



INTERNATIONAL ASSOCIATION  
OF INSURANCE RECEIVERS  
PROMOTING PROFESSIONALISM AND ETHICS

# 2020 IAIR RESOLUTION WORKSHOP



## 2020 BRINGING RECEIVERSHIP CHALLENGES **INTO FOCUS**

**FEBRUARY 26-28, 2020**

THE MILLS HOUSE WYNDHAM GRAND, CHARLESTON, SC

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### CONTINUING EDUCATION CREDIT

#### COURSE DESCRIPTION

The two-day conference will focus on emerging risks in the insurance industry, regulatory responses and resolution strategies. Panel topics include discussions of future trends in Cybersecurity, Climate Change, Risk Corridor Lawsuits and more.

### COURSE LEVEL

This program is intended for intermediate and advanced level insurance receivers, regulators, guaranty fund personnel, and other insurance insolvency professionals. There are no advance preparations or prerequisites required as this workshop will provide live delivery of materials and updates building on the knowledge and experience of each participant.

### FIELDS OF STUDY OFFERED

Specialized Knowledge & Applications

### INSTRUCTIONAL DELIVERY METHOD

Group-Live

### IAIR DESIGNATIONS

This workshop is approved for continuing education credit toward IAIR's CIRD and AIRD designations in accordance with IAIR's continuing education policy to maintain certification status. Total credit hours TBA.



### NASBA

The International  
Association of  
Insurance Receivers

(IAIR) is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding

registered sponsors may be submitted to the National Registry of CPE sponsors through its website: [www.nabsaregistry.org](http://www.nabsaregistry.org). In accordance with the standards of the National Registry of CPE Sponsors, 12.0 CPE credit hours will be granted based on a 50-minute hour.

### CLE

The program is approved for 10.0 hours of CLE, including 1.0 credit hour by the South Carolina Supreme Court. The program

has also been approved for 12.0 hours of Missouri CLE, including 1.2 Ethics credit hours. Though the program and workshop may qualify for continuing legal education credit in other states, participants will need to make their own filings. Upon request, IAIR can certify attendance and content.

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## CONFERENCE AGENDA

### WEDNESDAY, FEBRUARY 26

6:00 – 7:30 pm **Welcome/ Opening Reception**

### THURSDAY, FEBRUARY 27

7:00 – 8:00 am **Registration/ Breakfast**

8:00 – 8:15 am **Welcome**

**Jan Moenck**, Partner, Risk & Regulatory Consulting  
**Doug Schmidt**, Partner, Husch Blackwell

8:15 – 9:15 am **Climate Change and Receiverships: Increasing Insurance Industry Risks from a Changing Climate**

**John A. Lee**, J.D.

9:20 – 10:20 am **Cybersecurity for Companies in Receivership**

**Jenny Jeffers**, Managing Member, Jennan Enterprises  
**Michael Morrissey**, Principal, Morrissey Consultants

10:20 - 10:35 am **Networking Break**

10:35 - 11:35 am **Avoiding Fraternal Strife – New Tools for Dealing with Troubled Fraternal**

**James Kennedy**, Counsel to the Receiver, Texas Department of Insurance,  
**Todd W. Martin**, Partner, STINSON LLP  
**Kim Yelkin**, Partner, Foley & Lardner LLP

### THURSDAY, FEBRUARY 27

11:45 am – 1:15 pm **Luncheon**

#### Keynote Speaker

**Harlan Greene**, Scholar in Residence, Addlestone Library, College of Charleston

1:30 – 2:45 pm **Commissioners Panel**

**Commissioner Mark V. Afable**, Wisconsin Office of the Commissioner of Insurance  
**Superintendent Elizabeth Dwyer**, Rhode Island Department of Business Regulation  
**Julie Mix McPeak**, Shareholder, Greenberg Traurig (former Commissioner, Tennessee Department of Commerce and Insurance)  
**Division Commissioner Glen Mulready**, Oklahoma Department of Insurance

2:45 – 3:00 pm **Networking Break**

3:00 – 4:00 pm **Insurance Business Transfers: Moving from Theory to Practice**

**Kirsten Byrd**, Partner, Husch Blackwell  
**Superintendent Elizabeth Dwyer**, Rhode Island Department of Business Regulation  
**Insurance Division Commissioner Glen Mulready**, Oklahoma Department of Insurance

### THURSDAY, FEBRUARY 27

4:05 – 5:05 pm **Watching Worlds Collide: An Outsider's View of a Deputy Receiver's Ethical Quandaries**

**Bill Goddard**, Consultant

**Reception**

6:00 – 7:30 pm

### FRIDAY, FEBRUARY 28

7:15 – 8:00 am

**Breakfast**

8:00 – 9:00 am

**L&H GA Model Act Changes: Balancing the Burden**

**Bart Boles**, Executive Director, Texas Life & Health Guaranty Association  
**Christine Cappiello**, Senior Director, Government Relations, Anthem  
**Nick Thompson**, VP Regulatory Affairs, UnitedHealthcare

9:05 – 9:50 am

**Receivership Court – the Ultimate R. ACA and the 3Rs through the Lens of the Receivership Court**

**Joel Glover**, Partner, Faegre Baker Daniels  
**Eric Scott**, Director, Risk & Regulatory Consulting, LLC  
**Dan Watkins**, Law Offices of Daniel A. Watkins

9:50 – 10:05 am

**Networking Break**

10:05 – 11:05 am

**Cyber Liability Insolvency: Preparing for an Unknown Challenge**

**Chad Anderson**, Executive Director, Western Guaranty Funds  
**Tim Schotke**, Director, Illinois Guaranty Association  
**Donna Wilson**, Oklahoma Receivership Office, Inc.

11:10 am – 12:10 pm

**Dealing with Reinsurers in Receiverships**

**Kelli Kukulka**, Ren Re  
**Steve McElhiney**, EWI Re  
**Francine Semaya**, Legal & Insurance Regulatory Consultant

12:10 – 12:15 pm

**Program Wrapup**

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## PROGRAM CHAIRS



### **Jan M. Moenck**

Jan is a Partner at Risk & Regulatory Consulting, LLC. She has over 25 years of experience providing regulatory, internal audit, and consulting services to clients in the financial services industry. Jan has provided financial solvency services to regulators for over 20 years, and became involved with troubled company and receivership engagements starting in 2012. She currently serves in the role of Special Deputy Receiver for two receiverships and provides leadership on other receivership projects. Jan played a key role in the early adoption of risk focused examinations, performing some of the first risk-focused examinations for large insurer groups. She has also assisted states with Financial Analysis development and review of Insurer Profile and Group Profile Summaries, Holding Company Analysis, and ORSA Analysis. She frequently provides training to States, the Society of Financial Examiners (SOFE), and RRC employees. Jan is the Secretary of the IAIR Board and a member of the IAIR Education Committee. She is also on the Executive Committee of SOFE's Board of Governors, and serves as the Co-Chair of SOFE's Examinations Committee. She has written several articles for SOFE's magazine, The Examiner, including two articles which won the Editor's Choice Award. Jan is a member of IAIR, SOFE, IIA, and ISACA. She holds a Bachelor's degree in Accounting, magna cum laude, from Concordia College in Moorhead, MN, and a Masters of Business Administration degree in Finance from the University of Minnesota, Carlson School of Management.



### **Douglas Schmidt**

Doug has represented receivers for more than 20 years. He is a certified insurance receiver and has broad experience as general and special counsel to the receivers of insolvent or financially troubled insurance companies. Doug has handled all aspects of receivership, from initial appointment of the receiver, claims resolution, reinsurance collection, transfers of blocks of business, disputes with the federal government and marshalling assets to final distribution to policyholders and creditors. He has also investigated numerous claims and coverage disputes involving insurers, reinsurers, accountants, lawyers, actuaries and claimants.

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### Chad Anderson

Chad currently serves as President of Western Guaranty Fund Services (WGFS), a position he has held since February of 2016. WGFS provides management services for seven state Property and Casualty Insurance Guaranty Associations, including Colorado, Idaho, Kansas, Nebraska, Montana, Washington, and Wyoming. Chad has been a member of the NCIGF Board of Directors since 2017 and is currently the Vice-Chair. He earned a Bachelor's Degree in English, Secondary Education from the University of Northern Colorado in Greeley, Colorado. After graduating, he was an English and Social studies teacher at Colorado High School of Greeley, a newly formed charter school for at-risk students 8th grade through 12th grade. Prior to serving in his current role at WGFS, Chad managed IT and operations. He lives in Denver, Colorado with his wife, Sonia and two daughters, Cassidy and Bridget.



### Bart Boles

Bart Boles is the Executive Director of the Texas Life and Health Insurance Guaranty Association ("the Association"). He began his insurance career as an examiner for the Texas Department of Insurance but soon moved into receivership and guaranty association work. He has continually managed the activities of the Association since 1988 while a Texas Department of Insurance employee prior to the Association's privatization by the Texas Legislature. He continued his work for the Association after its privatization as an employee, then a partner with the management consulting and third party administration firm LaShelle, Coffman and Boles, and again as an Association employee.

Since 1990, Bart has served on a vast array of committees and task forces of the National Organization of Life and Health Insurance Guaranty Associations ("NOLHGA") such as one of the "core members" of the Disposition Committee which was the precursor to the Members' Participation Council ("MPC"), three terms as MPC Chair, terms on the MPC Executive Committee, service on over forty NOLHGA insolvency task forces (eight as Chair), the Y2K Contingency Planning Committee, Shelf Alternative Products Committee Chair, the Pandemic Study Group, Health Insurance Privacy Committee, the Guaranty System Modernization Task Force (including Chair of its Assessment Subgroup), the Communications Committee, the Audit Committee, the Security Advisory Committee, and the Education Steering Committee. He also served three terms as Chair of the Members' Participation Council, which oversees all multi-state insolvency task forces, as an ex officio member and then two terms as an elected of the NOLHGA Board of Directors.

Bart is a past President of the International Association of Insurance Receivers' Board of Directors and currently serves on several IAIR committees. He also holds the Accredited Insurance Receiver designation from IAIR specializing in Guaranty Associations.

Bart is a native Texan with a BBA in Finance from Texas State University-San Marcos. He and his wife, Terri, are avid windsurfers and have three exceptional daughters.

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### Kirsten Byrd

Kirsten dissects complex problems and develops successful resolution strategies. Her practice focuses on insurance regulatory law and insurance disputes, including compliance with state and federal regulations, coverage, and extra-contractual liability. She is fluent in a broad array of insurance products, including commercial general liability; commercial property and business income; crisis management; professional malpractice; life insurance; management liability; and cyberinsurance.



### Christine Cappiello

Christine Cappiello has spent more than thirty years working in and with the Connecticut General Assembly. She began her career in the Connecticut Legislature in 1990 working for House Appropriations Chairman Bill Dyson. Following that position she worked for former Speaker turned State Senator Richard Balducci, and finally for Senate Chairman of Transportation Biagio Ciotto. Christine joined Anthem Blue Cross and Blue Shield in 1998 as a government relations associate. With more than 20 years at Anthem, Christine has moved up from the position of government relations associate to the senior director of government relations, a position she currently holds today.

In her current position, Christine is responsible for all relationships at the Connecticut General Assembly and Connecticut State Agencies, the Connecticut Exchange as well as the Connecticut Congressional Delegation. Her duties are largely supporting, defeating or mitigating legislation that affects the company as well as the liaison between the company and the company's regulator, the Connecticut Insurance Department. Christine also works closely with the National Association of Insurance Commissioners for Anthem nationally. In addition, her responsibility include supporting the State Plan President and his team on external relationship with key stakeholders including the Governor, other Constitutional offices as well as many municipal and labor leaders as existing and potential customers. Christine also works on internal projects and resolution of regulatory inquiries like rate submissions working closely with the State Plan President, Legal and other business units. Most recently, Christine has been working closely on issues at the National Association of Insurance Commissioners for Anthem.

Christine was previously a board member for the American Red Cross South Central Chapter of in Connecticut, as well as past board member of the Greater New Haven Junior League and a past officer of the Connecticut Lobbyist Association. Christine is currently the President of the Connecticut Association of Health Plans and a board member of the Connection, Inc. a non-profit that offers creative, community-based treatment programs.

Christine has been involved in Connecticut politics for many years since her days in college and has been involved in many political campaigns from State House races to the U.S. Senate and was a campaign manager for several State Senate races when she worked for the Connecticut State Senate.

Christine is a graduate of the University of New Haven with a bachelor degree in political science. She lives in Newtown with her husband David, and two sons, Jack and Jude.

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### Joel Glover

Joel partners with clients to solve problems in the insurance industry — including all related regulatory, transactional litigation and insolvency/receivership issues. Having worked in the insurance regulatory and insolvency field since he began practicing law in 1991, Joel has represented all types of insurance entities, life and health insurance guaranty associations, and receivers throughout the country.

Joel maintains strong relationships with guaranty associations, insurance industry regulators and guaranty associations. He has served as task force counsel for the National Organization of Life & Health Insurance Guaranty Associations (NOLHGA) on various multi-state insolvencies, represented several guaranty associations and served as counsel to the Insurance Commissioners in Colorado, Hawaii and Arizona in their capacities as liquidators of insolvent insurers.

Outside of his legal practice, Joel enjoys coaching youth basketball, hiking, biking, yoga and ba gua chang.



### Bill Goddard

Bill is a seed-stage investor in a portfolio of insurance technology ventures.

Bill co-teaches courses in Insurance Litigation and Insurance Solvency Regulation each year at the University of Connecticut School of Law. Bill is the author of several law journal articles on insurance regulation and insolvency.

Previously, Bill practiced law at Bingham McCutchen and Day Pitney in the areas of insurance, reinsurance, insurance mergers & acquisitions and insurance insolvency matters, representing creditors, regulators and insurance companies in solving complex problems of financial distress and statutory interpretation.

Prior to attending law school, Bill was an investment banker at JP Morgan & Co. and at Marsh & McLennan Securities Corporation, focusing on mergers and acquisitions within the insurance industry. Bill also co-founded, developed and sold a broadcasting company consisting of 19 radio stations located in New York and New England. Prior to entering practice, Bill served as a law clerk to the Hon. Jon O. Newman, United States Court of Appeals for the Second Circuit.



### Jenny L Jeffers, CISA, AES

Jenny Jeffers is the Managing Member of Jennan Enterprises, LLC located in Tallahassee, FL. Jennan Enterprises has been in business for 40 years providing Information services including system development, data conversion, training, Receivership IT Management, UDS data conversion and processing for both Receivers and Guaranty Associations and information system auditing for the insurance regulatory industry. Jenny holds is a Certified Information Systems Auditor (CISA – Information Systems Audit and Control Association) and an Automated Exam Specialist (AES – Society of Financial Examiners Designation) and is an active member of Society of Financial Examiners (serving as Chairman of the AES Committee, Insurance Examiners Regulatory Society, International Association of Insurance Receivers, Association of Certified Fraud Examiners, Project Management Institute, International Systems Audit and Control Association and the National UD Committee as well as NAIC Audit Software Working Group. Ms. Jeffers serves on several committees within these organizations with the primary focus of education of examiners in the importance of the role of IT in the insurance industry.

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### James Kennedy

James Kennedy graduated from the University of Texas in 1979, and the University of Texas School of Law in 1982. He has specialized in handling insurance insolvencies for 29 years, and has worked at the Texas Department of Insurance since 1996. He has been involved in drafting insurance related legislation, including the Insurer Receivership Act and amendments to guaranty association acts.

James has represented Texas on the NAIC Receivership and Insolvency Task Force since 1999. He is vice-chair of the Task Force, and chair of the Receivership Model Law Working Group. He has participated in several other NAIC working groups, and was a contributing editor of the NAIC Receiver's Handbook for Insurance Company Insolvencies. He also serves as an NAIC representative on the International Association of Insurance Supervisors Resolution Working Group.

James has been involved in IAIR since 2001, and has been a member of the board of directors since 2007. He is currently President of the board of directors. In addition to his presentations at IAIR events, he has been a speaker at seminars and courses sponsored by the American Bar Association Tort Trial and Insurance Practice Section, Federation of Regulatory Counsel, National Organization of Life and Health Insurance Guaranty Associations, National Conference of Insurance Guaranty Funds, State Bar of Texas, University of Texas School of Law and University of Connecticut School of Law.

James is active in the American Inns of Court, and has been a master in the Robert W. Calvert Inn of Court since 2006.



### Kelli Kukulka

Kelli Kukulka joined Renaissance Reinsurance U.S. Inc. in 2015 as Senior Vice President, Underwriting. She is responsible for writing regional/multi-line reinsurance treaties.

Prior to this, Ms. Kukulka spent three years as a Senior Treaty Underwriter with SCOR Reinsurance Company specializing in regional P&C and agricultural risks. Before that, she worked at Munich Re for 17 years where she was responsible for treaty and individual risk facultative underwriting for agriculture specialty risks. Ms. Kukulka began her insurance career in The Hartford's livestock department.

Ms. Kukulka has earned the designations of CPCU, ARe and AFIS and is the Past-President of the Chicago Chapter of the CPCU Society. She maintains membership in the APIW, CPCU Society and currently chairs the CPCU Society's Reinsurance Committee. She holds a Bachelor's Degree in Agriculture from the University of Illinois.

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### John Lee

John has focused his legal career on complex insurance coverage litigation, especially in cases involving underlying environmental issues. With over 20 years of experience as a trial and appellate civil litigator, John has worked with clients in insurance matters as diverse as multi-party coverage disputes, environmental site remediation, toxic-exposure claims, and worker's compensation disputes. Along with his law degree, John also holds a master's degree in meteorology and has worked as an environmental consultant. This cross-disciplinary experience in both insurance law and environmental science has allowed him to have a deep understanding not only of the applicable law but also the science underlying the coverage matter at issue.

John has taken a principle role in briefing appellate cases before the Connecticut Supreme Court, the Wisconsin Appellate Court, the Illinois Appellate Court, and the Seventh Circuit Court of Appeals. In the Connecticut matter, he helped receive a first-in-nation ruling on the occupational disease exclusion, establishing new insurance law.

Additionally, John has been extensively involved in international human rights legal work since receiving his law degree and has been a member of Human Rights Watch's Chicago Committee since 2017. His international human rights legal experience includes bringing four matters before the Inter-American Commission on Human Rights, one of which was successfully tried before the Inter-American Court of Human Rights.

John has published numerous articles and has been a frequent blogger on climate change and related insurance topics. In addition, John has spoken at various national conferences on environmental and legal topics, primarily involving climate change issues.



### Todd Martin

Todd Martin is a partner with the firm Stinson LLP working in the areas of insurance regulation, transactions and governance, administrative law, and employee benefits. Todd leverages his prior experience with a Fortune 500 insurer to advise insurers, third-party administrators, employers, and agents on key insurance corporate and regulatory issues. Todd has worked with fraternal benefit societies for more than 25 years. He has served as outside legal counsel for the American Fraternal Alliance for more than 15 years and has done legal work for more than 40 fraternal benefit societies.

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### **Steven M. McElhiney, MBA, MS, CPCU, ARe**

Steve is a Senior Vice President and Director of Reinsurance for Artex Risk Solutions globally. EWI Re, Inc. is now part of Artex Risk Solutions and provides reinsurance solutions globally for Artex captive and mutual transactions.

Steve served as the Chief Risk Officer for the parent company, Contran Corporation as well as the President of their Captive insurance company, Tall Pines Insurance Company of Vermont and EWI Re (UK), Ltd., EWI's London based subsidiary and Lloyd's brokerage.

Steve's insurance industry experience spans over two decades with several global insurance groups such as Fireman's Fund (Allianz), Transamerica, Argo Group, and Overseas Partners US Re (UPS). He has served in the roles of CFO, Corporate Treasurer, Reinsurance division executive, and Board member. He has an extensive background in insurance run-off and commutation issues and has lead those efforts at various organizations.

Steve is the Board Chair of the Captive Insurance Companies Association ("CICA"), the global association for captive insurance companies. He is a Past President and Chairman of the CPCU Society (2011-2012), and a Past Chairman of the Board of the Vermont Captive Insurance Association (2011-2013). He is on the Advisory Board of AIRROC where he is leading an initiative around finality transactions for Captives.

Steve has a MBA in Corporate Finance, a MS in Global Supply Chain Management, and a Bachelor of Science in Business Administration, cum laude, from the University of Southern California.

Steve has been interviewed and quoted in a variety of insurance publications and is a frequent panelist at Reinsurance, Capital Markets, CPCU, Captive, and Risk Management industry events. In 2018, he was named to the Captive Review Power 50 List at rank 31 in his debut on the list.



### **Julie M. McPeak**

Julie Mix McPeak, the former Commissioner of the Tennessee Department of Commerce and Insurance (TDCI), focuses her practice on insurance law and insurance regulation issues. Julie has more than 25 years of legal and administrative experience in state government and was the first woman to serve as chief insurance regulator in more than one state, having also served as the Executive Director of the Kentucky Office of Insurance (KOI). Julie's experience also includes practicing law in the insurance group of a large U.S. law firm.

Julie has deep knowledge and a network of strong relationships in both the insurance industry and Tennessee and Kentucky state governments. In 2018, she served as President of the National Association of Insurance Commissioners (NAIC), and has served on the NAIC's Executive Committee since 2013 in a variety of leadership roles. She also served as Vice-Chair of the Executive Committee of the International Association of Insurance Supervisors.

After being appointed commissioner by Tennessee Gov. Bill Haslam in Jan. 2011, Julie was reappointed in Jan. 2019 by Gov. Bill Lee. Her achievements in her role as commissioner of TDCI include the accreditation of TDCI by the NAIC; creating and implementing a free smoke alarm program, resulting in the distribution of more than 198,000 smoke alarms across the state; the modernization of Tennessee's captive insurance laws, resulting in Tennessee domestic captive insurance companies exceeding \$1 billion in written premiums in 2017 for the first time; and streamlining the process of issuing professional licenses, enabling Tennessee professionals to obtain their license in a more timely and efficient manner.

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### Michael Morrissey

Michael Morrissey is the Principal and owner of Morrissey Consultants, LLC. Michael specializes in the analysis of insurance systems, data security, and data mining. He has over 25 years of IT experience, most of it within the insurance industry, first as an IT Director at Cigna and then as an IT security and compliance auditor, consulting for numerous state insurance departments. Michael has broad experience in support of troubled companies and receiverships, as well as market conduct and financial examinations. As an expert in the use of ACL, and other analytic tools needed to work with complex data, Michael has provided hands-on training to state insurance examiners. He is also proficient in online presentations and has provided training at IAIR, SOFE, IRES conferences.



### Commissioner Glen Mulready

Glen Mulready became the 13th Oklahoma Insurance Commissioner after receiving 62 percent of the vote statewide. He was sworn into office on January 14, 2019.

Glen is a long-time insurance professional and private sector businessman who is a recognized leader and champion in the insurance industry. Starting as a broker in 1984, Glen rose to serve at the executive level of the two largest health insurance companies in Oklahoma. In 2007, he joined Benefit Plan Strategies, a company helping businesses provide employee benefits and health insurance to their employees.

Glen has served as President of both the Tulsa and Oklahoma State Health Underwriters Associations and has been named State Health Underwriter of the Year.

In 2010, Glen successfully ran for state representative and quickly became the point person for the House of Representatives on insurance issues and was appointed chairman of the Insurance Committee after the 2014 elections. In 2011, Governing Magazine named Glen as one of 17 “GOP Legislators to Watch.”

As an influential state representative, Glen passed legislation which expanded insurance options and resulted in more insurance companies offering service in the state. His consumer awareness was most evident when he reformed a state employee insurance program to save Oklahoma millions of dollars a year while also saving thousands of dollars for those families. Seeking to improve the Oklahoma business climate, Glen sponsored the Insurance Business Transfer (IBT) Act that is now law and is recognized as one of the most innovative pieces of insurance legislation nationally. Glen’s many successes led to him being tapped for the leadership position of Majority Floor Leader in 2017.

Glen and Sally, his wife of 31 years, are the proud parents of three teenage sons, Sam, Jake and Will. In 2008, Glen and Sally were the recipients of Leadership Tulsa’s Paragon Award for their work with Big Brothers Big Sisters. Glen is very active in the community having served on numerous boards and committees including Big Brothers Big Sisters, the Juvenile Diabetes Research Fund, March of Dimes, Shepherds Fold Ranch Christian Summer Camp, Crime Commission and Tulsa Tough.

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### Tim Schotke

Tim Schotke has been the Executive Director of the Illinois Insurance Guaranty Fund for five years. He previously served as IIGF's Controller. Tim serves as a board member for NCIGF, its technology affiliate GSI, and the Insurance Company Supported Organizations (ICSO), an employee benefits trust serving guaranty funds, FAIR plans and similar entities.



### Eric Scott

Eric Scott is a Director with Risk & Regulatory Consulting where he advises clients on a range of insurance related issues including troubled company and receivership issues. Eric holds a Bachelors of Science degree in Finance from the University of Florida and a Juris Doctor from the University Of Florida College Of Law. Prior to joining RRC, Mr. Scott spent twelve years as a Senior Attorney with the Florida Division of Rehabilitation and Liquidation where he represented the Receiver in numerous insurance company receivership proceedings. During his tenure with the Florida Department his responsibilities also included drafting legislation and participation in the drafting of revisions to NAIC model receivership laws. Mr. Scott has also served as a criminal prosecutor in Florida, a prosecutor for the Florida Board of Medicine, and as prosecutor for the Florida Commission on Ethics in cases against public employees and officers for violations of the Florida Code of Ethics.



### Francine L. Semaya

Francine L. Semaya is currently a legal consultant in insurance regulation, reinsurance, insurance insolvency and transactional matters. She concentrates her practice in reinsurance, insolvency and national and global insurance regulatory matters in the areas of property, casualty, life, annuity, surety and financial guaranty. In addition to handling insurance regulatory, insolvency and transactional matters, she performs legal and compliance audits and serves as an expert witness. Ms. Semaya was named a "2009 Woman to Watch" by Business Insurance magazine.

Active in several professional organizations, Ms. Semaya is a past President of the International Association of Insurance Receivers, and longtime member of the American Bar Association's Tort Trial and Insurance Practice Section (TIPS), Ms. Semaya is also on the Board of Directors of Insurance Federation of New York.

Ms. Semaya is a frequent lecturer and has authored numerous articles in both legal and insurance trade publications. Ms. Semaya is Co-Author of Insurance Law for Common Interest Communities: Condominiums, Cooperatives and Homeowner Associations, published by Sunshine Gardens Legal Publishers, LLC, 2018 and The Law of Flood Insurance – North Carolina Edition, Sunshine Gardens Legal Publishers, LLC, 2018.

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### Nick Thompson

Mr. Thompson currently serves as Senior Vice President of Regulatory Affairs for UnitedHealthcare.

Mr. Thompson earned his *Juris Doctor* from the University of Arkansas - School of Law and has a Bachelor of Arts degree in Political Science from the University of Arkansas. He is a member of the Arkansas, District of Columbia and American Bar Associations, and the Federation of Regulatory Counsel, Inc. He serves on the Board of Directors of the National Organization of Life & Health Insurance Guaranty Associations (NOLHGA) and on the boards of the Alabama, Arkansas, California (Chair), Connecticut, Florida, Indiana, and Montana (Vice Chair) Life and Health Insurance Guaranty Associations.

Prior to joining UHG, Mr. Thompson was a senior partner with the Mitchell Williams law firm in Little Rock, Arkansas where he served as chair of the firm's national insurance regulatory practice group and was a member of its board of directors and partner compensation committee.

Mr. Thompson is a former state insurance regulator, advisor and legislative assistant to a governor, and chairman of the board of the National Association of State Comprehensive Health Insurance Plans (NASCHIP).



### Daniel Watkins

Dan Watkins practices law in Lawrence, Kansas serving regional and national clients in business matters and governmental affairs with a specialty in receivership proceedings involving financially troubled insurance companies. He is a Certified Insurance Receiver-Multiple Lines and currently Special Deputy Receiver in three health insurance company receiverships: CoOpportunity Health (Iowa and Nebraska), HealthyCT in Connecticut and Chartered HealthCare in the District of Columbia.

Dan served in Kansas government prior to his private practice: as Chief of the Criminal Division in the Attorney General's Office; Chief Counsel at the Kansas Department of Transportation; and as Chief of Staff to the Governor. Before opening his practice in Lawrence, he helped found a software development company which was ultimately acquired by Autodesk.

He has chaired the Kansas Bioscience Authority and Kansas Development Finance Authority and currently serves as co-chair of Economic Lifelines, a coalition of Kansans supporting transportation funding and chair of Kansas Values Institute, a non-profit policy and advisory organization. Dan also served on the board of the MidAmerica Chapter of the National MS Society.

He received his undergraduate degree in Mathematics from St. Mary of the Plains College in 1969 and his law degree from the University of Kansas in 1975. He served as a VISTA volunteer and project supervisor in Broward County, Florida from 1969-1972.

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### **Donna L Wilson, CIR-ML**

Donna Wilson has worked in the insurance industry since 1980 upon graduating from Oklahoma State University. In 1985, she started her receivership experience with the liquidation of Southwestern Insurance Company. Since then, her experience has included rehabilitation and liquidation of estates writing property and casualty, life and health, prepaid dental, MEWA, captive and prepaid funeral trusts.

Ms. Wilson is appointed by the Oklahoma County District Court as Assistant Receiver for several Oklahoma insurance receivership estates and is the Estate Manager for the Oklahoma Receivership Office, Inc.

Ms. Wilson is a Certified Insurance Resolution Director (Resolution Manager) for Multiple Lines. She currently serves as the First Vice-President of IAIR and was President in 2016-2017. Ms. Wilson represents Oklahoma on the Receivership and Insolvency Task Force and co-chairs the Receivership Large Deductible Workers Compensation Working Group of the National Association of Insurance Commissioners. Ms. Wilson is also a member of the Association of Certified Fraud Examiners.



### **Kimberly A. Yelkin**

Kim Yelkin is a nationally recognized expert in government affairs and is routinely consulted by clients for her expertise in strategy and execution. Kim brings a unique blend of legal talent and business acumen to assist her clients in solving complex problems which include high-profile legislative issues, litigation avoidance and routine regulatory matters before various state agencies. She is engaged by clients to coordinate multi-state regulatory and legislative projects to maximize their long-term competitive advantage and defend against governmental action adverse to their interests. Whether it is a project requiring immediate attention, or the development and implementation of a long-term strategy, Kim is expert at coordinating a proactive approach to issues management and strategy development and execution.

Kim not only has over 30 years of expertise in insurance and health care issues, but also represents clients in other industries who have issues with government. Her practice concentration is in administrative, regulatory, and legislative law before the Texas Legislature, the Department of Insurance, the Office of Attorney General, the Texas Department of Health, the Texas Department of Health and Human Services, the Texas Comptroller, the Office of Consumer Credit Commissioner, the Texas Department of Licensing and Regulation and other state agencies.

Kim serves as Co-Chair of the firm's State and Local Public Affairs Practice and is also the Austin Office Managing Partner.

Prior to joining the firm, Kim was a Partner at Akin, Gump, Strauss, Hauer and Feld for 12 years. She has a wealth of experience in insurance issues having served as senior government affairs counsel for the St. Paul Companies and associate counsel for the American Insurance Association. Prior to her tenure at the American Insurance Association, she was Deputy District Attorney in Omaha, Neb.

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Kim Yelkin in our Austin office at [kyelkin@foley.com](mailto:kyelkin@foley.com).

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and  
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Company, Inc.**

# Look For IAIR at these Upcoming NAIC Meetings

### SPRING 2020

March 21-24  
Phoenix, AZ

Sheraton Grand Phoenix  
Hyatt Regency Phoenix  
Phoenix Convention Center

### SUMMER 2020

August 8-11  
Minneapolis, MN

Hilton Minneapolis  
Hyatt Regency Minneapolis  
Minneapolis Convention Center

### FALL 2020

November 14-17  
Indianapolis, IN

JW Marriott Indiana  
Marriott Indianapolis Downtown  
Courtyard Marriott  
Indianapolis Downtown

### SPRING 2021

April 10-13  
Dallas, TX

Gaylord Texan Hotel

### SUMMER 2021

August 14-17  
Columbus, OH

Hyatt Regency Columbus  
Hilton Columbus Downtown  
Greater Columbus Convention Center

### FALL 2021

December 13-16  
San Diego, CA

Hilton San Diego Bayfront  
Omni San Diego  
San Diego Convention Center

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## OUR SERVICES MENU

### REGULATORY EXAMINATIONS

- Financial
- Market Conduct
- IT Specialist
- Reinsurance Specialist
- Investment Specialist
- Actuarial Analysis
- Operational Reviews
- "C" Level Reviews
- ORSA Analysis
- Medical Loss Ratio Audits
- Health Care Reform/ACA Compliance Audits
- Data Validation Reviews
- Cybersecurity - Vulnerability Assessments/Penetration Testing

### REGULATORY SERVICES

- Policy Form Review- Specialization in Health
- Network Adequacy Reviews
- Financial Analysis
- Market Analysis
- Form A Filings
- Troubled Companies/ Solvency Analysis
- Start-Ups
- Re-Domestications
- Conversions
- Administrative Supervision
- Rehabilitation
- Liquidation
- Analysis of ERM
- Complex Reinsurance Agreements/Transactions
- Training
- TeamMate Hosting Services
- Customized Services

### EXAMINATION RESOURCES

ER was founded in 2002 with a focus of providing financial and market conduct examination services to state insurance regulators. Over the years we have expanded our core services to include troubled company and receivership administration services. These services include estate administration in the capacity as Special Deputy Receiver and Administrative Supervisor. In addition to serving in these capacities ER provides specialized services to Receivers including reinsurance reporting, accounting and financial reporting, actuarial analysis, tax preparation, forensic accounting, litigation support and IT services.

### OUR TEAM

ER's troubled company and receivership team is comprised of two seasoned Special Deputy Receivers that combined have served in such capacity in 22 receiverships as well as serving as appointed Administrative Supervisor on 6 occasions. Our team also includes credentialed professionals including CPAs, ARes, CISAs, CFEs, CPCUs and Certified Fraud Examiners.

### OUR CLIENTS

ER provides services exclusively to government agencies and Receivers.

**We invite you to call us. Let's discuss how we can work together to make our shared goals – effective regulation and policyholder protection – efficient and cost effective.**

## ER CORE MANAGEMENT TEAM



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# 2020 IAIR INSURANCE RESOLUTION WORKSHOP

## KEYNOTE SPEAKER



### Harlan Greene

Harlan Greene is a native of Charleston. He has been associated with the SC Historical Society, the NC Preservation Consortium, the Charleston County Public Library and the Avery Research Center for African American History and Culture. He is now scholar in residence at the College of Charleston's Addlestone Library. He is a prize-winning novelist, the author of many scholarly books on the SC low country, a board member of the Preservation Society of Charleston and a registered tour guide. He is also chair of the City of Charleston's Historical Commission.

## WORKSHOP PRESENTERS



### Superintendent Elizabeth Dwyer

Beth Dwyer was appointed Superintendent of Insurance on January 11, 2016. Prior to this appointment she had been employed by the Rhode Island Department of Business Regulation for fifteen years, first as General Counsel to the Insurance Division and later as Associate Director. Prior to government service, Ms. Dwyer was engaged in private law practice in California and Rhode Island specializing in litigation and insurance regulation.

Ms. Dwyer is a member of the National Association of Insurance Commissioners and has served as Chair and Vice Chair of various Committees, Task Forces and Working Groups. She currently serves as Chair of the Interstate Insurance Product Regulation Compact (IIPRC), Northeast Zone and Restructuring Mechanisms (E) Working Group; Co Chair of the Producer Licensing (D) Task Force; Vice Chair of the Financial Regulation Standards and Accreditation (F) Committee and the Big Data (EX) Working Group and Secretary/Treasurer of the National Insurance Producers Registry (NIPR) Board of Directors. Ms. Dwyer is a past president of the Rhode Island Women's Bar Association and served on the Rhode Island Supreme Court Advisory Committee on Gender in the Courts. She was awarded the 2010 Rhode Island Attorney General's Justice Award for Consumer Protection. She completed the Senior Executives in State and Local Government Program at Harvard University, John F. Kennedy School of Government Executive Education.

Ms. Dwyer holds the designations of Chartered Life Underwriter (CLU) from The American College and Senior Professional in Insurance Regulation (SPIR) from the NAIC. She was admitted to practice law in California, Rhode Island, Massachusetts, the Federal District Courts of California and Rhode Island and the Ninth Circuit Court of Appeals. She received a JD from Pepperdine University and a BA in Political Science and Public Administration from Providence College.

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