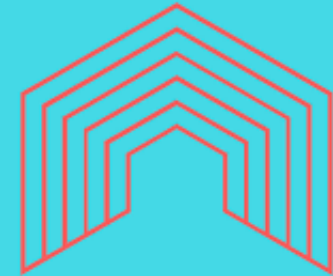


Definitions Committee



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Standard Language Elements in Agreements



Committee Presenter

- Dale Sailer
 - Regional Manager at BELFOR Property Restoration

Definitions
Committee

Standard Language Elements in Agreements

What this is:

- Standardizing the **layout** of requirements to allow contractors to improve compliance, execute more efficiently, and deliver better service.

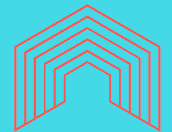
What this is NOT:

- Standardizing the requirements themselves

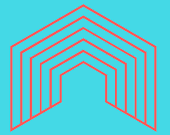
| STANDARD LANGUAGE ELEMENTS FOR PRACTICAL APPLICATION OF PROGRAM AGREEMENTS | |
|---|---|
| Eligibility Requirements <ul style="list-style-type: none">• For joining TPA overall<ul style="list-style-type: none">◦ Program Qualifications◦ Program Fee Schedule◦ Application Documents) Requirements◦ Credentials (Recertification, Licensing, Insurance) Requirements• For participating in a specific insurer's program<ul style="list-style-type: none">◦ Business Hours / After Hours | Documentation Requirements <ul style="list-style-type: none">• List all documentation that must be created and would be subject to review<ul style="list-style-type: none">◦ Work Authorization◦ Direction to Pay◦ General◦ Structure Type◦ Mitigation◦ Emergency Services, not related to Mitigation (Should this be broken down?)◦ Reconstruction◦ Moisture Reporting◦ Mold Remediation◦ Contents◦ Roofing and Siding / Roofing and Siding Evaluation◦ Flooring / Flooring Evaluation◦ Other |
| Conditions of Assignment Acceptance (TPA Manager/Dispatcher driven) <ul style="list-style-type: none">• List those things the contractor must consider when deciding to accept a job and perhaps how to route it internally• Amount and treatment of deductible should be addressed here | Production Requirements (Technician/production staff driven) <ul style="list-style-type: none">• List all those requirements specific to executing the actual physical work<ul style="list-style-type: none">◦ General◦ Subcontractor (usage)◦ Structure Type◦ Mitigation◦ Emergency Services, not related to Mitigation◦ Reconstruction / Materials?◦ Mold Remediation◦ Contents◦ Roofing and Siding◦ Flooring◦ Other |
| Time Standards <ul style="list-style-type: none">• Identify and list all time metrics/expectations to comply with<ul style="list-style-type: none">◦ Initial Acceptance of Claim◦ Initial (Customer) Contact for Emergency or Standard Claims◦ Initial On-site for Emergency or Standard Claims◦ Contact Insurer Representative◦ Initial Estimate / Documents Submission◦ Complete Estimate Upload◦ Claim Process, overall Assignment to Completion◦ Duration of Time from Assignment to Closed◦ Billing or Correction Timing Requirements◦ Warranty◦ Other Contact Time or Reporting Requirements | Communications Requirements <ul style="list-style-type: none">• List where, to whom, in what manner, and frequency of required communications |
| Estimating Requirements (Estimator driven) <ul style="list-style-type: none">• List all those requirements specific to the estimate writing/pricing/bill creation process<ul style="list-style-type: none">◦ General◦ Structure Type◦ Diagram◦ Mitigation◦ Emergency Services, not related to Mitigation◦ Reconstruction / Materials?◦ Mold Remediation◦ Contents◦ Roofing and Siding◦ Flooring◦ Subcontractor bids◦ Business Hours / After Hours◦ Other | Payment Process <ul style="list-style-type: none">• Identify the process by which the contractor is going to be paid for their services (Billing, Payments)<ul style="list-style-type: none">◦ Direction to Pay |
| | Other |

Problem

- TPA program documents are unique relative to layout and compliance components.
- Insurers have unique requirements relative to their contractor programs.
- When a TPA takes on a new insurer client, they must often adopt the insurer's document layout rather than utilize their own.
- With at least 9 TPAs and several insurers operating their own programs – as well as many commercial platforms - a restorer must often manage a large number of uniquely-formatted program documents, each containing variable compliance components.
- **The lack of uniformity in these documents – no standard layout – causes inefficiency in contractors' operations.**
- Inefficiency leads to errors and higher costs, each of which are born by restorers AND insurers, and therefore our joint end customers.



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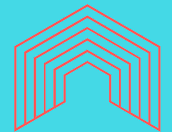


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Problem

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- The lack of uniformity in these documents – no standard layout – causes inefficiency in contractors' operations.
- Inefficiency leads to errors and higher costs, each of which are born by restorers AND insurers, and therefore our joint end customers.
- There has to be a better way...



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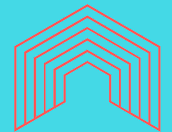
Some Logical Examples

Job Applications

- Any company of any size requires applicants to fill out a job application. When they do, they don't say to the applicant, "here are six versions of our application, fill out the one that feels best to you." They make everyone fill out the same one.
- Why? Because it's efficient. It allows evaluators to quickly see differences between candidates. Hiring managers shouldn't have to work hard to decipher where pertinent information is.

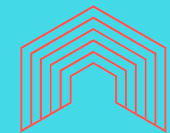


The image shows a sample job application form titled "Employment Application". The form includes fields for "COMPANY OR EMPLOYER NAME", "YOUR NAME" (with sub-fields for "Last" and "First"), and "ADDRESS". It also contains several checkboxes and questions, such as "ARE YOU LEGALLY ELIGIBLE TO WORK IN THIS COUNTRY?", "I AM SEEKING A PERMANENT POSITION", "IF NECESSARY FOR THIS POSITION, I AM WILLING TO WORK OVERTIME", "I AM ABLE TO PERFORM THE ESSENTIAL FUNCTIONS OF THIS POSITION WITH OR WITHOUT ACCOMMODATIONS?", and "HOW MANY DAYS AFTER BEING NOTIFIED CAN YOU OVER". The form is partially obscured by a blue vertical bar on the right side of the slide.



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Some Logical Examples



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Certificates of Insurance

- All insurance carriers, regardless of size, pricing strategy, distribution channel or geography market, produce Certificates of Insurance in a standardized format.
- This allows those reviewing them to quickly, efficiently and accurately to find the specific information they need.

ACORD CERTIFICATE OF PROPERTY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

If this certificate is being prepared for a party who has an insurable interest in the property, do not use this form. Use ACORD 27 or ACORD 28.

PRODUCER: _____

INSURED: _____

COVERAGES: _____

CERTIFICATE NUMBER: _____

REVISION NUMBER: _____

| LINE | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YYYY) | POLICY EXPIRATION DATE (MM/DD/YYYY) | COVERED PROPERTY | LIMITS |
|------|---------------------|----------------|------------------------------------|-------------------------------------|-------------------|--------|
| | PROPERTY | | | | BUILDING | \$ |
| | CAUSES OF LOSS | | | | PERSONAL PROPERTY | \$ |
| | BASIC | | | | BUSINESS INCOME | \$ |
| | BISSD | | | | EXTRA EXPENSE | \$ |
| | SPECIAL | | | | RENTAL VALUE | \$ |
| | EARTHQUAKE | | | | BLANKET BUILDING | \$ |
| | WIND | | | | BLANKET FURNITURE | \$ |
| | FLOOD | | | | BLANKET BLDG & FF | \$ |
| | ALIEN INSURANCE | | | | | \$ |
| | CAUSES OF LOSS | TYPE OF POLICY | | | | \$ |
| | NAMED PERILS | POLICY NUMBER | | | | \$ |
| | CRIME | | | | | \$ |
| | TYPE OF POLICY | | | | | \$ |
| | BOILER & MACHINERY | | | | | \$ |
| | EQUIPMENT BREAKDOWN | | | | | \$ |

SPECIAL CONDITIONS / OTHER COVERAGES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER: _____

CANCELLATION: _____

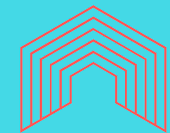
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE: _____

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ACORD 24 (2009/09) Clear All

Some Logical Examples



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Example – Safety Data Sheets

- Every product is different.
- It is critical that everyone involved with the product knows everything about it.
- Information about the product should be able to be found quickly because time is often of the essence.
- A mistake relative to the product can have materially adverse consequences.

MATERIAL SAFETY DATA SHEET – 9 Sections

SECTION 1 – PRODUCT INFORMATION

Product Identifier: SHEETROCK® (optional)

Product Use: _____

Manufacturer's Name: _____ Supplier's Name: _____

Street Address: _____ Street Address: _____

City: _____ Province: _____ City: _____ Province: _____

Postal Code: _____ Emergency Telephone: _____

SECTION 2 – HAZARDOUS INGREDIENTS

| Hazardous Ingredients, Apparent | % | C |
|---------------------------------|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |

SECTION 3 – PHYSICAL DATA

Physical State: _____ Other and Appearance: _____

Specific Gravity: _____ Vapor Density (air = 1): _____

Boiling Point (°C): _____ Freezing Point (°C): _____

SECTION 4 – FIRE AND EXPLOSION DATA

Flammability: Yes No F, see _____

Means of Extinction: _____

Flashpoint (°C) (Method): _____ Upper Flammability Limit: _____

Autoignition Temperature (°C): _____ Explosion Data: _____

Hazardous Combustion Products: _____

SECTION 5 – REACTIVITY DATA

Chemical Stability: Yes No F, see _____

Incompatibility with Other Substances: Yes No F, see _____

Reacts, and under what conditions? _____

Hazardous Decomposition Products: _____

57M2 (Rev. 06) SAMPLE FORMAT PROVIDED BY THE WORKER

MATERIAL SAFETY DATA SHEET MSDS # 41-600-000E Page 1 of 8

SHEETROCK® Brand Lay-In Ceiling Tile CimaPlus™, Clean Room™

CGC Inc. Product Safety 1 (800) 507-8899
350 Burnhambridge Rd. W., 5th Floor
Mississauga, Ontario L5B 1J7
(905) 803-9800 Fax (905) 803-9888
A Subsidiary of USG Corporation

Product Safety 1 (800) 507-8899
www.usg.com
Revision Date: October 9, 2009
Version: 4

**SECTION 1
CHEMICAL PRODUCT AND IDENTIFICATION**

PRODUCT: SHEETROCK® Brand Lay-In Ceiling Tile CimaPlus™, Clean Room™
SYNONYM: Gypsum ceiling panels. Ceiling panels and tiles are products considered not to be dangerous chemicals or preparations.

**SECTION 2
COMPOSITION, INFORMATION ON INGREDIENTS**

| MATERIAL | WT% | TLV (mg/m ³) | PEL (mg/m ³) | CAS NUMBER |
|--|-----|--------------------------|--------------------------|------------|
| Calcium Sulfate Dihydrate | >90 | 10 | 10 (TSP/R) | 1332-58-7 |
| Cellulose | <10 | 10 | 10 (TSP/R) | 9005-26-6 |
| Starch | <3 | 10 | 10 (TSP/R) | 9005-25-6 |
| Crystalline Silica (quartz) ⁽¹⁾ | <1 | 0.05 (R) | 0.1 (TSP) | 14808-60-7 |
| May Contain: | | | | |
| Fibrous Glass (Continuous Filament) | <1 | 1 (R)(T) | (NE) | 65977-17-3 |
| Polystyrene Butadiene | <1 | (NE) | (NE) | 7773-66-6 |
| Gypsum | <1 | 10 (MSD) | 10 (TSP/R) | 96-81-5 |
| Aluminum F (Aluminum and compounds) | <2 | (NE) | (NE) | 24837-78-8 |

(T) – Total (R) – Respirable (NE) – Not Established
Respirable crystalline silica (RSC, Group 1 carcinogen, 10T); known human carcinogen. The weight percent for silica represents total quartz and not the respirable fraction. The concentration of respirable crystalline silica measured in bulk samples of USG gypsum was less than 0.1 wt %.

This weight percent for fibrous glass (continuous filament) represents total fibrous glass and not the respirable fraction. This product is a manufactured article and therefore exempt from the requirements of Canada's WHMIS.

FDAs Food and Drug Administration (CFR Title 21, v.3, sec 181.1235) – Calcium Sulfate is Generally Recognized as Safe (GRAS).

All ingredients of this product are included in the U.S. Environmental Protection Agency's Toxic Substances Control Act (TSCA) Chemical Substance Inventory. All components of this product are included in the Canadian Domestic Substances List (DSL).

**SECTION 3
HAZARD IDENTIFICATION**

INFORMATION FOR HANDLING AND IDENTIFICATION OF CHEMICAL HAZARDS

NFPA Ratings: Health: 0 Eye: 0 Reactivity: 0
Physical Hazard: 3
Hazardous: 3

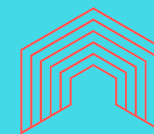
HMS Ratings: Health: 0 Eye: 0 Reactivity: 0
Physical Hazard: 3
Hazardous: 3

Preventative Protection: Use eye protection. Use gloves and NIOSH/MSHA approved respiratory protection when required.
*Respirable crystalline silica can cause lung disease and/or cancer.

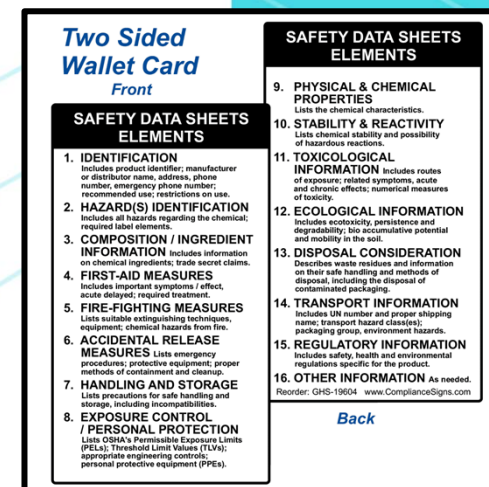
Some Logical Examples

SDS Standardized Format Categories

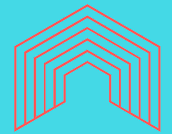
- | | |
|---|---------------------------------------|
| 1. Chemical Product and Company Identification | 9. Protection |
| 2. Hazards Identification/Emergency Overview | 10. Physical and Chemical Properties |
| 3. Composition/Information on Hazardous Ingredients | 11. Chemical Stability and Reactivity |
| 4. First Aid Measures | 12. Toxicological Information |
| 5. Fire Fighting Measures | 13. Ecological Information |
| 6. Accidental Release Measures | 14. Disposal Considerations |
| 7. Handling and Storage | 15. Transport Information |
| 8. Exposure Controls/Personal | 16. Regulatory Information |
| | 17. Other Information |



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Given the apparent benefits of standardized formats, why couldn't we treat Program Documents like SDS sheets?



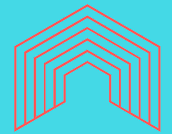
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Definitions
Committee

Example – Safety Data Sheets

- Every product is different.
- It is critical that everyone involved with the product knows everything about it.
- Information about the product should be able to be found quickly because time is often of the essence.
- A mistake relative to the product can have materially adverse consequences.

Definitions
Committee

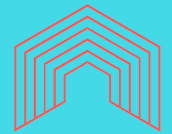


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Example – Safety Data Sheets

- Every **process** is different.
- It is critical that everyone involved with the **process** knows everything about it.
- Information about the **process** should be able to be found quickly because time is often of the essence.
- A mistake relative to the **process** can have materially adverse consequences.

Definitions
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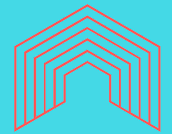


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Example – Program Documents

- Every **process** is different.
- It is critical that everyone involved with the **process** knows everything about it.
- Information about the **process** should be able to be found quickly because time is often of the essence.
- A mistake relative to the **process** can have materially adverse consequences.


Definitions
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Standardized Format

1. Eligibility Requirements
2. Conditions or Assignment Acceptance
3. Time Standards
4. Estimating Requirements
5. Documentation Requirements
6. Production Requirements
7. Communication Requirements
8. Payment Process
9. Other Information



STANDARD LANGUAGE ELEMENTS FOR PRACTICAL APPLICATION OF PROGRAM AGREEMENTS

Eligibility Requirements

- For 'joining' TPA overall
 - Program Qualifications
 - Program Fee Schedule
 - Application Document(s) Requirements
 - Credentials (Recertification, Licensing, Insurance) Requirements
- For participating in a specific insurer's program
 - Business Hours / After Hours

Conditions of Assignment Acceptance (TPA Manager/Dispatcher driven)

- List those things the contractor must consider when deciding to accept a job and perhaps how to route it internally
- Amount and treatment of deductible should be addressed here

Time Standards

- Identify and list all time metrics/expectations to comply with
 - Initial Acceptance of Claim
 - Initial (Customer) Contact for Emergency or Standard Claims
 - Initial On-site for Emergency or Standard Claims
 - Contact Insurer Representative
 - Initial Estimate / Documents Submission
 - Complete Estimate Upload
 - Claim Process, overall Assignment to Completion
 - Duration of Time from Assignment to Closed
 - Billing or Correction Timing Requirements
 - Warranty
 - Other Contact Time or Reporting Requirements

Estimating Requirements (Estimator driven)

- List all those requirements specific to the estimate writing/pricing/bill creation process
 - General
 - Structure Type
 - Diagram
 - Mitigation
 - Emergency Services, not related to Mitigation
 - Reconstruction / Materials?
 - Mold Remediation
 - Contents
 - Roofing and Siding
 - Flooring
 - Subcontractor bids
 - Business Hours / After Hours
 - Other

Documentation Requirements

- List all documentation that must be created and would be subject to review
 - Work Authorization
 - Direction to Pay
 - General
 - Structure Type
 - Mitigation
 - Emergency Services, not related to Mitigation (Should this be broken down?)
 - Reconstruction
 - Moisture Reporting
 - Mold Remediation
 - Contents
 - Roofing and Siding / Roofing and Siding Evaluation
 - Flooring / Flooring Evaluation
 - Other

Production Requirements (Technician/production staff driven)

- List all those requirements specific to executing the actual physical work
 - General
 - Subcontractor (usage)
 - Structure Type
 - Mitigation
 - Emergency Services, not related to Mitigation
 - Reconstruction / Materials?
 - Mold Remediation
 - Contents
 - Roofing and Siding
 - Flooring
 - Other

Communications Requirements

- List where, to whom, in what manner, and frequency of required communications

Payment Process

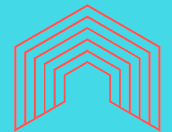
- Identify the process by which the contractor is going to be paid for their services (Billing, Payments)
 - Direction to Pay

Other

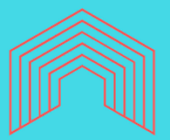
The Ask

- Utilize this standardized format
- The next time you communicate program requirements, send them out in this format
- While it would be nice to go back retroactively, the real request is to modify behavior going forward.
 - This will have the smallest impact on the TPA/carrier, but definitively move toward a brighter future for the restorer.

Definitions
Committee



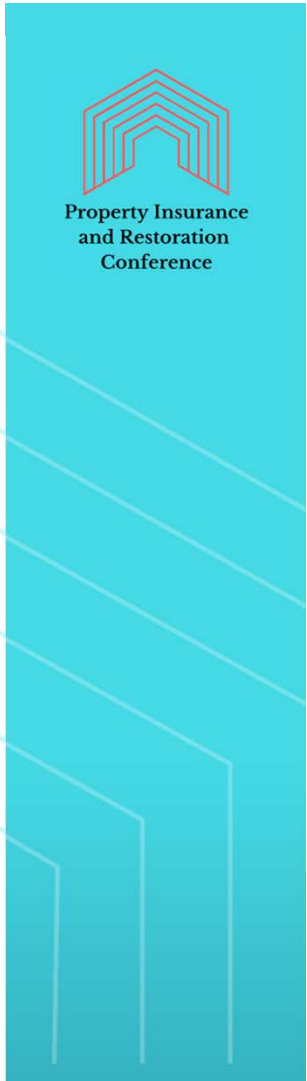
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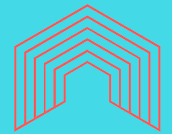


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Audience Poll Question:

- ✓ *Would the Standard Language Elements for Program Agreements format help you?*

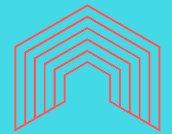


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Use Q&A or Raise Hand:

✓ *Do you have questions or comments?*



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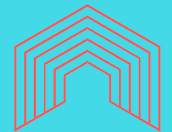
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