

A Perfect Storm

2022 Mid-Year State of the Insurance Market

Insights for navigating turbulent times

Commercial Risk Employee Benefits Private Risk Management

INTRODUCTION

Labor shortages. Rising inflation. Persistent supply chain slowdowns. Catastrophic weather events. Not to mention a near-global war in Ukraine. Each one of these current phenomena would be a major disruptor on its own. But together, they are causing significant impacts on almost every segment of the economy for businesses, organizations, and individuals.

At the same time, insurers, which typically safeguard against financial losses and provide a layer of security in periods of uncertainty, are also experiencing challenges and shifting fundamentals. Social and economic inflation is also wreaking havoc on claims-related losses, insurance costs, and individual policyholders and is impacting companies across the board.

As a result, markets for Commercial Risk, Employee Benefits, and Private Risk Management are all experiencing sizable headwinds at this time. In fact, a myriad of business-altering trends are not only causing major challenges, but they are also reshaping the protection insurance carriers offer and limiting their capacity to underwrite certain risks. These trends have had the greatest impact on certain lines of coverage such as catastrophic property and cyber insurance, as well as geographic areas that have seen extensive, historic losses, which are only projected to get worse due to the mounting effects of climate change.

With so much instability on the horizon, how can businesses, organizations, and individuals protect what's important to them, weather the storm, and ensure best possible outcomes? And how can their business advisors truly help them through these challenging times? The key is to understand current market forces along with the risks each one represents – and plan appropriately.

In our 2022 Mid-Year State of the Insurance Market report, we will examine:

- Key trends in Commercial Risk, Employee Benefits, and Private Risk Management
- Significant challenges businesses, organizations, and individuals face right now
- Potential opportunities to mitigate impact, maintain stability, and protect profitability
- Important ways advisors can help both business leaders and individuals move ahead in these challenging times

COMMERCIAL RISK

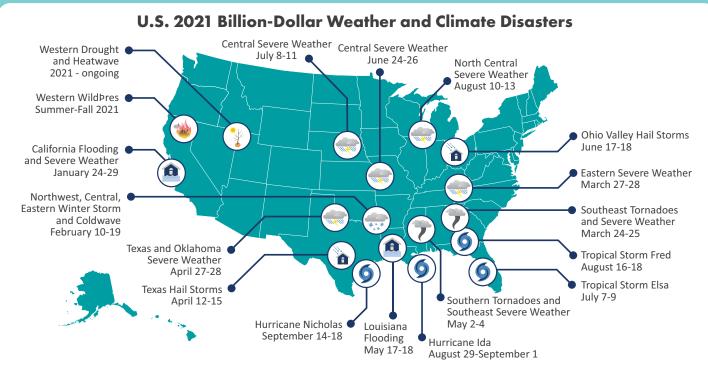
EXECUTIVE SUMMARY

At this time, a hard market persists in commercial risk insurance, and it doesn't show signs of softening. Contributing factors include:

Weather-related disasters

Data shows that storms, floods, and other weather events caused \$148 billion in insured losses in just 2021 alone. These losses, combined with social and economic inflation and supply chain issues, are not only sending premium rates sky high for policyholders, but they are also making it difficult for insurers to determine accurate replacement costs in the event of a loss.

In 2021, each one of just 20 storms caused \$1+ billion of damage. The total cost from these events totaled \$148 billion and contributed to a five-year (2017-2021) total of \$764 billion for an average cost of \$153 billion per year for this period. *Source: https://www.ncei.noaa.gov/access/billions/*



This map denotes the approximate location for each of the 18 separate billion-dollar weather and climate disasters that impacted the United States, January-September 2021.

The risk of cyberattacks

The threat of cyberattacks remains heightened as more actors find creative and malicious ways to infiltrate computer systems, dupe users, steal data and money, and cause untold damage and disruption. Ransomware incidences, in particular, have shot up more than 150 percent since last year and damages are expected to exceed **\$265 billion** by 2031. According to **Harvard Business Journal**, "Insurers are taking bigger losses, seeing tighter margins, and relying more on reinsurers to cover their own risk."

Social inflation

Growing public distrust of companies, increasing litigation costs, and eroding tort reform legislation are all contributing to a surge in lawsuits against businesses, claims filed against insurance companies, and exorbitant amounts awarded to plaintiffs. Because the level of uncertainty and amounts associated with these trends is difficult to predict and quantify, the overall effect is increasing costs - for everyone.

Insurance lines currently most affected by social inflation:



Supply chain issues

What originated as an after effect of the pandemic has only worsened due to labor shortages. Slowdowns in global supply chains have led to lower inventories for everything from armchairs to zucchinis, driving up prices and limiting revenue for many businesses.



These are just a few of the key highlights in our report for Commercial Risk. Read on for a closer look at the current trends, challenges, and opportunities for stakeholders in this market.

STATE OF THE COMMERCIAL INSURANCE MARKET

While many insurers adapted processes and practices over the past few years to survive and better position their post-pandemic operations, a deluge of natural disasters, soaring inflation (both economic and social), historically low interest rates, supply chain slowdowns, and skyrocketing incidences of cybercrime have caused carriers to retrench, solidifying a hard market of higher premiums, lower capacity, more stringent underwriting, and less competition. The impact? Lowered expectations for organic growth.

Although commercial carriers have grown by rate and exposure, they have not grown by the actual number of policyholders they insure. Growth has also been stymied by the triple pressure of rising losses, increasing expenses, and lower earnings, which only grew at **2.6 percent** the first nine months of 2021.

Rising Tide: Expenses, Losses

- According to McKinsey's Global Insurance Report 2022, from 2014-2019 expense ratios did not improve (and even rose) for more than 50% of global P&C carriers.
- The frequency of severe (\$15 million or greater) liability losses is expected to continue to grow as a result of social inflation.





PROPERTY

Weather-Related Losses

With increasing global warming, higher temperatures, and drier conditions, the possibility for more extreme weather events like wildfires, droughts, floods, and more intense storms also rises - and so does the potential damage.

The 2021 hurricane season ranked as the third most active year in history. Total damages are estimated to cost more than \$67 billion. Hurricane Ida alone caused more than \$60 billion in damages and was linked to 26 deaths in Louisiana and 50 deaths in the Northeast.

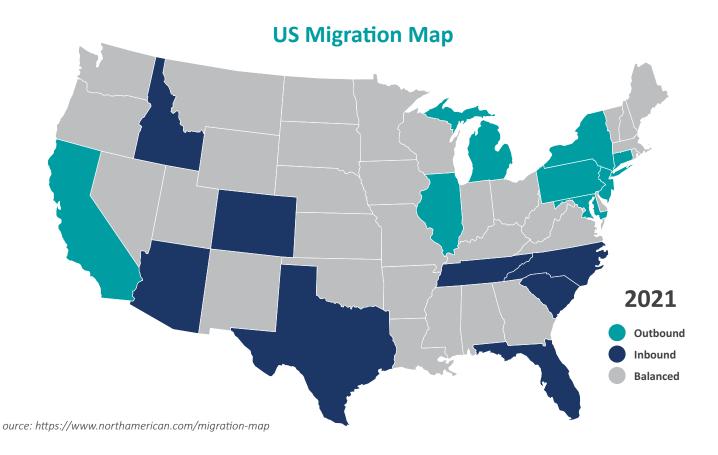
The outlook for the 2022 hurricane season doesn't appear to show much promise for relief. Weather experts at Colorado State University recently noted an above-average chance for activity.

Outlook for 2022 Hurricane Season: Unsettled 40% above average chance for activity



Source: Colorado State University

Flooding from storms also costs billions of dollars every year. According to research conducted by First Street Foundation, 2022 predictions peg structural damage due to flooding at \$13.5 billion. To make matters worse, flooding no longer seems isolated to coastal areas nor present a single threat. As Hurricane Ida proved, just one storm can extend its course, change conditions, and reverberate across different regions, leaving a path of destruction from the Gulf Coast to the northeast, even as it gets downgraded in intensity. Further complicating matters is the great migration of people moving to warmer regions, particularly Florida. As an aftermath of the lockdowns mandated during the COVID-19 pandemic, people are moving to lower population densities as they retire, make lifestyle shifts, or simply choose to live closer to family members. Unfortunately, the largest influxes are occurring precisely in areas where the threat of extreme weather events and incidences for damaging storms is greatest, putting more people and property in harm's way and ratcheting up the potential for greater losses.



These colliding trends are not only widening exposure, but also making it more difficult for insurers to accurately price coverage and assess risk. As a result, many are now:

- Increasing premium rates by an average of 15 percent this takes into account non-catastrophic exposed property. Coastal accounts with losses or undesirable construction characteristics are seeing higher rate swings.
- **2. Decreasing limits,** increasing deductibles, and setting more stringent underwriting guidelines, making it harder for businesses to qualify for coverage or even renew existing policies.
- **3. Finding current business models inadequate** for predicting rapidly rising prices and determining realistic replacement cost values on new policies.
- 4. Exiting certain markets and geographies to further limit exposure.

What's Going on with the National Flood Insurance Program?

It was supposed to be fairer, easier to understand, and more reflective of a property's true flood risk. But the new Risk Rating 2.0 adopted by FEMA to overhaul the way premium prices are calculated for flood insurance coverage has led to further disruption in the industry. Instead of issuing more equitable rates in areas that may have been underpaying where there was a greater exposure to flooding risk, rates have actually skyrocketed for those with little to no risk at all. And some with a greater chance of flooding have received a reduction in premium, causing even more confusion for policyholders. According to PropertyCasualty 360, there are four factors contributing to the inconsistencies:

A new artificial rate cap has been implemented so that no matter the actual risk exposure, of an NFIP policyholder's property, they will never pay more than \$12,125 per year for their policy, which still creates incentive to develop housing in flood-prone areas.

Rates do not align with risk. No matter how many losses a property has experienced over the past two decades, the structure is still rated as though it has never had a loss.

Discounts unrelated to specific risk will continue regardless of an individual property's risk profile.

No refunds after an NFIP policy has been in force for more than 30 days, making it almost impossible for advisors to help clients replace it with one from a private insurance company that may offer better coverage or lower rates.

A Tale of Two Types of Industries

CHALLENGED:

Habitational Construction Public Entities (ex. utilities, transit authorities, municipal buildings)



NOT CHALLENDGED:

Financial Institutions Technology

Opportunity

Engage with a broker proactively to review submissions, as well as property modeling results, together to ensure construction characteristics are accurate and all factors that enhance the desirability of a risk are included. It is also prudent to work with lenders prior to the renewal process in the event that a potential renewal structure is acceptable (example – a loss limit to reduce overall costs when a lenders requirement is 100% replacement cost).

Persistent Supply Chain Slowdowns

Rising import costs, material and product shortages, shipping bottlenecks, and labor challenges are some of the major factors impacting the supply chain. Slowdowns and delays are drastically decreasing the availability of raw materials needed for many businesses to produce goods and services, and the lack of supplies lowers the ability to meet demand and fill work orders. Industry research also sheds light on this continuing trend. According to the Federal Emergency Management Agency (FEMA), a full 25 percent of businesses do not reopen after a disaster strikes.

The supply chain crisis is unlikely to disappear anytime soon. As a result, businesses across industries continue to see lower revenues and cash flows, forcing some to skinny workforces, pass on projects, and/or close their doors, which only makes the problem worse.

Addressing risks associated with the supply chain crisis will be important for businesses moving forward. Cash management, in particular, can help. By reviewing processes and costs throughout the operation, business leaders can identify unnecessary expenses, production inefficiencies, and material waste that can be cut to optimize cash flow. In addition, managing the risk of suppliers will also be key to operating effectively. Understanding the ability of major suppliers to meet requirements and get visibility into inventories and fulfillment will not only help businesses develop plans to help secure alternative vendors, but also help prioritize high-demand supplies so the most important products are not out of stock.

Hope on the Horizon?

Companies like United Parcel Service (UPS) are deploying innovative solutions, such as RFID tags to ramp up productivity, effectively manage labor shortages, and eliminate more than 20 million manual scans of packages daily to speed deliveries.

Opportunity

Business leaders should partner with a broker to take a transparent look at their exposure to supply chain risk, take steps to mitgate weaknesses in an unpredictable market, and offset the negatve effects of the ongoing situaton. An experienced broker should help your company build a risk management strategy that leverages the most appropriate insurance coverages and optons to help businesses withstand further supply chain disruptons—and ensure a best possible outcome in the future.

CYBER RISK

CYBER RISK

Transformational Claims

As organizations across industries leverage more technology solutions to improve efficiency, work remotely, conduct business online, and facilitate virtual transactions worldwide, this gives malicious actors and organizations more opportunities to take advantage of, identify, and exploit virtual vulnerabilities. Almost overnight, the fundamentals of this business line have turned on their head. Research shows:

- Data breaches exposed 36 billion records in the first half of 2020
- As of 2020, the average cost of a data breach is \$3.86 million
- On average, ransomware attacks cost businesses \$133,000
- More than 77% of organizations do not have incident response plans in place.

Because the severity and frequency of claims continues to rise year over year, cyber insurers are taking a close look at how this trend is impacting their profitability. Recent losses, threat volatility, and lack of historical data create layers of unpredictability that make cyber insurers wary of providing broad coverage. They are also offloading a greater percentage of risk to reinsurers to stay in market.

As a result, premiums are up, deductibles are up, and capacity is down. The requirements to get and even renew existing policies are also increasingly numerous and stringent, going beyond a surface-level assessment of IT systems and firewalls. For example, carriers want to see longer passwords for system access, two-factor authentication for all employees and devices, documentation of incident response plans, and ongoing cybersecurity trainings for all staff members.

Carriers are decreasing their overall capacity, particularly in sectors that have been hardest hit by cybercrime, namely:

- education
- public entity/government
- healthcare
- construction and manufacturing

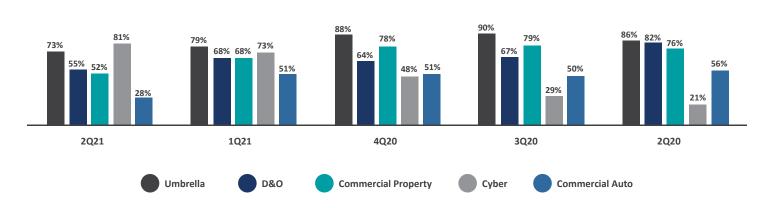
Cyber Premiums: 34.3% increase

Highest Premium Increase Out of All Lines



Source: The Council of Insurance Agents & Brokers' Commercial Property/Casualty Market Report Q2 2021 (The data provided above contemplates a significant amount of smaller enterprises and the rate environment is more stable for more Mainstreet businesses. We are seeing more market volatility in the middle market space. Each insured should understand the unique nature of their risk profile and rely upon more individual expectations setting by your Advisor firm.)

Underwriting: Drastic Decrease in Capacity



Respondents Reporting a Decrease in Underwriting Capacity

Source: https://www.insurancebusinessmag.com/us/news/cyber/cyber-insurers-hiking-premiums-lowering-coverage-limits--report-312738.asp

Keep cybersecurity practices up to date.

Currently, the Cybersecurity & Infrastructure Security Agency (CISA) suggests business leaders adopt a heightened cybersecurity posture using these best practices:

- Mandate the use of multi-factor authentication on systems to make it harder for attackers to get onto your system.
- **Deploy** modern security tools on computers and devices to continuously look for and mitigate threats.
- **Check** with cybersecurity professionals to make sure that systems are patched and protected against all known vulnerabilities. Change passwords across networks so that previously stolen credentials are useless to malicious actors.
- Back up data and ensure that offline backups are beyond the reach of hackers.
- Run emergency drills so that you're prepared to respond quickly to minimize the impact of any attack.
- Encrypt data so it cannot be used if it is stolen.
- Educate employees on common tactics that attackers will use over email or through websites. Encourage them to report if computers or phones experience crashes or operate very slowly.
- Assess the cybersecurity posture of third-party vendors with access to critical systems and sensitive data.

Opportunity

There is no instruction manual to navigate the complexities of the cyber insurance space from point A to Z, but there are deeply experienced insurance professionals who navigate them day in and out for their clients. You should align with a broker who understands how you can develop an offensive strategy against malicious actors due to the volatile current threat landscape. Our team has a pulse on underwriters' ever-evolving expectations for cyber security programs and maintains trusted relationships with insurers.

We help underwriters understand your cyber risk in its totality, which better positions your company's risk profile and makes insurers more likely to take on your risk. The ability to do this is especially critical for those with a loss history who will find it even more difficult to find coverage. Because cyber threats, the insurer market, and coverages change constantly, we continually provide in-depth coverage comparisons, proposals, and webinars that help educate clients about how to help protect critical digital assets and mitigate losses.

EXECUTIVE RISK

EMPLOYMENT PRACTICES LIABILITY

Rates for Employment Practices Liability (EPL) are slightly improving at this time. **But potential litigation still** remains likely due to trends in this space, including, but not limited to, the following:

The growing number of controversial return-to-work policies that require employees to get vaccinated.

Continuing social change movements, like Black Lives Matter, and Me Too, along with greater efforts for diversity, equity and inclusion (DEI) for businesses. Each of these continue to challenge the market with new employment-related litigation. In turn, companies should expect insurers to ask for details about their practices and programs when they renew or apply for coverage.

A push for pay equity in many states, which now requires disclosure of pay ranges for workers and applicants. Lack of transparency or compliance could set off a slew of lawsuits.

An uptick in disability accommodation requests from employees and potential new hires. This should serve as a signal to HR and EEOC teams to remain up-to-date about how to best comply with antidiscrimination and ADA rules and regulations to avoid any conflict.

As a result of these trends, underwriters will likely look for ways to relieve pressure on profit margins and limit losses.

DIRECTORS & OFFICERS INSURANCE

A LOOK AT WHERE WE STAND IN 2022

After several years of hard market conditions, we have begun to see a modest softening in excess Directors & Officers (D&O) liability rates through Q1 2022, likely driven via transitioning supply/demand dynamics.

2021 proved to be a record year for initial public offerings, with over 1,000 new listings (including 613 SPAC IPOs). Q1 2021 was particularly noteworthy, with nearly 400 business listing shares on public exchanges, raising \$140 billion in capital. This increased activity on the IPO front created significant additional demand on a market already dealing with a constrained supply.

Consequently, over the past 12-18 months, a large amount of new capacity has entered the D&O marketplace, attracted by the elevated premium rates and retentions prevalent across the space. More specifically, new insurers have primarily entered the excess D&O market, adding substantial new capacity to the marketplace, and helping to stabilize rates for clients.

Q1 2022 stood in stark contrast to that same period in 2021, with only 77 new companies entering the public markets (53 being SPACs). While it is likely the IPO market will thaw through the middle of the year, to date the capacity available in the market appears to outweigh current demand. We are starting to see this shift translate into a more favorable environment for clients, as carriers increasingly focus on renewing existing books of business. Additionally, we have noted a change in insurer underwriting appetite, showing flexibility to broaden contract language around previously restrictive terms. Finally, we posit that the increase in interest rate levels should serve to buttress insurer investment portfolios, allowing for even greater flexibility across underwriting.

Although the macroeconomic outlook remains somewhat unstable (global conflict, inflation, etc.), we remain cautiously optimistic about the D&O rate environment through the remainder of 2022. Absent any significant exposure changes, we anticipate stable renewal premiums for most clients through the remainder of the year. Furthermore, we believe that current D&O premium levels, particularly on the excess layers, should benefit from new market capacity, and may ultimately serve to drive material savings for many clients.

Our Renewal Recommendations:

START EARLY:

The renewal process should begin at least 90-120 days prior to the renewal date, with a strategy discussion. Time is a critical tool in the renewal process, allowing for a broad marketing effort to ensure best-in-class pricing and terms.

RUN A COMPETITIVE MARKETING PROCESS:

We recommend a broad marketing process for most clients in 2022. Host an underwriting call for insurers to hear the company story directly from the executive team. The call will expose the firm to new D&O market entrants, while also serving to drive competition with incumbent insurance carriers.

REVIEW POLICY LANGUAGE:

Policy terms and conditions should be reviewed at each renewal. Carriers are increasingly open to negotiate material coverage enhancements in the current marketplace.

GENERAL LIABILITY

Pervasive Social Unrest and Inflation

Social inflation is straining the market. Increasing litigation, nuclear verdicts, and moves to roll back tort reform are the specific trends driving change.

According to Verisk, which compiles insurance data nationwide:

- The average size of jury awards rose almost 1000 percent from 2010 to 2018 to about \$22 million.
- There was a 300 percent increase in verdicts of \$20+ million in 2019 alone compared to the average from 2001 to 2010.

Social unrest is also impacting losses. For example, the World Economic Forum estimates current insurance losses from the George Floyd protests and social unrest from 2020 at \$2 billion. With little and sporadic historical data, these types of activities are difficult for insurance carriers to quantify with accurate pricing models and hamper their ability to set appropriate reserves.

If the likeliest source of a third-party claim against a business is a member of the public, increases due to social inflation costs, such as habitational risks, retail, and hospitality, are more likely.

"The frequency of severe (\$15 million or greater) liability losses is expected to continue to grow as a result of social inflation, which is the phenomenon of increasing claims costs due to changing societal factors, such as legal advertising, litigation financing, the appeal of class action lawsuits, and growing public distrust of corporations."

Source: Jdsupra.com

Opportunity

Deeper evaluation of loss mitigation practices, as well as ensuring a nimble and responsive claims outcome management process, can help differentiate your business. Business leaders should work with a broker to leverage their relationships with insurers that understand different business segments and potential exposure to risk and also remain committed to offering general liability coverage at reasonable rates over the long-term.

At this point in time, many insurers that previously retreated from this market to shield themselves from the rising incidences of nuclear verdicts are beginning to re-emerge.

Several encouraging trends are emerging:

- Premium rates are starting to flatten, particularly for those companies that own fleets with more favorable risk profiles and fewer losses. The trucking industry, however, is still experiencing a rising cost of business due to escalating insurance costs.
- Increased deductibles, self-insured retention and other alternatives are expanding previously limited opportunities for riskier fleets. This means they can gain the insurance coverage they need to operate, albeit at an increase.
- Insurer appetite is currently geared around companies that have both a laser-like focus on safety and a heavy use of technology and telematics to monitor vehicles on the road.
- Legalization of both medical and recreational use of cannabis as well as the ubiquitous use of cell phones have contributed to more distracted driving crashes—and losses for insurance companies. A recent study found about 50 percent of all settlements exceeded \$500,000 and average settlement payment was \$629,375.

Looking ahead, industry sources predict the overall commercial auto insurance market will continue to rise.



UMBRELLA

While other markets show some signs of softening, the commercial umbrella insurance market remains firm due to several persistent trends:

- **The keyword "more"** More motor vehicles on the road driven by more distracted drivers who are causing more accidents the result? Yes, more claims by companies to cover the damages and injuries.
- **Historic rise in inflation** is drastically elevating the cost to rebuild, repair, and replace property, making it even more challenging to price coverage appropriately.
- Limited capacity to underwrite business profitably continues given the unpredictable nature of the current risk environment and the ever-increasing size of potential losses.
- **Social inflation** stemming from increasing numbers of lawsuits, legal fees, and massive jury verdicts continues to drive up claim costs for insurers and, consequently, premiums for businesses.

As a result, greater use of effective risk mitigation practices and programs are likely to help this segment move forward.



EXCESS & SURPLUS MARKET

Escalating Catastrophic Losses

The E&S market is growing due to admitted carriers pulling back. E&S carriers/Managing General Agents are more agile than their admitted counterparts but still are straining under profitability pressures. This has led to serious pullback and reduction in the total number of viable markets for any single risk, as well as the need to build limits with multiple carriers on both the layered property and excess liability side. Where a carrier would previously offer \$10M, they may now only be able to offer \$1M (due to general guidelines changing or reinsurance treaty changes). This leads to further inflated rates, as most E&S carriers have minimum premiums. For example, \$10M last year could have been \$100K premium, this year it is \$100K premium for the first \$2.5M and \$25K-\$50K minimum for each additional \$1M of limit.

As a result, retrenchment is occurring. E&S carriers are likely to adjust their risk appetites, reduce their books of business, and not surprisingly, increase deductibles and rates especially for business property in catastrophic (cat)-prone coastal areas.

The 2022 E&S property hard market	
Expectations	Drivers
 Rate increases north of 20% will be widespread Higher deductibles Tighter terms and conditions Strong demand as submission flow accelerates Capacity shortages in some tier 1 and tier 2 zones Capacity crunch in some loss struck areas (commercial/residential/hab) Carrier enrtrenchment from MGAs and other parts of portfolio Some incumbents that have been conservative will seek growth MGAs may see top line growth on reduced capacity as pricing surges 	 Significantly higher reinsurance costs for property cat Less availability of lower layer/aggregate reinsurance coverage Portfolio repositioning by carriers to manage PMLs Greater focus on insurance-to value Concern over loss creep/inflationary pressures not factored into models Surge of business through the wholesale channel as admitted market moves away from cat Potential for higher capital charges against cat for carriers as ratings agencies respond Boardroom level concern about climate change at carriers and how to manage volatility of earnings

Source:https://www.theinsurer.com/news/us-cat-focused-mgas-seek-new-capacity-as-carriers-retrench/19542.article



CLOSING

The insurance market is in a state of flux and will likely continue to face challenges over the short term. Fortunately, insurance brokers and advisors are prepared to help both businesses and individuals move ahead by sharing practical insights that can steady the way forward.

KEY TAKEAWAYS:

ALIGN WITH TRUSTED PARTNERS

With so much disruption and uncertainty, now is the time to align yourself with experienced broker partners who can help you navigate the everchanging risk and insurance landscape. Your trusted advisor should not only keep abreast of the current state of the market but also build and foster existing relationships with carriers and other partners to ensure your decisions are based on sound knowledge and guidance. Finding the best strategic partner who will take the time to understand and guide you through your unique situations is the the key to developing the most effective risk management strategy for you, your family, or your business.

KEEP A REALISTIC MARKET VIEW

With so many sectors of the economy in a state of unrest, it's important to only trust reputable sources of information and understand changing conditions so you can make the most informed decisions about possible impacts on your specific situation and how to respond appropriately.

COMMUNICATE. COMMUNICATE. COMMUNICATE

We always recommend keeping the lines of communication open with your insurance brokers and advisors, but now, it is more important than ever. Ask questions about your unique situations pertaining to the current market, update your broker about any changes in your business or personal life immediately, and strengthen the relationship with your broker. Your support team should be readily available to help, proactively offering guidance based on the current market, and helping you plan for a successful future – regardless of the current hard market.

As we continue to work through this unique and unpredictable time, we remain focused on exploring and developing creative and innovative ways to effectively address current challenges for our clients and future clients.

DOWNLOAD THE FULL REPORT HERE, INCLUDING BENEFITS & PRIVATE RISK

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