

2018 US Health Care Roundtable
Access to Capital: Captive Innovations
for the Modern Health System

Michele J. Johns, JD, CPHRM, Indiana University Health Scott Geromette, Esq., Honigman Miller Schwartz & Cohn LLP Linda Danna, Marsh Captive Solutions

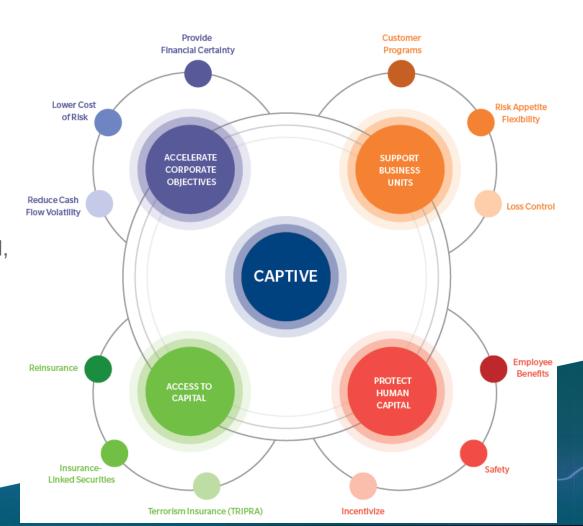
November 8, 2018

- Overview of current captive utilization
- Organizational approach to risk and the use of captives
- Alternative uses for captives
- The changing role of captives in modern health systems

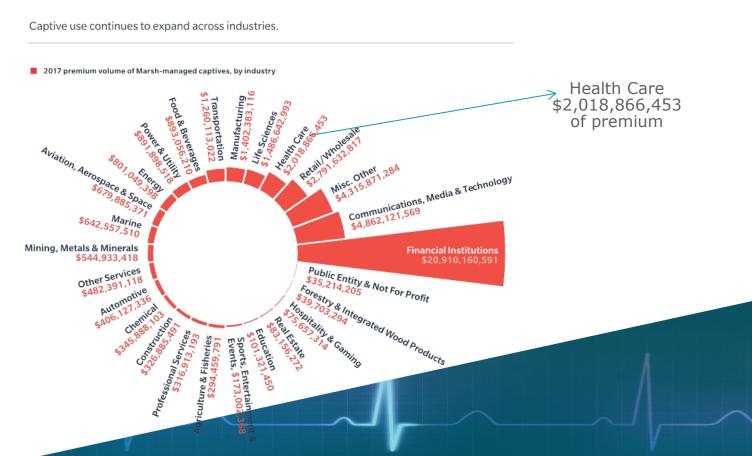
# Overview of Current Captive Utilization

## Captives at the Core

- Placing captives at the core of a risk management program facilitates four key drivers.
- Captives offer remarkable flexibility in accessing capital, accelerating business objectives, supporting business units, and protecting human capital.

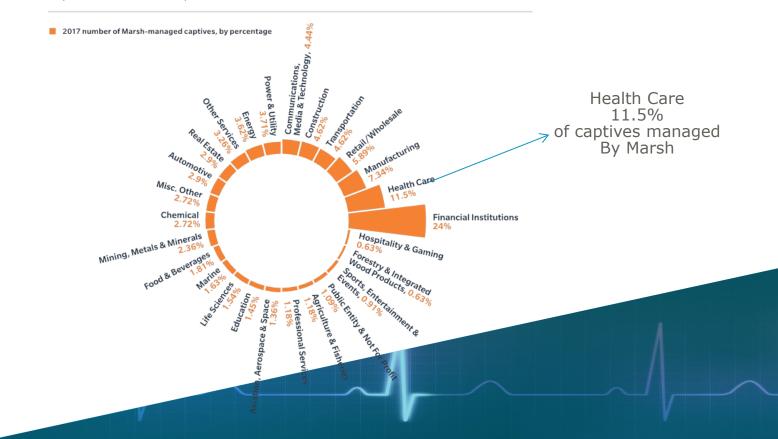


## Captives by Industry – From the 2017 Benchmarking Report



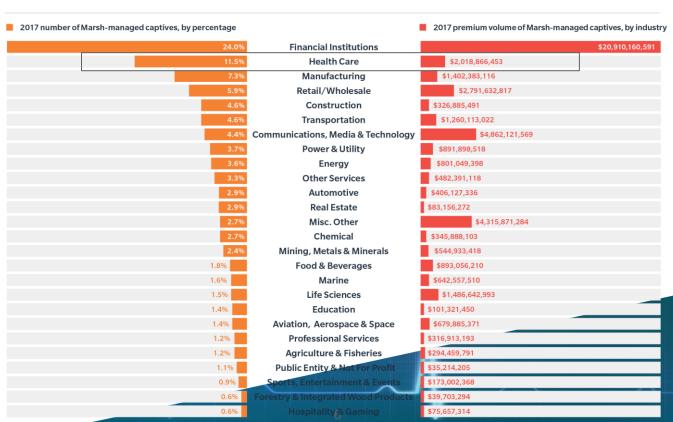
## Captives by Industry – From the 2017 Benchmarking Report

Captive use continues to expand across industries.



## Captives by Industry – Alternative Format

Captive use continues to expand across industries.



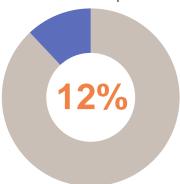
### Captives By Industry - Health Care



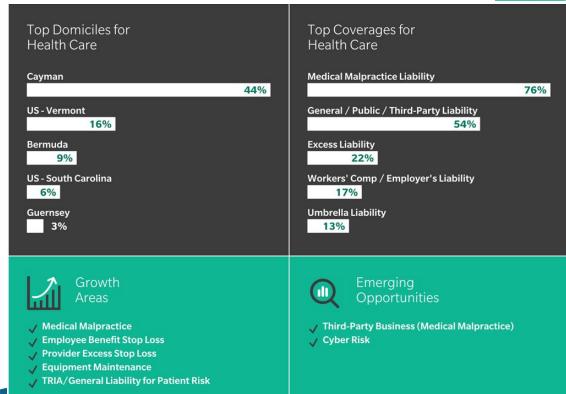




Captives in the Health Care industry make up



of all Marsh-managed captives.



# Organizational Approach to Risk and the Use of Captives

- · Consider organization's risk philosophy and risk appetite
  - As new risks emerge and coverages evolve, organizations must also evolve
  - Perception of Property and Casualty insurance program must move from an operational expense, to a center of expertise that can promote Enterprise Risk Management
  - Captive companies need to be well connected to and understand parent organization's goals and strategic objectives
  - Captives can help accommodate parent's business efficiency by developing products, services, grants to facilitate achievement of strategic goals, recognizing both upside and downside risk

## **Alternative Uses for Captives**

- Employment Practices including physician employment hiring, engaging, retaining and managing exits/covenants not to compete
- Equipment maintenance warranties
- Attorney's fees disciplined and competitive approach to retaining firms and negotiating rates
- Cyber funding the SIR or a layer of risk on the liability side
- OCIP deductible in the captive controlling safety and standardizing coverage/limits
- Automobile coverage in response to hard market
- Integration of care strategic structuring of stop loss combine to mitigate volatility by creating a bigger pool to insure the risk
- Coordination and integration of health care delivery the lines of coverage of blurring, captive as way to best insure coordination of coverage to avoid gaps

## **The Changing Role of Captives**

## Evolution from Strictly a Risk Finance Solution to a Comprehensive Risk Management and Integration Tool

- Historically, captives largely have grown out of necessity
  - Captive formation trends largely track the commercial market volatility
- We are in an unprecedented soft market period where the commercial market still has substantial capacity despite recent years with significant loss event
- We are also in a period where health care delivery models are evolving rapidly, and the corresponding risks are evolving as well
  - More emphasis on integrated and coordinated care
  - Higher reliance on technology
  - Health care mergers and acquisitions continue

## Evolution from Strictly a Risk Finance Solution to a Comprehensive Risk Management and Integration Tool

- While captive still serve many of the safe risk finance benefits from a cost efficiency and control of risk/coverage term perspective, more clients are using them in a more proactive and strategic fashion
- For example:
  - Captives are more involved in enterprise risk
  - There is more of an emphasis on coordination of coverage and the thought process associated with owning/managing a captive has helped organizations better identify and manage their risks and coverages
  - They are sometimes used as an integration vehicle for strategic alliances or potential future acquisition targets
  - More/different parties have become more involved in captive meetings and discussions
    - Not just the finance or risk management teams

- With soft market, top reasons for having a captive insurance company have changed
  - Price vs. autonomy/control/ROI
- How do you fund your captive? Considerations for conservatism
- Captives as a driver of patient safety/risk mitigation initiatives:
  - Funding/grants for innovation
  - Opioids
  - Enterprise Risk Management program
  - Salaries of positions key to risk mitigation
  - Education and training of team members
  - Technology and data systems

#### IU Health's ERM Program arose from Captive Operations

- First captive formed in 2002; RRG formed in 2004
- Captive duties combined with purchasing of property/casualty insurance; running self-insured workers' compensation program; and management of HPL, PPL and GL liability claims
- By 2009, captives financially successfully and had diversified lines of coverage such that parent could make a retrospective premium credit call. Since 2009, Captive has returned \$71,850,604 to parent
- Captive has also provided grants to:
  - Hire an Employment Practices attorney
  - Fund creation of a Chief Risk Officer position
  - Provide online informed consent/patient education software
  - Finance new clinical risk management incident reporting system
  - Fund risk management education/CME discount for insured practitioners

#### Captive Funded CRO Position Lead to Creation of ERM Process

- CRO position was created with captive funding
  - Experiences in managing all lines of property and casualty insurance as well as captive gave tremendous insight into Parent's operations
  - Parent board requested creation of ERM program
    - Now ERM is integrated into Parent Operations in the following way:
      - Risk Owners are trained and embedded in the organization. They identify, evaluate and score "big picture" risks. Scoring is based on corporate metrics which align to strategic objectives
      - CRO and Executive Leadership team select Top Ten ERM risk from those scored and submitted
        - Top ERM risk receive priority of resources and time; informed decision making
      - CRO is responsible for working with Risk Owners on developing and executing mitigation plans



This document and any recommendations, analysis, or advice provided by Marsh (collectively, the "Marsh Analysis") are intended solely for the entity identified as the recipient herein ("you"). This document contains proprietary, confidential information of Marsh and may not be shared with any third party, including other insurance producers, without Marsh's prior written consent. Any statements concerning actuarial, tax, accounting, or legal matters are based solely on our experience as insurance brokers and risk consultants and are not to be relied upon as actuarial, accounting, tax, or legal advice, for which you should consult your own professional advisors. Any modeling, analytics, or projections are subject to inherent uncertainty, and the Marsh Analysis could be materially affected if any underlying assumptions, conditions, information, or factors are inaccurate or incomplete or should change. The information contained herein is based on sources we believe reliable, but we make no representation or warranty as to its accuracy. Marsh shall have no obligation to update the Marsh Analysis and shall have no liability to you or any other party with regard to the Marsh Analysis or to any services provided by a third party to you or Marsh. Marsh makes no representation or warranty concerning the application of policy wordings or the financial condition or solvency of insurers or reinsurers. Marsh makes no assurances regarding the availability, cost, or terms of insurance coverage. All decisions regarding the amount, type or terms of coverage shall be your ultimate responsibility. While Marsh may provide advice and recommendations, you must decide on the specific coverage that is appropriate for your particular circumstances and financial position. By accepting this report, you acknowledge and agree to the terms, conditions, and disclaimers set forth above.

Copyright © 2018 Marsh LLC. All rights reserved