Marketplace that the producer is authorized to sell, and that the producer may not be authorized to sell all the qualified health plans offered through the Minnesota Insurance Marketplace;

(2) that the producer may be receiving compensation from a health carrier for enrolling the individual or small employer into a particular health plan; and

(3) that information on all qualified health plans offered through the Minnesota Insurance Marketplace is available through the Minnesota Insurance Marketplace Web site.

Even though you have navigated the process for your clients you will have noted that the ability for someone to designate an agent or broker occurs very late in the application process. Also, under the current system, it is impossible for a person to designate both a navigator and an agent on the same account. So even if you referred by a MNsure assister to help someone with private insurance, you may not be able to even be identified on the account. This is clearly a huge mistake. MIIAB is working with MNsure executives and carriers to develop a standard “agent of record designation form” that would credit and compensate agents for their work. This requires going back to good old fashion paper.

The MNsure executive leadership has changed. There appears to be more appreciation of the prominent role agents can play in the success or failure of MNsure. Agent groups have been meeting with MNsure to address our concerns. In the meantime, the system is not working as planned, not only for agents, but everyone else.

A recent report from an independent consultant suggests that the troubled online insurance marketplace be scrapped and that he state start over on its insurance exchange. Will this occur? We shall find out soon.

Dominic Sposeto
MIIAB Lobbyist
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People expect that an insurance company will pay money when a loss occurs. But insurance companies are run by people, and insurance companies are subject to the uncertainties of the economy, the weather, and many other factors. It is possible for an insurer to be declared insolvent making it incapable of paying legitimate claims.

For admitted insurers, which are “admitted” by the State and subject to its regulatory scheme, Minnesota has a guarantee fund that becomes available to an insured in the event that the insurer is declared insolvent. As a general rule, property and casualty insurance policies written through an admitted insurer are backed by the Minnesota Insurance Guaranty Association. The maximum payment of a covered claim is $300,000. Minnesota’s guaranty fund does not provide a backup source of indemnity for an insured in the event the surplus lines insurer becomes insolvent. People who sustain a loss cast about for a solvent party from whom to recover, and the last person standing might be the insurance agent. The insurance agent is frequently viewed as someone who sold a worthless insurance policy, and the insurance agent is thus a good candidate to sue.

Under what circumstances can an insurance agent be liable to the insurance customer when the insurer is declared insolvent? It is obvious that an insurance agent is liable if the agent makes an intentional misrepresentation of fact about an insurer’s financial status. What if the insurance agent is sued based upon alleged negligence? Should the agent have foreseen that the insurer would become insolvent and that the insurance policy would not perform as intended?

The case that is referred to most often around the country is from Texas. In *Higginbotham & Associates, Inc. v. Jack E. Greer*, 738 S.W.2d 45 (Tex. Civ. App. 1987), Jack Greer, the insurance customer, purchased a bowling center in Marshall, Texas. Higginbotham was an independent insurance agent in Fort Worth, Texas. Higginbotham sold an insurance policy written by Proprietors Insurance Corporation. The bowling center was destroyed by fire. After the fire, Higginbotham submitted Greer’s claim to Proprietors. Alas, Proprietors became insolvent, and Greer sued Higginbotham. Greer alleged negligence in the procurement of the policy.

The *Higginbotham* court stated that the general rule is an insurance agent or broker is not a
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“guarantor of the financial condition or solvency of the company from which he obtains the insurance.” The insurance agent is required to use reasonable care “with a view to the security or indemnity for which the insurance is sought, and a failure in that respect may render them liable to the insured for resulting losses.” It is foreseeability or knowledge that creates liability for the insurance agent. If the insurer is known by the agent to be insolvent or on the verge of insolvency, the insurance agent can be liable. The Higginbotham court held that if the insurer was solvent when the policy was procured, then the agent is not liable. The court in Higginbotham focused on the agent’s knowledge at the time the policy was issued, not at the time of the loss and the failure of the insurer to pay the claim. Proprietors was a fully admitted and approved carrier in Texas and was subject to the financial scrutiny by the state when the policy was sold. At the time that the policy was written, Proprietors was paying claims promptly, had paid dividends the preceding year, and was rated by A.M. Best as B+ (very good).

There is no clear rule about what an insurance agent is obligated to do when selling a surplus lines policy. It is probably not incumbent upon a retail insurance agent to investigate the financial soundness of a surplus lines insurer. Most of the surplus lines insurers fall under the category of “eligible surplus lines insurer.” The State of Minnesota recognize an “eligible surplus lines insurer” when the State is satisfied that the insurer is in a stable, unimpaired financial condition and that the insurer qualifies to provide coverage. The fact that the State of Minnesota vetted the insurer about its financial condition should be sufficient to you as an insurance agent.

You might be trying to place coverage for a particularly risky account and the surplus lines broker might only be able to place the account with an “ineligible surplus lines insurer.” In that instance, it is a good preventative measure to notify the insured in writing that the insurer is an ineligible surplus lines insurer, which creates additional risk. As so often is the case, put it into writing.

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Trusted Choice Agents: The 10 Things They Avoid

Over the weekend, I was impressed by this list compiled by Amy Morin, a psychotherapist and licensed clinical social worker, that she shared in LifeHack. It impressed me enough I’d like to share her list here along with my thoughts on how each of these items is particularly applicable to Trusted Choice Independent Insurance Agents.

1. Waste Time Feeling Sorry for Themselves. You don’t see Trusted Choice Agents feeling sorry for their circumstances or dwelling on the way they’ve been rejected. They have learned to take responsibility for their actions and outcomes. They are able to emerge from trying circumstances with self-awareness and gratitude for the lessons learned. When a situation turns out badly, they respond with phrases such as “Oh, well.” Or perhaps simply, “Next!”

2. Shy Away from Change. Trusted Choice Agents embrace change and they welcome challenge. Their biggest fear is not of the unknown, but of becoming complacent and stagnant. An environment of change and even uncertainty can energize a Trusted Choice Agent and bring out their best.

3. Waste Energy on Things They Can’t Control. Trusted Choice Agents don’t complain (much) about bad rates, lost sales, or especially about other people, as they recognize that all of these factors are generally beyond their control. In a bad situation, they recognize that the one thing they can always control is their own response and attitude, and they use these attributes well.

4. Worry About Pleasing Others. A Trusted Choice Agents strives to be kind and fair and to please others where appropriate, but is unafraid to speak up. They are able to withstand the possibility that someone will get upset and will navigate the situation, wherever possible, with grace.

5. Fear Taking Calculated Risks. A Trusted Choice Agent is willing to take calculated risks. This is a different thing entirely than jumping headlong into foolish risks. But with mental strength, an agent can weigh the risks and benefits thoroughly, and will fully assess the potential downsides before they take action.

6. Dwell on the Past. There is strength in acknowledging the past and especially in acknowledging the things learned from past experiences—but a Trusted Choice Agent is able to avoid miring their mental energy in past disappointments or in fantasies of the “glory days” gone by. They invest the majority of their energy in creating an optimal present and future.

continued on page 33
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7. **Make the Same Mistakes Over and Over.** We all know the definition of insanity, right? It’s when we take the same actions again and again while hoping for a different and better outcome than we’ve gotten before. A Trusted Choice Agent accepts full responsibility for past behavior and is willing to learn from mistakes.

8. **Resent Other People’s Success.** It takes strength of character to feel genuine joy and excitement for other people’s success. Trusted Choice Agents have this ability. They don’t become jealous or resentful when others succeed. They are willing to work hard for their own chances at success, without relying on shortcuts.

9. **Give Up After Failure.** Every failure is a chance to improve. Even the greatest agents are willing to admit that their early efforts invariably brought many failures. Trusted Choice Agents are willing to fail again and again, if necessary, as long as the learning experience from every “failure” can bring them closer to their ultimate goals.

10. **Expect Immediate Results.** Whether it’s a marketing plan, building a book of business, or starting an agency, Trusted Choice Agents are “in it for the long haul”. They know better than to expect immediate results. They apply their energy and time in measured doses and they celebrate each milestone and increment of success on the way. They have “staying power.” And they understand that remarkable changes take time.

**Be Remarkable!**
Frank Whitcomb

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Another Certificate Issue

Will certificates ever go away?? I believe they are the curse of today’s insurance professional. There are so many questions about them; it is hard to stay ahead of the curve.

Sometimes, there is good news to talk about, and this issue if one of them. Many of you good folks have inquired about the issue of limits that are to be shown on the certificate. It goes like this: my contractor needs $2,000,000 of Umbrella coverage for a job. My contractor has $5,000,000 in coverage under his/her Umbrella, but does not want to disclose the higher limits to the certificate holder. Is it OK to show $2,000,000 instead of $5,000,000 on the certificate?

The Big I’s Virtual University experts are reportedly split 50-50 on this issue, and when I have brought this up in class, there is generally a split in agreement on how to proceed. Some insurance people feel it is not ethical to put a lower limit on the certificate. Others say it is no problem, that it is not a lie, as they DO have the required limits of $2,000,000. It is an issue that just goes around and around.

Here is the good news. The 2013 ISO Additional Insured endorsements have finally addressed this issue. While all of them have done so, let’s just look at one to examine the language. I picked the ISO endorsement CG 20 33 (04/13 edition) that is entitled: Additional Insured – Owners, Lessees or Contractors – Automatic Status When Required in Construction Agreement With You. Commonly called the “blanket endorsement”, it picks up all contractors and third parties who require your client (your insured, the subcontractor) to make them an additional insured. It does so automatically, no need to name names and addresses. It requires that the contract that your client signs be in writing.

Here is the new language built into the 2013 endorsements:

1. “The insurance afforded to such additional insured:
   a. Only applies to the extent permitted by law; and
   b. Will not be broader than that which you are required by the contract or agreement to provide for such additional insured.”

Then later on, the last paragraph in the endorsement states:

C. “With respect to the insurance afforded to these additional insureds, the following is added to Section III – Limits of Insurance:

The most we will pay on behalf of the additional insured is the
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amount of insurance:

1. Required by the contract or agreement you have entered into with the additional insured; or

2. Available under the applicable limits of insurance shown in the Declarations;
   Whichever is less”.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.”

I believe this language is pretty clear. If you show $5,000,000 on the certificate, and only $2,000,000 is required, this endorsement will pay whichever is less.

One other thought for your clients who are reluctant to divulge their higher limits, please inform them that if there is a claim, everything must be disclosed, including their higher limits anyway. That will be part of the discovery process.
APPLIED SYSTEMS COMPLETES ACQUISITION BY HELLMAN & FRIEDMAN

Applied Systems, Inc., a leading provider of software that powers the business of insurance, today announced the successful completion of its acquisition by funds advised by Hellman & Friedman LLC, a global private equity investment firm with offices in San Francisco, New York and London.

The company has been acquired from Bain Capital in a transaction valued at approximately $1.8 billion. JMI Equity, a growth-oriented private equity firm that focuses on building market-leading software and technology-enabled businesses, has invested alongside H&F. Applied’s management team has invested a significant equity position in the company as well.

“We are pleased to move forward in partnership with H&F and JMI to improve the business of insurance through our industry-leading products and services,” said Reid French, CEO of Applied Systems. “The insurance and software expertise of H&F and JMI position us well for continued growth as the industry’s trusted technology partner.”

“Applied Systems is the global leader in insurance distribution software with a strong track record of growth and first-to-market products,” said David Tunnell, managing director of Hellman & Friedman. “We are enthusiastic about this partnership and supporting Applied as they continue to expand their business.”

“Applied Systems has a long history of advancing insurance technology,” said Anupam Mishra, managing director of Hellman & Friedman. “We look forward to working closely with Reid and the Applied team as they continue to provide innovative solutions across the insurance industry.”

SECURA ANNOUNCES A.M. BEST AFFIRMED A (EXCELLENT) RATING

SA.M. Best affirms SECURA’s financial strength rating (FSR) of A (Excellent) with a stable outlook. The affirmation of the company’s ratings reflects its strong risk-adjusted capitalization, long-standing regional business presence, conservative balance sheet, and the benefits derived from its ongoing agency relationships and cultivation.

A.M. Best also noted SECURA’s improved trends in underwriting results since 2012 and the strategies its management team has implemented that have contributed to its results, such as:

- The development and implementation of enhanced pricing models.
- Expense management initiatives.
- Targeted agency management action plans.

“As a mutual company, we run our business with our customers’ best interests at heart,” said CEO John Bykowski. “That means remaining a strong, financially stable company for our policyholders, agents, and associates to rely on for the long term. A.M. Best’s affirmation reflects our ability to excel in this mission.”

BIG “I” POLITICAL ACTION COMMITTEE RAISES MORE THAN $1 MILLION IN 2013

The Independent Insurance Agents & Brokers of America (IIABA or the Big “I”) today announced that its political action committee (PAC), InsurPac, raised a total of $1,007,668 during the 2013 calendar year.

“Surpassing the one million dollar mark in one year is an important accomplishment for InsurPac,” says Robert Rusbuldt, Big “I” president and CEO. “The Big ‘I’ membership prides itself on political engagement and involvement, and the continued growth of InsurPac is further evidence of this commitment.”

In the 2012 election cycle, InsurPac distributed more than $1.8 million to senators, representatives and other candidates for federal office. Also in 2012, 84% of InsurPac-supported candidates won with 237 victories of the 282 races it supported.

“Largely due to the power of InsurPac, the Big ‘I’ continues to be one of the most well-respected business associations in Washington, D.C.” says Charles Symington, Big “I” senior vice president
of external and government affairs. “InsurPac complements our advocacy efforts and is an excellent example of our members’ political and grassroots influence.”

In disbursing contributions, InsurPac does not look at party affiliation but supports representatives, senators, and candidates for federal office that have been advocates and supportive of the independent agency system.

**INTEGRITY INSURANCE PROMOTES JILL WAGNER TO PRESIDENT**

Jill Wagner has been promoted to President of Appleton-based Integrity Insurance. She previously held the role of Vice President of Commercial Lines for the property and casualty insurer.

Wagner came to Integrity in November of 2010 to lead the Commercial Lines team. Previously she served in leadership roles with SECURA Insurance in Appleton. Wagner has worked in the insurance industry for 22 years including positions with Rural Mutual Insurance and Acuity Insurance. She is a 1992, summa cum laude, graduate of Lakeland College in Sheboygan, Wisconsin, where she also earned her MBA. She is a Board Member of Big Brothers/Big Sisters of the Fox Cities, served as the Chairman of the Commercial Lines Underwriting Conference Committee for NAMIC and is a Business Advisory Group Member of Lakeland College and Concordia University. She has held numerous board positions with youth-focused organizations.

Integrity’s Chairman of the Board, Thomas S. Stewart shared, “Jill is a proven insurance industry leader who has been instrumental in directing the recent success of our Commercial Lines operation for Integrity. She has excelled at every assignment she has been given and there is no doubt she will exceed expectations as she assumes this new position”.

“I am thrilled to have the opportunity to serve in this new capacity for our company and I look forward to working with all of our agents and associates to continue delivering financial stability for all of our stakeholders. We have the best people in the industry working on behalf of our policyholders and I look forward to leading our team”, said Wagner.

As a part of this change in leadership, Stewart also announced that Peter McMurtrie, Vice President, Chief Sales, Marketing and Affiliate Officer of Grange Insurance in Columbus, Ohio was elected to the Board of Directors of the company. Integrity Insurance is an affiliation partner of Grange Insurance. It is also the Board’s intent to nominate and elect Wagner to the Board at the upcoming meeting in February.

“Jill has done an outstanding job since arriving at Integrity just over three years ago, where she has overseen tremendous business results as well as building a department that is one of the best in the region. I am very pleased to be working with Jill in her expanded role as our new business leader in Appleton”, said new board member McMurtrie.

**ACUITY GROWS OVER 14 PERCENT IN 2013**

ACUITY announced its 2013 growth results, reporting a record-setting gain of more than $140 million in written premium revenue. The amount represented a growth of 14.4 percent over 2012 and continued a five-year trend of annual increase in net written premium.

“In the past 36 months alone, ACUITY has added nearly $350 million to our top-line revenue,” said ACUITY President and CEO Ben Salzmann.

In 2013, ACUITY passed the $1 billion revenue and $3 billion assets marks, achieving strong growth across all lines of business and throughout the company’s operating territories. In personal lines, ACUITY marked its seventeenth consecutive year of positive premium growth by writing more than $60 million in new business, an all-time high and a 32 percent increase over 2012. In commercial lines, the company added nearly $158 million in new business premium.

ACUITY’s revenue growth is also fueling the company’s expansion. In December, ACUITY broke ground on a $130 million, 260,000-square-foot addition to its corporate headquarters. By the end of 2014, ACUITY will have hired 250 people over a 24-month period.
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Expert Advice: Sometimes you need answers to questions that can’t be found in the research library. To help with these “just in time” issues, we have assembled a faculty of leading experts from around the country. Big “I” Members can submit questions to our “Ask an Expert” service and a response is usually sent within 3-5 business days, but often sooner.

All of this can be accessed on the web at www.independentagent.com/vu
2014 Flood Seminar

- **March 18, 2014 - Eden Prairie**
  Prairie Conference Center
  7500 Flying Cloud Drive, Ste 125
  Eden Prairie, MN 55344
  763-235-6460

- **March 19, 2014 - Rochester**
  Ramada Hotel & Conference Ctr
  1517 16th St SW
  Rochester, MN 55902
  800-552-7224

- **March 20, 2014 - Detroit Lakes**
  Holiday Inn on the Lake
  1155 Hwy 10 E
  Detroit Lakes, MN 56501
  218-847-2121

FEMA and continuing education sponsors are developing courses related to the NFIP. An insurance producer who sells flood insurance policies through the NFIP can satisfy the minimum training and education requirements established by FEMA by completing an accredited course related to the NFIP, which will be approved for three credit hours of continuing education credit by the Minnesota Department of Commerce. The failure to comply with the minimum training and education requirements established by FEMA may jeopardize the insurance producer’s authority to sell flood insurance policies through the NFIP.

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- 9:00a.m. - 12:00p.m. Seminar
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For more info and to register follow this link:


**CRM Control of Risk**
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Please select Seminar date

- 1/15 - 1/17/14 Eden Prairie  Commercial Casualty
- 2/12 - 2/13/14 Plymouth  *Ruble Graduate Seminar
- 3/5 - 3/7/14 Eden Prairie  Agency Management
- 4/9 - 4/11/14 Eden Prairie  Personal Lines
- 5/21 - 5/23/14 Eden Prairie  Commercial Property
- 6/11 - 6/13/14 Brainerd  Life & Health
- 7/16 - 7/18/14 Eden Prairie  Personal Lines
- 8/6 - 8/8/14 Eden Prairie  Commercial Casualty
- 9/10 - 9/11/14 Plymouth  *Ruble Graduate Seminar
- 10/8 - 10/10/14 Eden Prairie  Agency Management
- 11/5 - 11/7/14 Eden Prairie  Commercial Property

* Must be a dues paid member of CIC or CRM to attend a Ruble Graduate Seminar

Dates and locations are subject to change. Before making any travel arrangements, call to verify the dates, location, start time and availability when registering for a program.

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$430.00  CIC Institutes  (20 Hours)

$420.00  Ruble Graduate Seminar  (16 Hours)
# 2014 MIIAB CISR Program Schedule

**Please select Seminar date** - These courses have been approved by the MN Commissioner of Commerce for 7 hours of Insurance continuing education

- [ ] 1/7/14 - Eden Prairie Personal Lines Miscellaneous
- [ ] 1/10/14 - Shoreview Agency Operations
- [ ] 2/5/14 - Eden Prairie Commercial Casualty I
- [ ] 2/6/14 - St. Cloud Commercial Casualty I
- [ ] 2/11/14 - Duluth Commercial Property
- [ ] 3/4/14 - Shoreview Personal Lines Miscellaneous
- [ ] 3/11/14 - Rochester Commercial Property
- [ ] 3/12/14 - Eden Prairie Agency Operations
- [ ] 4/8/14 - St. Cloud WTH - Personal Lines
- [ ] 4/15/14 - Eden Prairie Personal Auto
- [ ] 5/6/14 - Eden Prairie Commercial Property
- [ ] 5/14/14 - Rochester Elements of Risk Management
- [ ] 5/15/14 - Duluth Personal Residential
- [ ] 5/20/14 - Grand Rapids Commercial Casualty II
- [ ] 6/5/14 - Brainerd Agency Operations
- [ ] 6/10/14 - Eden Prairie WTH - Personal Lines
- [ ] 6/11/14 - Shoreview Commercial Casualty II
- [ ] 6/17/14 - Thief River Falls Personal Auto
- [ ] 7/10/14 - Eden Prairie Elements of Risk Management
- [ ] 7/15/14 - Alexandria Commercial Property
- [ ] 7/22/14 - Mankato Commercial Property
- [ ] 7/23/14 - Detroit Lakes Personal Lines Miscellaneous
- [ ] 8/5/14 - Rochester Personal Lines Miscellaneous
- [ ] 8/12/14 - Eden Prairie Commercial Casualty II
- [ ] 8/12/14 - Willmar Agency Operations
- [ ] 8/21/14 - Bemidji Commercial Casualty I
- [ ] 9/9/14 - St. Cloud Commercial Casualty II
- [ ] 9/16/14 - Duluth Elements of Risk Management
- [ ] 9/23/14 - Eden Prairie Personal Residential
- [ ] 10/2/14 - Shoreview WTH - Personal Lines
- [ ] 10/14/14 - Eden Prairie Dynamics of Service
- [ ] 10/15/14 - Rochester Dynamics of Service
- [ ] 11/11/14 - St. Cloud Personal Residential
- [ ] 11/18/14 - Mankato Personal Lines Miscellaneous
- [ ] 12/9/14 - Eden Prairie Personal Lines Miscellaneous

## Method of Payment

- [ ] Check Enclosed (Payable to MIIAB) or Charge to: [ ] VISA [ ] Mastercard

**(Additional non-refundable charge of $5 will apply per seminar for credit card transactions)**

**CANCELLATION POLICY:** Registration fee is fully refundable if cancellation is received seven days prior to class. A $30.00 fee will be charged for cancellations less than seven days before the scheduled class. NO SHOWS will NOT receive a refund.

In accordance with Title III of the American with Disabilities Act, we invite all registrants to advise us of any disability and any request for accommodation to that disability. Please submit your request as far as possible in advance of the program you wish to attend.

### BONUS!!!

**William T. Hold Seminar Meets Ethics Requirements**

<table>
<thead>
<tr>
<th>Cost</th>
<th>Seminar</th>
<th>Time</th>
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<tbody>
<tr>
<td>$158.00</td>
<td>CISR Seminar</td>
<td>8:00am-3:45pm Test: 4:15-5:15pm</td>
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<tr>
<td>$168.00</td>
<td>William T. Hold Seminar (WTH)</td>
<td>8:00am-4:00pm</td>
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<td>$158.00</td>
<td>Dynamics of Service</td>
<td>8:00am-5:00pm</td>
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## Requirements

- [ ] Open to All!

## Test:

- 4:15-5:15pm

## Return to:

MIIAB, 15490 101st Ave N, Suite 100, Maple Grove, MN 55369  P: 763.235.6460  F: 763.235.6461  E: miia@miia.org

www.miia.org
2014 MIIAB E&O Risk Management: Meeting the Challenges of Change

These courses have been approved by the MN Commissioner of Commerce for 6 hours of Insurance continuing education.

<table>
<thead>
<tr>
<th>AGENCY STAFF SIZE</th>
<th>TOTAL ATTENDEES REQUIRED AT A (6 HOUR) SEMINAR</th>
<th>POSITION IN AGENCY</th>
<th>PLUS ADDITIONAL REQUIREMENTS</th>
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<td>8-20</td>
<td>4</td>
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<td>TWO PRODUCER'S OR CSR'S</td>
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<td>21-50</td>
<td>6</td>
<td>ACTIVE AGENCY PRINCIPAL, OWNER, PARTNER, OFFICER AND ONE ACTIVE AGENCY PRINCIPAL, OWNER, PARTNER, OFFICER, OPERATIONS MANAGER OR PRODUCER AND ONE CSR</td>
<td>THREE PRODUCER'S OR CSR'S</td>
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<td>51+</td>
<td>10</td>
<td>ACTIVE AGENCY PRINCIPAL, OWNER, PARTNER, OFFICER AND TWO ACTIVE AGENCY PRINCIPALS, OWNER'S, PARTNER'S, OFFICER'S, OPERATIONS MANAGER'S OR PRODUCER'S AND TWO CSR'S</td>
<td>FIVE PRODUCER'S OR CSR'S</td>
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Cost per person
$151.00 MIIAB Member Price
$166.00 Non-Member Price

Agencies that attend this seminar will receive a 10% loss control credit on their Westport E&O Premium. Once an agency attends the seminar the 10% credit will apply for 3 years if the agency remains claim free during the 3 year period.

Method of Payment
- Check Enclosed (Payable to MIIAB) or Charge to: VISA Mastercard
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CANCELLATION POLICY: Registration fee is fully refundable if cancellation is received seven days prior to class. A $30.00 fee will be charged for cancellations less than seven days before the scheduled class. NO SHOWS will NOT receive a refund.

Please Check Location
- 1/22/14 - Eden Prairie 8:30am-3:30pm Prairie Conference Center 7500 Flying Cloud Dr, Ste 125 Eden Prairie, MN 55344 952.835.4180
- 3/25/14 - St. Cloud 8:30am-3:30pm Best Western Kelly Inn Hwy 23 & 4th Ave St. Cloud, MN 56301 320.253.0606
- 4/15/14 - Fergus Falls 8:30am-3:30pm Best Western/Bigwoods Event Center 925 Western Ave Fergus Falls, MN 56537 800.293.2216
- 5/1/14 - MIIAB Convention 8:30am-3:30pm Minneapolis Convention Center 1301 2nd Ave S Minneapolis, MN 55403 612.335.6000
- 6/19/14 - Morton 8:30am-3:30pm Jackpot Junction 39375 County Hwy 24 Morton, MN 56270 507.644.3000
- 7/9/14 - Walker 8:30am-3:30pm Northern Lights Casino 6800 Y. Frontage Rd NW Walker, MN 56484 866.652.4683
- 8/19/14 - Rochester 8:30am-3:30pm Ramada Hotel & Conference Ctr 1517 16th St SW Rochester, MN 55902 507.289.8866
- 9/17/14 - Duluth 8:30am-3:30pm Holiday Inn & Suites 200 West First St Duluth, MN 55802 218.727.7492
- 10/22/14 - Eden Prairie 8:30am-3:30pm Prairie Conference Center 7500 Flying Cloud Dr, Ste 125 Eden Prairie, MN 55344 952.835.4180

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Thank you to the following companies that are supporting the association through our Power in Partners Program in 2014. Their support helps to make possible exceptional education opportunities, quality networking events, up-to-date communications to our members and strong lobbying presence within the state of Minnesota.

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