

One instruction, one resolution: A unified approach to COVID-19 business interruption claims



COVID-19 is presenting significant operational and commercial challenges to every business in the USA. We understand the issues brought by COVID-19 to our insurer clients and can provide one integrated solution.

The challenges

With the rapid expansion of COVID claims insurers need a consistent and uniform claims solution. The challenge: how do you manage large numbers of TPAs and still have a uniform approach to resolution and coverage? With disputes being raised on a daily basis, from law suits relating to the definition of 'Property Damage' and COVID contamination in California, bad faith law suits due to a failure to investigate claims in Illinois and the Legislatures of Massachusetts, Ohio and New Jersey attempting to force insurers to cover COVID-19, Insurers must have a claims process that is:

Streamlined – to reduce transactional costs

Transparent – to avoid extra contractual exposures

Adaptable – to a rapidly evolving legal and regulatory environment.

Data Driven – to produce comprehensive MI for management and reinsurance reporting.

How we can help

DWF Claims Management and Adjusting are working together with our in-house Forensic Accountancy team, as well as in association with RC Services and WSHB to provide a specialist blended solution, which includes support with the quantification and challenge of business interruption losses in the USA. From legal coverage arguments, to loss adjusting, claims management and qualified Accountants review – we have a proposal that will ensure your claims have a consistent approach.

Bringing clarity to business interruption claims

- Are you satisfied that you fully understand the potential impact of COVID-19 on the Insured's business?
- Are you confident that you have requested the appropriate underlying accounting documents?
- Do you have suspicions that the claimed losses are overstated?
- Is the Insured claiming sales growth or improved margins but for Covid-19?
- Have pre COVID-19 trends in sales and profits been investigated?
- Would it be helpful to consider a range of loss scenarios?
- Has the insured benefited from transfer of sales to a non-effected location and are these sales deducted in the claim?

Our approach

As day-to-day trading and production is disrupted, many businesses are facing a loss of profits and increased costs.

Our dedicated team of claims handlers, forensic accountants, loss adjusters and lawyers are experts in providing policy coverage advice, managing, calculating and challenging business interruption claims, as well as adjusting claims. We specialise in the calculation of losses from a realistic, commercially-relevant position.

Our process:

Complying with Lloyds reporting of COVID-19, our process is simple and straightforward to access and track claims and provide evidence for audit trails.

We provide a unified team approach giving clarity to your business interruption claims:

- Working closely with insurers, our legal teams and loss adjusters as required, to challenge claims and to prepare alternative loss scenarios;
- Strategize with insurers on their unified response to the ever changing challenges to policy wordings, coverage and interpretation;

Our lawyers will work with you to consider if policy cover applies. If a denial of cover needs to be issued, we will ensure that all denials are issued in a uniform and cohesive manner.

If claims are deemed to be covered we can:

- Liaise with the insured and loss adjusters to better understand the business and the impact of Covid-19
- Review immediately available accounting records and calculate preliminary loss estimates to assist insurers in setting reserves
- Identify and request additional documents and information to quantify the loss of profits, any savings and increased costs
- Assist loss adjusters with invoice review to quantify increased costs of working
- Liaise with the insured to obtain ongoing financial information during the life of the claim
- Calculate updated loss estimates during the indemnity period, to assist insurers in making payments on account
- Prepare preliminary and updated reports detailing our loss estimates, assumptions and any issues arising
- Assist with settlement proposals and negotiations.

Our claims management technology

DWF is recognised as one of the most innovative service providers operating across the globe today. As part of our commitment to innovation and best practice, we have developed our own, proprietary claims management system, called Claimsview. This provides clients with real-time access to full electronic files and comprehensive claims data.

A client dashboard provides instant graphical analysis on losses according to statistics (such as location and loss code), as well as opportunities to investigate varying data sets (such as year of account or period), access a full electronic file (incorporating incoming and outgoing correspondence, internal referrals and all policy documentation), produce in-depth Management Information, capture SLA and KPI data and assess DWF Claims' conduct objectively.

Our claims management expertise

We are the only commercial SME Third Party Administrator with a global footprint in all the major international insurance hubs. We assist insurers on claims from SME's through to large multinational corporations, we have a great deal of experience in the restaurant, hospitality and retail sectors.

We have the appropriate TPA and adjusting licenses in every state in the USA.

Our forensic accounting expertise

Our team of forensic accountants, working alongside our claims team, have decades of experience within the forensic teams of major accounting and law firms, helping insurers to quantify (and/or challenge) losses arising from business interruption.

Our forensic experts help to develop the strategy for a case and work alongside the claims team throughout its lifespan. We represent a cost-effective and efficient alternative to instructing an external (non-DWF) Forensic Accountant.

Our Insurance sector legal expertise

We have a dedicated team of legal advisers for the Insurance sector specialising in both claims and commercial services. Our legal team can assist with policy coverage advice with regards to business interruption claims addressing such issues as force majeure and States legislature forcing coverage. Many clients are unaware of the extent of cover they have in place and will be looking at policy wordings that were not designed to cope with this situation.

Our Loss Adjuster expertise

RC Services provides loss adjustment services throughout the continental United States. Our adjusters have a great deal of experience investigating food spoilage and other Business Interruption related issues. We are licensed in all 50 States, and can provided detailed risk analysis following a site visit.

Contacts

To instruct us on a business interruption claim, please email LiabilityAdmin@dwf.law or speak to one of our key contacts below.



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