

### **Question**

Do pools provide written responses to coverage hypotheticals; and if so, do the responses strictly deal with coverage, or do you use the opportunity to exert loss prevention?

### **Background**

Our pool provides written answers to coverage hypotheticals posed to our marketing personnel and underwriters by current members in those coverage lines. Of course, we add the standard “Please remember that our response is intended to provide general information only and should not be viewed as specific coverage determination for a particular claim” etc. etc. Counsel reviews the response before it goes out, and we only answer coverage hypotheticals, not legal/liability matters. We direct members to their counsel for that. We are curious how other pools handle these member inquiries.

### **Answers**

- [Al Root](#), Legal Counsel at North Carolina Housing Authorities Risk Retention Pool, said the pool answers the coverage question with a lot of caveats as to particular fact situations needing particularized review, and that the pool takes the opportunity to make loss prevention recommendations.
- [Jennifer Wolf](#), Staff Counsel for Risk Control at Minnesota Counties Insurance Trust, shared that MCIT responds in a global context, including risk management/loss control advice. The pool always includes disclaimer language and makes sure it is known they cannot make a final coverage decision until a claim is received. Responses may also list considerations and things that may go wrong and impact coverage. MCIT helps the member if it is highly unlikely their coverage will respond and the member can get a specialty policy.