

I-WAYS

MAGAZINE

August
2015

INDEPENDENT INSURANCE AGENTS ASSOCIATION OF WESTERN NEW YORK, INC.

keeping you
up to
speed



Independent Insurance Agent

wnyagent.com

OFFICERS:

Mark Garvelli
President

David Gelia
Vice President

Matthew Saxe
Treasurer

BOARD OF DIRECTORS:

Wendy Clemens, CIC
Chair of the Board

Michael Carroll
Karen M. Catalano
Paul Chisholm
Doreen DeCarlo
Barbara Duke
Christine M. Garvelli
Debbie Junkin, CPCU
Leo Kuziemkowski
Kathleen Rapasadi
Tamara Storch, ACSR, AINS

Jeanne Hellert
Executive Secretary

GENERAL ENQUIRIES

P.O. Box 983
Orchard Park, NY 14127

Phone: (716) 207-3886

iiawny@gmail.com
www.wnyagent.com

A Message from the **PRESIDENTS COUNCIL**



I would like to thank all board members for an amazing year! Your time commitment and enthusiasm was greatly appreciated. I would like to highlight some of the accomplishments for IIAAWNY this past year.

- **May 2014 Park Country Club Installation** – This event included the recognition of Donald Houck, Jr. as the recipient of the Pioneer Award. This award is given to a member of IIAAWNY who has demonstrated a commitment to the association and community over time.
- **June 2014 IIAAWNY Roger Gurney Memorial Golf Outing** - We raised \$2,000 for Invest Scholarships at this event. The scholarship funds were awarded to students at Lake Shore, Hamburg & West Seneca West High Schools.
- **September 2014 124th Buffalo Fire Department's Ball** - We awarded firefighter Michael Paveljack the Independent Insurance Agents Bravery Award for 2014. This was a media event attended by several hundred individuals. Michael also attended and received \$500 from IIAAWNY at our Holiday Party.
- **October 2014 No Text Zone & TC Ad** - IIAAWNY took advertising to a whole new level this year! \$26,800 was spent on an ad campaign with Fox29 & MyTV Buffalo. IIAAWNY was able to fund the campaign in its entirety from a \$12,500 grant provided by Trusted Choice and \$15,000 in co-op funding from Safeco, Kemper and Hanover.
- **October/November 2014 Distracted Driving Simulator** - An awesome idea from Barb Duke and Christine Garvelli. With the help of a \$6,000 grant from Trusted Choice, we purchased a \$10,000 distracted driving simulator. It is available to all of our members as a teaching tool.
- **December 2014 Career Day at ECC** – Board member Doreen DeCarlo and NextGen Bridget Houck took the Driver Simulator to Erie Community College Career Day. Doreen used the simulator to draw attention to our booth and held a presentation about IIAAWNY and career opportunities in our industry.
- **December 2014 Food to Families** - IIAAWNY and members donated \$2,500 to the Food Bank of WNY. We received air time on Channel 2 when we donated the check live and plug the IIAAWNY.
- **December 2014 Buffalo Spree Ad** - Promoted the IIAAWNY in the annual "Faces" publication for the Buffalo Spree. In addition, we get quarterly run ads.
- **May 2015 Free Car Seat Check** - On May 15th, we sponsored a car seat safety inspection. With the help of the Erie County Sheriff's Department, over 25 vehicles were inspected and four defective car seats were replaced. This was the most car seats inspected on a weekday!

I'm looking forward to another strong year with IIAAWNY under the leadership of **Vic Rutecki**. Be sure to attend the [Installation of Officers on September 24 at Crag Burn](#). Also, a very special thank you to **Tom Ditzel** for his continued behind the scenes works on the IIAAWNY website.

Mark Garvelli
President IIAAWNY

IIAAWNY 2015 Installation of Directors

You're invited!

Independent Insurance Agents Association Of Western New York, Inc. will install our new board on Thursday, September 24 at the beautiful Crag Burn Golf Club. Please join us for an enjoyable evening that will include cocktails and hearty hor d'oeuvres.

Thursday, September 24, 2015 | 6:00 p.m. to 8:30 p.m.

**Crag Burn Golf Club
1231 North Davis Rd
East Aurora, NY 14052**

The cost to attend is \$30 per person. Business Attire Required. To register, please visit:
www.wnyagent.com/events/2015-installation-of-directors



New IIAAWNY Board Member, Ashley Engl demonstrates the IIAAWNY Distracted Driving Simulator to a group of Lancaster High Academy of Finance students, as part of their job shadow visit to Lawley's downtown Buffalo office on July 22, 2015.



**Share to Help
Grant Kids' Wishes.**

Trusted Choice® will donate \$10 to Make-A-Wish® for every post you "share" from our Facebook page in August.

* A minimum of \$100,000 and a maximum of \$150,000 will be donated. For more information about Make-A-Wish visit www.wish.org.
Photo courtesy of Andrew Knapik Photography

Help Make a Wish Come True!

Trusted Choice will donate \$10 to Make-A-Wish for every share in August ▶



LEGISLATIVE BREAKFAST

INDEPENDENT INSURANCE AGENTS ASSOCIATION OF WESTERN NEW YORK

October 21, 2015

NEW SPOT THIS YEAR - Hilton Garden Inn Buffalo Airport

4201 Genesee St. Cheektowaga, NY 14225

Registration - 8:15 | Breakfast - 8:30-9:00 | Speaker - 9:00-10:00 | \$25 pre-paid

Come and meet your elected representatives from our local area to discuss the issues critical to our industry. Elections are just around the corner and it's important that we voice our concerns regarding how difficult it is for businesses in New York to adhere to the insurance regulations and the insurance premium required to meet these regulations.



Jill Muratori, IIABNY Legislative Representative, will speak about the insurance issues from both a legislative and regulatory perspective.

Chance to Win!

Everyone who attends the Legislative Breakfast will be entered into a drawing for two free tickets to our Annual Holiday Luncheon at The Mansion on Delaware coming up on December 4th! Sign up today to show our representatives we matter! If you cannot attend, please send representation from your office.

[Register Now!](#)



A weekend of heavy rain did not stop the 14th annual memorial tournament benefiting Project Invest and the Roger Gurney Scholarship Fund from occurring at Orchard Park Country Club. While many other area clubs cancelled similar outings on June 29th, the ground crew at Orchard Park worked right up until the shot gun start to ensure the tournament would go off on time with a playable course. While the temperatures hovered in the high 60s, the sun was out and the rain stayed away.

Congratulations to this year's overall winners:

First place team: Todd Mahoney, Mike O'Shei, Roland Lunser, Jr. and Brian Willink

Second Place team: Dick Budlong, Tim Smith, Paul Wolf, and Brian Herring

Thank you to all of our sponsors, golfers, and dinner attendees for your great prize donations and continued support of the tournament. Your generosity helped us raise over \$13,000 this year!

These funds will help to grow IIAAWNY's Project Invest and further educate high school students on a career in insurance. We will be looking to add Depew, as our fifth school, to our program this year (joining Hamburg, Lakeshore, Lancaster, and West Seneca). We will now be able to expand our scholarship program and continue to work with Erie Community College on an Invest program at the college level.

A special thank you goes out to our golf committee and volunteers for all their work in putting everything together.

We hope to see you back at Orchard Park Country Club next year on Monday, June 27th.

2015 IIAAWNY
Roger Gurney
Golf Outing

SEE PHOTOS ON NEXT PAGE ►



TO VIEW MORE PHOTOS, PLEASE VISIT OUR FACEBOOK PAGE!

ANNOUNCING THE INVEST SCHOLARSHIP WINNERS FOR THE 2014-15 SCHOOL YEAR!

By Nicole Majewski

Project Invest is proud to announce Emilee R. Puccio of Hamburg High School and Peyton Schmidt of Lake Shore Senior High as our chapter's scholarship winners for the 2014-15 school year!

Emilee and Peyton each received a \$1,000 scholarship from IIAAWNY to further their college careers and knowledge of the insurance industry. Emilee also won an additional \$500 scholarship on the national Invest level.

Our Invest program helped Emilee see the impact that insurance really had on her, and inspired her to pursue a nursing career in the industry handling disability and medical claims. Our program instructors speaking about their real life careers opened her eyes to the diversity of careers in the industry, as Emilee had never before realized she could be a nurse and work in insurance.

Emilee will be attending Daemen College in Amherst this fall for nursing. She is also an accomplished athlete in cross country and track, and a member of her school's DECA business club and SADD (Students Against Destructive Decisions) chapters.

Peyton gained in-depth knowledge of insurance concepts and was able to fully and clearly understand them from his participation in the Invest program. This has influenced him to seek out a sales position in insurance in the near future and learn even more about the industry.

He plans to attend Rochester Institute of Technology and major in software engineering. He is a very talented money manager and enjoys finding creative ways to invest money. During his time at Lake Shore, he served as treasurer of four large groups: the school's National Honor Society, Technology Club, Model United Nations, and Academy of Finance. He was also assistant manager of the school's Evans Bank branch, and plays trumpet in concert and marching bands.

Emilee and Peyton were our chapter's local winners, but Invest gave out even more scholarships on the national level. Invest awarded \$1,000 scholarships to Elizabeth Bassini and Michael McGee, both of Hamburg High School. In addition to Emilee, \$500 scholarships were awarded to Rosemary Herbst, Chelsey Jordan, Gabrielle La Rosa, Timothy Madden, Clarissa Ott, Shelby S. Paulino and Emile Anne Scoma, all from Hamburg High, as well as Ryan Kilijanski of West Seneca West Senior High School.

Congratulations to all of the winners!



Thank you for making a donation to the Invest scholarship fund. Your donation is greatly appreciated. Because of contributions like yours, I am able to pursue my dreams of entering the insurance industry.

- Emilee Puccio



Strategies For Challenging Medical Expense Claims in Personal Injury Cases

For answers to your legal questions, feel free to contact

Jeffrey Baase, Esq.
baase@ruppbaase.com
or

Luisa D. Johnson, Esq.
johnson@ruppbaase.com

at Rupp Baase Pfalzgraf
Cunningham LLC
1600 Liberty Building
Buffalo, New York 14202

716-854-3400
www.ruppbaase.com

The cost of medical expenses frequently makes up a large component of jury verdicts in personal injury cases. In this environment of continually-increasing medical costs, defense attorneys and claim professionals need to be vigilant and aggressive in challenging medical expenses at trial and in settlement negotiations. An issue that is frequently overlooked is that the medical expenses claimed by plaintiffs are based on artificial rates that are charged by hospitals and doctors, but rarely are they actually collected. When presenting a damages case to a jury, the plaintiff's attorney will usually offer some evidence of the full retail price charged by a healthcare professional for a particular service or procedure. What they do not tell the jury is that in the vast majority of cases, the doctor or hospital usually accepts a much smaller payment in satisfaction of its bill. On average, most U.S. hospitals receive only 35 to 40 percent of the amounts that they actually bill to patients.

When a healthcare provider accepts something less than the full amount of the bill, the defense should argue that the charges that are written off are not damages. The plaintiff has not been forced to pay that amount and therefore was not harmed in any way by the amount billed. At least one New York court has held the amount of a bill written down by a healthcare provider was not an item of damage for which the plaintiff could recover, because the plaintiff never incurred the damage.

The second argument that can be made by the defense is that the full amount billed by a doctor or hospital is not reasonable. Under New York law, plaintiffs are only permitted to recover expenses that are reasonable. An inflated hospital bill that no one expects will ever be paid in full is not a reasonable medical expense. A number of states have held that medical bills, by themselves, are not sufficient to show that the billed amount is reasonable. In New York, courts will accept the testimony of treating physicians and/or expert witnesses in addition to hospital and doctor bills to prove reasonableness of medical expenses. The defense can challenge that testimony by offering records from the insurer that paid the medical expenses, or records from the healthcare provider that show the amount that it accepted in satisfaction of the invoice. It is crucial for defense counsel to obtain these records in discovery, or if the case is not in suit, for the claim professional to obtain those records before paying to settle a case based on a large medical expense claim.

The defense can also present evidence of the payment allowed under the Medicare fee schedule (found at www.eMedNY.org under the Provider Manuals tab). Most insurers base their payments on the Medicare fee schedule, and most healthcare providers accept payment in the amount established by the fee schedules.

As medical costs continue to climb, so will claims for medical expenses in personal injury cases. These simple strategies will help insurers control those costs.



PuroClean®
The Paramedics of Property Damage

PuroSystems, Inc.
Continuing Education
CREDIT COURSE



Hosted by:

PuroClean Property Damage Restoration

Each PuroClean office is independently owned and operated.

Free of Charge

Provider #: NYPO-100318

Hoarding: An Insurance Nightmare

Credits : 3.0

Course #: NYCR-247107

August 13th, 2015
8:00 AM - 11:30 AM

The Creekside Banquet Facility
2669 Union Rd.
Cheektowaga, NY 14227

*** Presented by a Certified Industry Professional ***

Full breakfast buffet provided compliments of
PuroClean Property Damage Restoration

PLEASE COMPLETE FORM NO LATER THAN:
August 7, 2015

REGISTRATION FORM (Please fill out completely)

Name as it appears on your Insurance License: _____

Insurance Company/Agency Name: _____

Address: _____

City/ST/Zip: _____

Business Phone #: _____

License #: _____

Date of Birth: _____

E-mail Address: _____

Return registration by fax to : (716) 662-7415

Attn: Jennifer Gocella

Via email : jgocella@puroclean.com

T. (716) 983-3359

WATER

FIRE

MOLD

BIOHAZARD