

# The Significant Implications of the Dali Bridge Accident Have Only Just Begun



By [Dan Bookham](#) for [WorkBoat Magazine](#)

As I sit down to write this, I'm still shaking off the jet lag from a week of meetings at Lloyd's of London. Lloyd's was buzzing with a range of issues: the pending North Atlantic hurricane season, tensions in the South China Sea, the potential for increased interference with shipping off Iran, and the ongoing conflicts in Ukraine and Gaza and the implications thereof for coverage in the Black- and Red Seas. The number one topic- by a country mile- was the Dali bridge accident and the significant ramifications that are already falling into place following the collision between the 9,971 TEU container ship and Baltimore's Francis Scott Key Bridge.

Anyone with even a rudimentary grasp of how my industry works can guess the first issue: this incident will result in substantial insurance claims. Experts estimate that insurers may face claims of up to \$3 billion. This figure is double the largest-ever protection & indemnity (P&I – liability relating to vessels) claim to date, which was the \$1.5 billion collective

loss from the 2012 Costa Concordia disaster. One excess P&I underwriter I met with put the potential loss in context by pointing out \$3 billion would wipe out 20 years of underwriting profit across Lloyd's.

Another big topic was the complex insurance structure around this incident. The marine insurance sector operates with a complex and layered structure of insurance and reinsurance designed to minimize, transfer, and offset financial risk. While it's too early to definitively say whether this structure will be breached, the Dali incident has raised concerns about its limits.

Something else that cannot be ignored is the incident's location and our well-deserved reputation for aggressive and expensive litigation here in the States. The collapse of the bridge, the loss of life, and impact on US East Coast trade and the Port of Baltimore all contribute to the complexity of the situation once it reaches the courts.

Operational impacts and trade disruptions continue also, even with the impressive (and often innovative) efforts underway to clear debris, channels, and terminal backlogs. The collapse of a vital regional transport link will continue to affect trade for some time to come, and as we've seen in recent memory with the Ever Given incident in the Suez Canal and general disruptions caused by COVID a supply chain rupture only exacerbates existing pressures and can have an outsized influence on regional and national economies.

The incident is also prompting a lot of searching questions about ship maintenance, tug assist, and why the bridge wasn't better protected. These are broader than Baltimore. I don't pretend to have any of the answers (my armchair NTSB investigator badge never being issued) but I do know that any

incident causes underwriters to break out the microscopes and examine impacted industries and sectors in fine detail.

In summary, the Dali bridge accident poses challenges to the marine insurance system, and its impact will reverberate for many years. And in what won't be a surprise to anyone, marine insurance rates are likely to increase as a result.

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# Why Every Business, in Every Industry, Needs Cyber Coverage



By [Chris Richmond](#)

For [WorkBoat Magazine](#)

Today's marine industry relies on computers, smart phones and the Internet to operate and is just as vulnerable as any other industry for cyber attacks. An attack can have a significant impact on your employees, your customers, your reputation and can bring you serious financial loss. A cyber liability policy can provide risk management services useful to you before, during and after a data breach.

There are two important types of cyber liability to know about: First party and third party.

A first party cyber liability occurs when your own data is stolen. This can include your own employees' personal information or information about your customers. A cyber liability policy will provide credit monitoring services to assist the affected individuals which could help minimize the risk of identity theft. Included in the category of first party cyber liability are:

- **Funds Transfer Fraud** is an intentional, unauthorized instruction transmitted via email to a financial institution to transfer funds. If your computer system is compromised, a hacker can have access to your banking information and initiate fraudulent electronic wire transfers.
- **Lost Business Income** due to cyber theft, (a hack or data breach), is not covered unless cyber coverage is in place. Your regular business insurance policy covers you for things like fire, theft and wind, but not anything cyber-related.

Third party liability coverage can provide protection for damage caused by your business to third parties due to a hack. This could be confidential client information that you store in your system. Coverage included in this category are:

- **Breach of Privacy:** A client's personally identifiable information has been accessed by an unauthorized party.
- **Misuse of Personal Data:** Personal data is stolen or misused and they suffer financial damages.
- **Transmission of Malicious Content:** Failure to stop the transmission of virus, malware or other malicious content.

Computers, smart phones and the Internet are as important as any other business tool. They also leave you vulnerable to losses. It is very easy to sit back and say your facility is too small and assume no one would ever want your data and think a hack

could never happen to you. But since that is exactly what the hackers want you to say, best to consider adding cyber coverage to your insurance policy. Have a talk with your agent and learn more about this important coverage.

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## **An Update From Our Benefits Division About the Maine Paid Family and Medical Leave Program**

The benefits team at Allen Insurance and Financial continues to monitor the progress of the rulemaking process on the Maine PFML, working with both legal and insurance company experts.

With the recent release of the draft rules for public comment, one previously unclear aspect of the rule has come to light and we are encouraging employers to comment.

Draft rules indicate that an employer may not submit an application to exit the state plan and substitute with a private plan until January 1, 2026, with an effective date not earlier than April 1, 2026.

Regulations towards private plan entry also note the employer as responsible for premiums under the state program until the effective date of the private plan, which would be April 1, 2026. *What this means, as currently outlined, is that employers seeking private plan administration will be required to pay into the state plan starting January 1, 2025, without a refund of*

*those contributions.*

**The regulations are not final and are open to public comment.** We want to make you aware of the opportunity to express any impacts the proposed regulations may have on your business.

For additional background, in a number of other PFML states, a Declaration of Insurance process was utilized for employers seeking to use PFML private plans. Declarations of Insurance, effective as of the date state plan contributions begin, administratively assure states the employer is complying with PFML requirements through a private plan. This process also avoids state plan pre-funding as the state plan would not bear the cost of private plan claims. If Maine is amenable to this approach, a Declaration of Insurance process would allow time for rulemaking and for a state plan opt-out process for employers interested in private plan solutions.

To submit your comments, you may do so here: [MDOL Proposed Rulemaking](#). Select **12-702** Department of Labor, Paid Family and Medical Leave Program and within this dropdown identify the applicable section within which you would like to comment.

**The public comment period for PFML rulemaking will end on July 8, 2024.**

For more information about the benefits team at Allen Insurance and Financial and the services we offer, click over to [AllenIF.com/benefits](https://www.allenif.com/benefits).

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# Announcing Three New Employee-Owners

Allen Insurance and Financial is pleased to announce the addition of three new co-owners – all licensed assistants in the company's personal insurance division.

[Kerin Lindahl](#) of Rockport: A graduate of Saint Anselm College, her previous experience is in banking customer service and education. She is based in Camden.

[Sophia Picard](#) of Bar Harbor: A graduate of the University of Maine in Orono, her previous experience is in education. She is based in Southwest Harbor.

[Angela Torell](#) of Tremont: A graduate of Baker College with a degree in business administration, Angela's previous experience includes non-profit administration and custom marine products. She is based in Southwest Harbor.

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## Anna Moorman and Jo-Ann Neal Recognized for 2023 Sales



Anna  
Moorman

[Anna Moorman](#) and [Jo-Ann Neal](#) have been recognized with a bronze level award for Medicare sales in 2023 by Anthem, one of the largest health insurance carriers in Maine.

Moorman and Neal are two of three agents at Allen Insurance and Financial who specialize in the complex market of Medicare insurance, working with a number of insurance carriers to give customers a range of choices to



Jo - Ann  
Neal

suit their needs.

This is the ninth consecutive year that Moorman has received an award from Anthem for Medicare sales; she has consistently ranked as one of the Anthem's top sales leaders in Maine. This is Neal's first sales award from Anthem.

The Allen team, comprised of Moorman, Neal and [Lee Cabana](#), has a goal of simplifying the process of enrolling in a Medicare plan, by providing dedicated, one-on-one attention to their customers, assessing each person's needs and finding options that will align with their budget and healthcare goals.



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# A New Law in Maine: Paid Family and Medical Leave Act



Sherree L.  
Craig, CEBS

By [Sherree L. Craig, CEBS](#)

In 2023, the Maine Legislature passed “The Maine Paid Family and Medical Leave Act.” This law will apply to all employers except for the federal government, tribes, and self-employed persons. This insurance program is still in development and, as of this writing, is going through the state’s rulemaking process. What we know now are some of the basics, including:

- Eligible workers will have access to 12 weeks of paid leave per year beginning in May 2026. The benefit will be up to 90% of the employee’s average weekly wage. Higher wage earners will cap at 50% of Maine’s average weekly wage (currently \$1,103.71).
- The employer and employees will pay for the benefits through a shared payroll tax of up to 1% of earnings. The tax will start Jan. 1, 2025.

- Employers with more than 15 employees will pay 1% of wages, but employers can share this cost 50/50 with the employees.
- Employers with less than 15 employees contribute .05% of wages but can deduct the entire amount from the employees' wages.
- Eligible leaves include:
  - o Caring for a family member
  - o Bonding
  - o Medical
  - o Military caregiver
  - o Safe leave (domestic violence, stalking, human trafficking, etc.)

We will follow the progress of the rulemaking process and provide further updates. Many of our partner insurance companies plan to design programs to complement the state's final requirements, as many individuals will lose income protection due to the benefit thresholds set by the program.

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## **Tracking Near Misses and Building a No-Blame Culture of Safety**



Dan  
Bookham

By Dan Bookham for [WorkBoat Magazine](#)

An accident near miss, also referred to as a close call, or near accident, is an event that happens in a shipyard or on board that has the potential to cause injury or damage, but luckily doesn't. Imagine someone almost getting hit by a swinging crane hook – that would be a near miss. By recognizing and recording these close calls, shipyards and vessel operators can learn from them and prevent future accidents.

The best in the business track accident near misses for a very important reason: Prevention. Near misses are warnings, pure and simple. By tracking these close calls, you can identify weaknesses in safety protocols before an accident happens. These brushes with disaster reveal root causes. Was it a faulty procedure? A communication breakdown? Uneven training? By understanding the why, you can take corrective actions to prevent similar situations from happening again. Talking openly about near misses is also a feature of a proactive safety culture. This can lead to a more vigilant workforce and a safer work environment overall.

Employers in shipyards and on vessels (and any workplace, really) can encourage near miss reporting through a two-pronged approach: Fostering a culture of safety and making the reporting process itself convenient and positive. This takes leadership commitment to prioritizing safety and being visibly involved in safety initiatives, as well as a willingness to address concerns.

Making the most of near misses also requires a no-blame environment. Employees should feel comfortable reporting near misses without fear of punishment or being seen as incompetent.

Emphasize that near misses are valuable information for improvement, not opportunities to assign blame. Recognize and appreciate employees who report near misses. This can be done through public praise, rewards programs (avoiding rewards based on quantity of reports), or simply by expressing gratitude. Encourage open communication about safety by regularly discussing safety procedures, hazards and near misses in safety meetings or training sessions.

Provide an easy-to-use reporting system, whether it's paper forms, a mobile app, or an online portal to allow for ease of reporting and different styles of communication. Make sure it's accessible both during and outside work hours for better recall of events. Offer options for anonymous reporting if employees prefer it. This can help those who are still hesitant to come forward as you build your safety culture. Minimize the amount of information required to report a near miss while still capturing the necessary details. Finally, be sure to communicate the results of near-miss investigations and the corrective actions taken and display gratitude for the heads up. This shows employees that their reports are valued and acted upon, encouraging future participation.

By combining these approaches, employers can create a safe space for employees to report near misses, ultimately leading to a safer work environment for everyone in the shipyard or on board. In essence, tracking near misses is like catching a fire before it engulfs the whole building. It's a proactive approach to safety that can save lives and prevent costly accidents.

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# DOL Issues Independent Contractor Final Rule

In early January 2024, the U.S. Department of Labor released a final rule, effective March 11, revising the agency's guidance on how to analyze who is an employee or independent contractor under the Fair Labor Standards Act. This new rule restores the multifactor, totality-of-the-circumstances when determining whether a worker is an employee or independent contractor under the FLSA. We have a PDF offering you more details, including a description of the 2021 rule and the new rule issued in 2024.

The final rule analyzes all six economic realities test factors without assigning a predetermined weight to a particular factor. [Click here for the PDF.](#)

[And here is a link to the Maine Workers' Compensation Board web page – with additional resources and an FAQ page.](#)

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## Randi Morse Joins Allen Insurance and Financial



Randi  
Morse

Randi Morse has joined Allen Insurance and Financial as an account manager in the company's benefits division.

Randi is a graduate of Everest University with a degree in accounting. Before joining Allen, with her first insurance job, she worked for a decade in the information technology field in accounting and administrative support.

She received her accident & health producer license in Maine shortly after her arrival at Allen and she is looking forward to supporting the agency's benefits clients with top-notch service for their accounts.

Outside of work, she volunteers with the American Legion, helping those veterans in need because her husband is a military veteran. She also enjoys spending time with family.

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## **Do You Need Health Insurance for Your Trip Abroad?**

Whether you're traveling for business or pleasure, a trip abroad takes a lot of research and planning before the fun (or work) begins. In addition to looking up flights, hotels, attractions, eateries, and how to ask, "Where's the restroom?," in a new language, there's another important topic you should explore before you go: health insurance. There is always a risk of experiencing an unexpected illness or an injury on a trip. And,

if you need medical care in another country, you don't want to be on the hook for the full expense if you can avoid it.

You've likely done careful budgeting to figure out how to finance your vacation, so the last thing you want (besides a health-related setback!) is an unexpected medical bill. Travel health insurance can help provide financial protection if you need medical care while abroad. This not only can provide peace of mind, but it can help you avoid potentially devastating financial losses if you become sick or hurt.

### **What Is Travel Health Insurance?**

Travel health insurance can provide coverage for expenses, including hospital stays, emergency medical care, and transportation costs when you're away from home. The specific coverage and benefits of each policy vary depending on the plan and the insurance provider, so it's important to understand what's covered and what isn't before choosing. Of course, you'll want to keep your costs reasonable, but you'll also want to be covered for the most likely scenarios.

### **Do I Really Need It?**

Your first step in figuring out the answer to this question should be to check with your regular health insurance provider to determine whether your policy provides coverage for medical expenses incurred while abroad. If it's covered and you feel the coverage is sufficient, you may not need to look any further. Keep in mind, even if your regular policy offers some coverage, it may be limited or may not cover certain types of medical care, so ask about specifics. And it's important to note that Medicare isn't accepted abroad. Some credit cards offer travel insurance that may cover medical care, so that can be another option to explore. The cost of medical care can be much higher in other countries, especially if you need emergency care, so if your regular policy doesn't cover that, look into additional

coverage.

It's also worth noting that some countries actually require proof of health insurance before they'll allow entry, including Cuba, Antarctica, and the United Arab Emirates.

### **What Types Are Available?**

The kinds of policies you can choose from include:

- Short-term travel health insurance. This provides coverage for a specific trip or period of time, usually up to six months. It can be a good option if you'll be abroad for a short trip.
- Long-term travel health insurance. If you're planning to travel for several months or even a year, a long-term travel health insurance policy may be a better choice for you. These policies typically offer more comprehensive coverage and may be more cost effective over an extended period.
- Medical evacuation insurance. This covers the cost of emergency medical transportation, such as an air ambulance, if you become seriously ill or injured while traveling. Although this might not be necessary for a standard trip out of the country, you'll want to consider it if you're traveling to a remote location or a country with limited medical facilities.

### **How Should I Choose a Policy?**

When making this decision, consider:

- Coverage. Look for a policy that provides comprehensive coverage for medical expenses, emergency care, and medical evacuation. If you have preexisting conditions, your policy should cover those (some don't, in which case having a preexisting condition would exclude you from coverage). Be sure to read the policy carefully so you know what's covered and what isn't.
- Cost. Travel health insurance can vary widely in price, so shop around and compare rates from different providers. The



cheapest policy may not provide the best coverage, so consider the cost-benefit analysis when making your choice.

- Provider network. Check to see if the insurance provider has a network of medical providers in the countries you'll be visiting. An affordable policy that offers comprehensive coverage is of no use to you if it doesn't cover doctors in your destination.
- Policy limitations. Some policies may have limitations on coverage for preexisting conditions, adventure sports such as sky diving, or certain types of medical care.
- Customer service. Look for an insurance provider with good customer service and a 24/7 helpline you can contact if you need assistance while traveling (especially if there is a time difference to consider).

Once you've purchased insurance, be sure to carry your insurance card and/or a copy of your policy with you during your trip. If you do find yourself in need of medical care while abroad, the U.S. Embassy will be able to provide information about local doctors and hospitals. Even if you don't expect to run into medical issues, a sudden illness or accident can cause a huge financial loss. It's best to be prepared.

As always, we're happy to answer any questions you might have about this topic as you figure out your insurance needs. And we wish you happy and healthy travels!