Insurance and Legal Liability

Assessing the overall risk to the network and the network lead entity is important to explore early on in your network’s development. This worksheet will explore questions related to insurance policies your network currently has in place, requirements of contracts and passing those requirements on to network members. Helpful resources for you to review before you start on this worksheet include the Aging and Disability Business Institute’s [Contracting Toolkit](https://www.aginganddisabilitybusinessinstitute.org/adbi-resource/contracting-toolkit/), which helps prepare CBOs for contracting work by exploring the critical elements of CBO—health care contracts including [Contracting Dos and Don’ts](https://www.aginganddisabilitybusinessinstitute.org/wp-content/uploads/2020/06/6-1-ADBI-RG-Contracting.pdf), a [Lexicon of Contracting Terms](https://www.aginganddisabilitybusinessinstitute.org/wp-content/uploads/2020/06/6-1-ADBI-RG-Contracting-Terms.pdf), and much more.

**Questions to Consider:**

* What insurance policies does your network currently have and what are the policy limits? If your network currently has contracts with health care entities, what are the insurance requirements? Be as specific as possible.

|  |  |  |  |
| --- | --- | --- | --- |
| Type of Coverage | Yes | No | Limits |
| Professional liability |  |  |  |
| General liability |  |  |  |
| Directors and officers |  |  |  |
| Cyber |  |  |  |
| Crime |  |  |  |
| Terrorism |  |  |  |
| Worker’s Compensation |  |  |  |
| Automobile |  |  |  |
| Umbrella |  |  |  |

* Does the insurance coverage your network holds meet the requirements of its contracts?
* If your network has a subsidiary organization (e.g., an LLC), has your network discussed that entity with its insurance provider?
* Has your network compared its contract requirements with the requirements of its downstream service providers? How will your network ensure its downstream providers comply with these contract requirements?
* Does your network have business associate agreements in place with its downstream providers?
* When did your network conduct its most recent review of its agreements with downstream providers with an eye toward risk management?
* What credentialing processes does your network have for its members? How do these credentialing processes align with the requirements of your network’s health care partners?
* Does your network have a plan in place to address [antitrust concerns](https://www.aginganddisabilitybusinessinstitute.org/adbi-resource/antitrust-compliance-policy-statement/)?

**Questions to Think Through**

* Considering your responses to the questions on this worksheet, what are the two biggest challenges facing your network?
* What are the two steps your network needs to take immediately (within the next three months) to address its challenges?
* What are two steps your network needs to take over the next six to 12 months to move forward in its development?