



**2014 Global Congress on  
Travel Risk Management**

Insurance and Regulatory Considerations for  
Globally Mobile Individuals  
(Expatriates and Business Travelers)

**“An Employer’s View”**

Brian P. Iaia, Esq.

General Counsel, UnitedHealthcare International

Scott West

Chief Executive Officer- Pathfinder Insurance Group



**HospitalityLawyer.com**  
worldwide legal, safety and security solutions





**Brian Iaia**  
**General Counsel- UnitedHealthcare International**

- Brian Iaia joined UnitedHealth Group as General Counsel for UnitedHealthcare International in December 2009. In this role, Brian is responsible for managing UnitedHealth Group's International Legal Team and overseeing the legal affairs.
- Brian is considered to be an industry expert in international laws and regularly meets with regulators around the world to discuss trends, regulatory requirements and enforcement schemes.
- Brian is a frequent speaker at industry events and broker seminars on U.S. and international benefits and insurance laws.



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**Scott West**  
**Chief Executive Officer - Pathfinder Insurance Group**

- Scott serves as the face and guiding force of Pathfinder/LL&D Insurance Group.
- He heads up the firm's strategic planning committee, is the liaison with our major insurance partners, and leads the sales team.
- He specializes in complex business risks, foreign exposures, professional liability, and executive insurance coverage.



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# AGENDA

- I. International Landscape
- II. Key Fact Patterns
- III. Legal and Regulatory Complexity
- IV. Five (5) Key Things to Consider



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# I. INTERNATIONAL LANDSCAPE

## GROWING COMPLEXITY IN GLOBAL REGULATORY ENVIRONMENT

- Governments becoming more Aggressive
- Integration of Globally Mobile Employees into National Health Initiatives
  - ♦ United States
  - ♦ UAE
  - ♦ Switzerland
  - ♦ Australia
  - ♦ Czech Republic
  - ♦ Germany
- Variety of Regulations and Laws Impacting Insurance Coverage, Visas and other Immigration Requirements



# I. INTERNATIONAL LANDSCAPE (CONTINUED)

## DUTY OF CARE

- Globalized Economy and Rise of Cross Border Traffic
- Increasing Catastrophic Risks
  - ◆ Ebola Outbreak
  - ◆ Civil Unrest
  - ◆ Other Foreseeable Risks
  - ◆ ISIS Threats
  - ◆ Natural Disasters
- Employers have a Legal, Ethical and Moral Obligation to Protect their Employees from Foreseeable Risks



# I. INTERNATIONAL LANDSCAPE (continued)

## DUTY OF CARE: EMPLOYERS AT VARYING DEGREES OF PRODUCT UTILIZATION & EXPERIENCE

<b>Less Experienced</b>	U.S. Domestic Approach Only (ASO or Insured) (with limited benefits outside the U.S.)
<b>Experienced</b>	U.S. Domestic Plan (ASO or Insured) with Sprinkling of Host Country Plans
<b>More Experienced</b>	U.S. Domestic Plan (ASO or Insured), Global Expatriate Plan (ASO or Insured) for Expatriates (with medical evacuation, security evacuation and travel assistance/concierge services)





# I. INTERNATIONAL LANDSCAPE (continued)

## Why it is important to plan in advance?

- Foreseeable Issues Arising Unexpectedly in Unfamiliar Environments
- Business Travelers / International Assignees Reacting with Incomplete Information
- Inflexible Insurance and Immigration Requirements (subject to fines, criminal imprisonment, and deportation)
- Medical Emergencies and other High Stress Events

**Advanced planning when traveling abroad is CRITICAL**

Three (3) Key Fact Patterns:

1. Insurance and Immigration Requirements
2. Visa Extension and Medical Evacuations
3. Foreign Prescription Laws

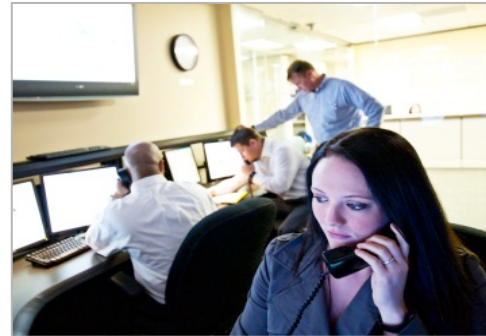


## II. KEY FACT PATTERNS

### Do I have the required insurance coverage?

#### 1. John Smith

- Mid-level, experienced executive on a 6-12 month assignment in Saudi Arabia
- Experienced Expat – prior assignment in Switzerland
- Travels with his U.S. insurance ID card and a copy of a U.S. insurance certificate



## II. KEY FACT PATTERNS (continued)

**Will I be able to extend my visa? Is evacuation to the U.S. available?**

### 2. Mary Jane

- Senior Executive on assignment in the Czech Republic, needs to extend stay by 2 weeks
- Routine doctor visit – declined U.S. insurance, paid out of pocket on corporate card
- Involved in a serious car accident and has been rushed to the hospital
- Family members know nothing about the hospital she is in or the quality of care hospital can provide
- Family members request that Mary be evacuated back to the U.S. for care



## II. KEY FACT PATTERNS (continued)

**Can I be arrested for carrying prescribed and over-the-counter (“OTC”) medicines?**

### 3. Frank Wilson

- Company wins lucrative global contract
- Senior Executives go to Japan for 1-2 weeks (business trip)
- John Travels with family, son has asthma
- No paperwork for the prescribed and OTC medicines



### III. LEGAL AND REGULATORY COMPLEXITY

#### Did you Know...



- Visa Condition 8501 requires expatriates (all visa holders) to prove and maintain adequate health insurance for the entirety of their stay
  - ◆ Based on individual's citizenship and tax status
  - ◆ Coverage from Australian insurer may be required for certain 457 visa holders



- Compulsory insurance required through locally licensed insurer – needed to obtain residency and other permits
  - ◆ Saudi Arabia – Under the Cooperate Health Insurance Law (11/8/1999) and its Executive Regulations (2/6/12009), employers are required to obtain insurance coverage for employees under their sponsorship
  - ◆ United Arab Emirate – Under UAE Federal Law No 6 of 2007, only locally licensed insurers can cover a risk “within” the UAE
  - ◆ Abu Dhabi & Dubai – coverage of residents must be in accord with such emirate's health law

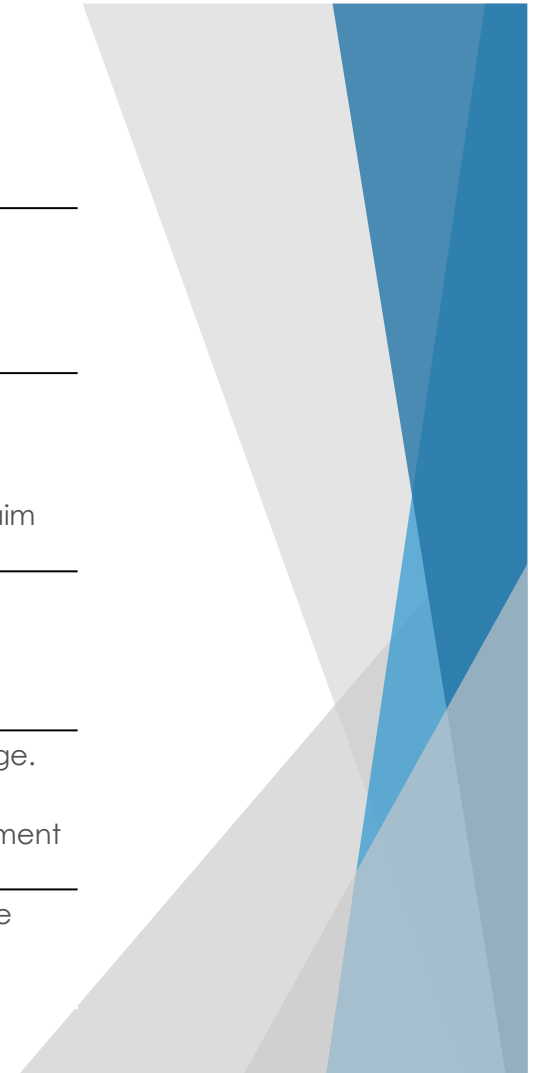


- According to Sec. 193 para. 3 Insurance Contract Act – (Versicherungsvertragsgesetz) any person having his domicile in Germany is obliged to have a health insurance by a locally licensed insurer.



## IV. FIVE (5) KEY THINGS TO CONSIDER

ONE	<ul style="list-style-type: none"><li>▪ Choose a global insurance partner with expertise in compliance.</li><li>▪ Ask is coverage is compliant with applicable laws?</li><li>▪ Is a local policy required?</li><li>▪ Are there any immigration requirements tied to insurance?</li></ul>
TWO	<ul style="list-style-type: none"><li>▪ Ask whether there is evacuation coverage?</li><li>▪ If so, is it medical only or medical and security?</li><li>▪ What are the evacuation event triggers or restrictions?</li><li>▪ Are there any privacy forms potentially required for employer to intervene in claim or evacuation events?</li></ul>
THREE	<ul style="list-style-type: none"><li>▪ Ask about the depth and breadth of the provider network area?</li><li>▪ Is there direct settlements with providers?</li><li>▪ Does the insurer offer country-guide information covering country specific risks, culturally accepted norms, prescription drug limitations, etc.?</li></ul>
FOUR	<ul style="list-style-type: none"><li>▪ Review your existing insurance policies to determine if there is war zone coverage.</li><li>▪ Is terrorism, civil unrest, or other hostile events included or excluded?</li><li>▪ Consider your larger organizational policies and dust off your incident management and risk management plans.</li></ul>
FIVE	<ul style="list-style-type: none"><li>▪ Consider purchasing a travel tracking program that allows you to have real-time information as to the whereabouts of all of your business travelers.</li></ul>



# THANK YOU

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