

Insurance Matters!

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Insert

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Sample Cyber and Privacy Worksheet

Color	Definition for Color
Green	Better than other policy/quotes
Yellow	Average/common to each policy/quotes
Orange	Needs further review
Red	Apparent severe coverage restriction

Name of Organization <u>Must read policy for actual definition and coverage intent</u>		
Computer system: hard/software... owned, operated, control of organization or hosted by 3rd party.		
Cyber extortion: expenses and monies for threat or extortion act.		
Defense w/in limit: overall limit applies to all coverage including defense costs.		
Digital asset loss: cost to replace loss of e-data.		
Event/breach mgmt. cost: forensic investigation, credit reports, PR, notification, etc.		
Media liability: Organization liability for website content.		
Network interruption: loss of net income, increased operating costs from material interruption.		
Privacy event: failure to protect confidential info (i.e. e/data or other-paper)		
Regulatory proceeding: request for info, civil investigation, etc.. brought by Gov't agency.		
Security/privacy liability: Organization liability for damages from breach of confidential info.		
Quote Number	1	2
General Conditions	Insurer ABC	Insurer XYZ
Quote date	Valid until 9/3/14	Valid until 8/15/14
Coverage Type	Cyber/privacy	Cyber/privacy
Named Insured	ACME OPTIMAL ORGANIZATION	ACME OPTIMAL ORGANIZATION
Retro date	Policy inception	Policy inception
Overall Limit	\$10,000,000 shared/aggregate	\$10,000,000 shared/aggregate
Defense inside/outside limit	Inside	Inside
Regulatory Proceeding	\$10,000,000	\$10,000,000
Security/Privacy liability	\$10,000,000	\$10,000,000
Digital asset loss	None-need to determine exposure	None-need to determine exposure
Event/breach mgmt costs	\$10,000,000	\$10,000,000
Network Interruption *	\$10,000,000	\$10,000,000
Cyber extortion	\$10,000,000	\$10,000,000
Internet media liability	May not be needed	May not be needed
Retention-unless stated	\$5,000	\$500,000
Regulatory Proceeding	\$5,000	\$1,000,000
Network Interruption	24 hours	12 hours/\$500,000
Annual Premium	\$xx,xxx	\$xx,xxx
Surplus lines tax and fees	\$x,xxx	None-admitted insurer
Total annual cost	\$xx,xxx	\$xx,xxx
Material Subjectivities	Complete specific insurer app	Complete specific insurer app
Material Subjectivities	Confirm compliance/HIPAA, other	N/A
Policy Form Review	Policy Form Review	Policy Form Review
General Conditions	Claims-made and reported	Claims-made and reported
Advance notice of cancellation	Only if premium not paid	Only if premium not paid
ERP/Tail-auto	125% AP-1 yr; 200%-2 yr; *	1-100%, 2-175%; 3-200%, 6yr-neg
Territory	Worldwide	Worldwide
NI may waive right of recovery	No release allowed	Prior to loss in writing
Definition of Insured	NI, D&O, Ee, w/ritten-AI	NI, D&O, Ee, w/ritten-AI
Confidential info-paper/e-data	Personal info in "any form"	Personal info in "any form"
Security failure/Privacy Event	failure to protect confidential info	failure to protect confidential info
Defense	Duty and right to defend	Duty and right to defend
Hammer clause	50%	50%
Settlement authority	Silent	Insurer with consent of Insured
Attorney chosen by insurer	NI subject to insurer consent	Yes. NI may have option
Loss include punitive, exemplary	Yes unless prohibited by law	Yes unless prohibited by law
Regulatory Proceeding	gov't proceeding, etc.	gov't proceeding, etc.
Broad def of "personal" info	Yes	Yes
3rd party contractor negligence	Yes	Yes: "Information Holder"
Event management	Costs from security/privacy event	Costs from security/privacy event
Covered loss	PR, 3rd party notice, credit reports	PR, notice and credit reports, e-data restore
Event costs	No time limitation to report costs	Events costs needed 90 days
Network Interruption	loss of profits/inc expenses	loss of profits/inc expenses
Limited-if any exposure	Remove for premium credit?	Remove for premium credit?
Cyber Extortion	funds for security/privacy threat	funds for security/privacy threat
Security threat	Threat/attack ow n/used computers	Threat/attack ow n/used computers
Privacy threat	threat to release confidential info	threat to release confidential info
Terrorism-included or excluded	Excluded	No exclusion
Professional services excluded	Professional services exclusion	No exclusion
ERP/Tail-auto-London Excess	Not FF-less broad than primary	N/A