

## **CAFII ALERTS WEEKLY DIGEST: December 16, 2022 to January 13, 2023**

January 13, 2023

*The CAFII Alerts Weekly Digest is intended to provide a curated compendium of news on insurance, regulatory, and industry/business/societal topics of relevance to CAFII Members – drawn from domestic and international industry trade press and mainstream media – to aid in Members' awareness of recently published media content in those areas.*

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## GOVERNMENT/LEGAL/REGULATORY DEVELOPMENTS

### Insurance Intermediaries In New Brunswick Subject To Newly Approved Licensing Rules Starting February 1, 2023

By Kate McCaffery, Insurance Portal, December 16, 2022

[Intermediaries in New Brunswick subject to newly approved licensing rules - Insurance Portal \(insurance-portal.ca\)](https://insurance-portal.ca)

The Financial and Consumer Services Commission (FCNB) announced that it has received ministerial approval to adopt new rules for licensing insurance intermediaries in New Brunswick. The regulator says the updates were needed following changes to the province's *Insurance Act*.

The updated licensing requirements for insurance intermediaries include transitional provisions which provide detail for current licensees who will have their license types updated and, notably, a new framework for issuing adjusting firm, agency, and managing general agency licenses.

Additionally, there is a new licensing framework for restricted insurance representatives who sell incidental insurance products. Errors and omissions insurance, supervision requirements, prohibited activities, updated trust account requirements, education and experience requirements, and eligibility for a two-year license are all also discussed in the document, *Rule INS – 001 Insurance Intermediaries Licensing and Obligations*. The associated rule being adopted, *Rule INS – 002 Insurance Fees*, outlines the non-refundable application fee information for all license types.

“Insurers are also expected to communicate with all firms in their distribution networks to ensure the new licensing requirements for agencies, managing general agencies, adjusting firms, and restricted insurance representatives are understood,” the regulator writes.

The new rules come into force on February 1, 2023; and applications may be submitted through the regulator's licensing portal beginning on that day as well. Agencies, adjusting firms, and managing general agencies have up to 60 days to submit a completed licensing application, while restricted insurance representatives' license applications must be submitted within 90 days.

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### AMF Aims To Optimize The Compliance Burden

By Alain Thériault, Insurance Portal, December 21, 2022

The Autorité des marchés financiers (AMF) launched two regulatory consultations on December 8, 2022. One concerns representatives' professional liability insurance and their outside activities. The second deals with an amended version of the *Regulation respecting complaint processing and dispute resolution in the financial sector*. Both consultations end on February 6, 2023.

The regulator says the goals of both consultations are twofold: to enhance consumer protection while optimizing the compliance burden.

### **Relaxing controls**

The AMF is proposing regulatory changes to advisor liability insurance to better protect consumers and representatives. It says it wants to correct the insurance coverage issues it has observed over the years.

The consultation also seeks to ease some of the AMF's controls related to the monitoring and compliance of professional liability insurance policies.

The regulator is proposing changes in five areas:

- the exception for the category of claims adjuster employed by an insurer;
- the addition of a clause regarding compliance with regulations under the Distribution Act;
- proof of maintenance of professional liability insurance at policy renewal;
- coverage for gross fault; and
- the extension of the coverage period for a five-year term.

The AMF also wishes to survey the industry on the appropriateness of adding cyber risk coverage to registrants' liability insurance, in the current regulations.

### **Reducing labour shortages**

Within the same consultation, the AMF has proposed regulatory amendments to update the framework for the outside activities of representatives governed by the Distribution Act. The amendments are meant to be harmonized with the new obligations in effect since June 6, 2022 in the securities and derivatives sectors. The proposed changes are also likely to have a positive impact on current labour shortage issues, the AMF points out.

Notably, the regulator is considering repealing the provisions on occupations that are incompatible with the pursuit of representatives' activities, as long as the advisor complies with proposed new rules. These rules will specify the framework in which a representative may conduct outside activities. "The proposed new requirements concern, among other things, the segregation of the representatives' clientele. For the firm and the independent partnership, they concern, among other things, the keeping of records on representatives' outside activities," says the AMF.

For example, pursuit of an outside activity must not be likely to cause confusion with the representative's usual activities. Representatives or their independent firm must report any outside activities that they carry on. The amended regulation would come into force on June 1, 2023.

## Complaint handling

Following the comments received during its September 9, 2021 consultation, the AMF is now consulting the industry on a draft regulation to amend the Distribution Act. It has reiterated its objective of establishing common rules and practices for financial institutions, financial intermediaries, and credit reporting agents.

The scope of the complaint definition is slightly broader. For some complaints, the AMF's draft regulation changes the rules and practices for simplified processing to give the financial sector greater flexibility and allow for efficient processing of complaints that can be handled within 10 days of receipt. It also provides for the possibility, under conditions determined by regulation, of extending the time limit for processing a complaint beyond 60 days following its receipt.

## High volume

"Over the past five years, there has been an annual increase of about 25 per cent in the volume of complaints by consumers," Éric Jacob, Superintendent of Client Services and Distribution Oversight at the AMF, pointed out during a roundtable discussion on regulation at the *Congrès de l'assurance de personnes 2022* on November 15 in Montreal. Jacob added that during the 2017-2018 period, the AMF handled 737 complaints, while in 2021-2022, it processed more than 1,759 (periods cover the period from April 1 to March 31).

Jacob estimated that about 71 per cent of the complaints received by the AMF over the past five years have related to the insurance industry, with 40 per cent associated with life and health insurance, 31 per cent associated with P&C insurance, and just under 12 per cent associated with the securities industry. Those proportions remain stable from year to year, he said. The AMF is constantly seeking to improve these services in terms of quality and efficiency, he added.

## Other compliance relief

During the November 15 roundtable, Jacob also mentioned other opportunities to ease the compliance burden. He told the audience that consultations had been held on optimizing the compliance burden for the sectors covered by the *Act respecting the distribution of financial products and services* (the Distribution Act). Those consultations raised "several interesting avenues for improvement," he said.

The regulator has begun work on easing some of the career entry rules, he added. "The AMF will be meeting in the coming weeks with individuals who administer and manage the career entry process within firms, in all disciplines covered by the Distribution Act, to further explore some of the options being considered by our teams," he said.

Read Story (Subscription Required): [https://insurance-portal.ca/life/quebec-regulator-aims-to-optimize-the-compliance-burden/?utm\\_source=sentinblue&utm\\_campaign=daily\\_complete\\_202212-28&utm\\_medium=email](https://insurance-portal.ca/life/quebec-regulator-aims-to-optimize-the-compliance-burden/?utm_source=sentinblue&utm_campaign=daily_complete_202212-28&utm_medium=email)

## FSRA Publishes Results Of 2022 Consumer Research Study, Including In-Depth Look At Vulnerable Consumers

By Kate McCaffery, Insurance Portal, December 15, 2022

The Financial Services Regulatory Authority of Ontario (FSRA) has published its *2022 Consumer Research Study*, a survey of 4,000 adults which shows, among other things, that overall satisfaction with the financial services sector is high among Ontarians, but that insurance providers are generally less well trusted than other regulated entities in the province.

The research probes consumer attitudes, how consumers are engaging with financial services, and takes an in-depth look at vulnerability. The regulator says that this is being done to help identify key opportunities to respond to the needs of vulnerable consumers.

“By establishing a quantitative baseline, the study will enable FSRA to, over time, monitor the impact of market changes, industry responses, and regulatory efforts on consumers, members, and beneficiaries,” FSRA says.

Banks and pension plans had the highest levels of trust among survey respondents, with 44 per cent and 39 per cent saying they trust banks and pension plans respectively, either a lot or completely. Insurance agents, brokers, and insurance companies earned the same level of trust from only 21 per cent of respondents – lower than both credit card companies and credit unions. (Comparatively speaking, 30 per cent of those surveyed say they trusted their credit card companies a lot or completely.)

A great deal of FSRA’s research then focuses on vulnerability. Areas discussed include markers of vulnerability, and information about a vulnerable consumer’s attitudes, purchasing habits, and engagement preferences. (For less vulnerable consumers, a family or friend referral is the most common means of finding service providers. Vulnerable clients, meanwhile, were more likely to do the same using advertising and online search.) It additionally found that the vulnerable are generally much less trusting and less satisfied with the services they receive. The research study also discusses the barriers to access which those vulnerable consumers encounter.

In looking at the broader set of survey responses, FSRA also learned that 10 per cent of all respondents said they’d been offered a financial product or service at a price or with terms and conditions that were unreasonable – the top six unreasonable products on offer being either credit or insurance products. More, just 57 per cent of customers surveyed report being at least somewhat satisfied with the service when purchasing life insurance; 71 per cent report making their purchase through an agent.

The study further found that awareness about the regulator itself is low, with just five per cent of auto insurance consumers and four per cent of home, health and life insurance consumers being able to identify FSRA. Regarding complaints, the research suggests that few who experience issues actually follow up by making a complaint.

Among those who had an issue but did not complain, a significant number reported the view that there would be no point – and the number of those saying this in insurance is notable. Of those who'd experienced a problem but did not make a formal complaint about the issue, 45 per cent of life and health insurance consumers said there would be no point; and 56 per cent of home insurance consumers said the same; as did 50 per cent of those who had complaints about the auto insurance sector. Comparatively speaking, only 29 per cent said the same about mortgage brokers, 27 per cent said the same about pension-related problems, and 26 per cent said the same about credit unions.

Read Story (Subscription Required): [https://insurance-portal.ca/society/regulator-publishes-in-depth-look-at-vulnerable-consumers/?utm\\_source=sendinblue&utm\\_campaign=daily\\_complete\\_202212-15&utm\\_medium=email](https://insurance-portal.ca/society/regulator-publishes-in-depth-look-at-vulnerable-consumers/?utm_source=sendinblue&utm_campaign=daily_complete_202212-15&utm_medium=email)

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## FSRA Issues Compliance Order Against Life Insurance MGA

By Lyle Adriano, Insurance Business Canada, December 23, 2022

[https://www.insurancebusinessmag.com/ca/news/life-insurance/fsra-serves-compliance-order-against-life-insurance-mga-431559.aspx?utm\\_source=GA&e=YnJlbmRhbi53eWNrc0BjYWZpaS5jb20&utm\\_medium=20221223&utm\\_campaign=IBCW-MorningBriefing-20221223&utm\\_content=9B8F63D4-69B1-4D0C-AE64-59C8BBAFABC8&tu=9B8F63D4-69B1-4D0C-AE64-59C8BBAFABC8](https://www.insurancebusinessmag.com/ca/news/life-insurance/fsra-serves-compliance-order-against-life-insurance-mga-431559.aspx?utm_source=GA&e=YnJlbmRhbi53eWNrc0BjYWZpaS5jb20&utm_medium=20221223&utm_campaign=IBCW-MorningBriefing-20221223&utm_content=9B8F63D4-69B1-4D0C-AE64-59C8BBAFABC8&tu=9B8F63D4-69B1-4D0C-AE64-59C8BBAFABC8)

The Financial Services Regulatory Authority of Ontario (FSRA) has issued a compliance order against the life insurance managing general agent Greatway Financial.

According to a release from FSRA, Greatway has consented to the order.

FSRA initially issued a notice of proposal which alleged that Greatway was committing acts which might be expected to lead to a situation that would constitute an unfair or deceptive act or practice under the Insurance Act, R.S.O. 1990, c. I.8.

The regulator's concerns were focused on the training that Greatway offered to the life insurance agents contracted with the company. FSRA said that the agents trained by Greatway might provide customers with inappropriate, inaccurate, or misleading information regarding the terms, benefits, or advantages of certain insurance policies – including universal life policies that are sold under an insureds' retirement plan strategy.

Under the compliance order, Greatway will revise its training for contracted agents, while sending existing holders of universal life policies sold by Greatway agents information that would help them understand whether the policies are appropriate for their circumstances. Greatway has also been ordered to support any consumer with concerns about their policy.

"It is vital that consumers receive information regarding life insurance policies which is accurate and appropriate," said FSRA director of litigation and enforcement Elissa Sinha. "This compliance order ensures that Greatway trains its agents to do so."

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## UK Financial Conduct Authority Seeks To Extend COVID-Era Insurance Consumer Protections

### *New Guidance Encourages Insurance Industry To Accommodate Financially Stressed Clients*

*By James Langton, Investment Executive, January 11, 2022*

[FCA seeks to extend Covid-era consumer protections | Investment Executive](#)

Amid gloomier economic and financial conditions, the UK's Financial Conduct Authority (FCA) is looking to the insurance industry to help ease the pressure on financially strapped clients.

The FCA has launched a consultation that proposes to update guidance that encourages insurers to support customers in financial difficulty. The guidance was initially introduced in response to the financial stresses that accompanied the COVID-19 pandemic.

The regulator said the revisions are intended to provide clarity to firms on how to support struggling customers generally, not just those who were financially stretched due to the pandemic.

For instance, under the proposed guidance, insurers would be expected to consider whether different products are more suitable for customers who are facing financial challenges, and whether to waive the fees associated with adjusting customers' policies.

It would also require firms to ensure that clients have all of the necessary information about their options, and adequate time, to make decisions about their insurance needs.

The proposals follow recent efforts by the FCA to push insurers and brokers to "treat their customers fairly by not undervaluing insured items and charging unnecessary add-ons and unfair penalties, such as increased interest for those facing financial difficulty," the regulator said in a release.

"Access to insurance is vital, providing peace of mind and security in case things go wrong. By extending our guidance we are helping consumers keep that safety net, and ensure they're properly supported when they claim, even as the cost of living increases," said Sheldon Mills, executive director, consumers and competition with the FCA.

The consultation on the proposed changes runs until March 11.

The FCA is aiming to finalize its revised guidance by July, which is when its new “consumer duty” is due to come into force that will set higher expectations for the standard of care which firms provide to consumers.

“Under the consumer duty, firms are required to act in good faith towards retail customers, avoid causing foreseeable harm, and enable and support retail customers to pursue their financial objectives,” it said

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## OTHER CAFII MEMBER-RELEVANT NEWS

### What Is Credit Card Protection Insurance, And Is It Worth The Money?

#### *Guarding Against A Credit Crisis Has Its Benefits — And Its Limitations.*

*By Srivindhya Kolluru, Special to the Toronto Star, January 2, 2022*

As credit card debt reaches a record high in Canada, you may wonder if now is a good time to sign up for credit card protection insurance.

But first, what is credit card protection insurance, and is it worth it?

“Credit card insurance is also known as balance protection insurance,” explains Natasha Macmillan, director of everyday banking at Ratehub.ca. “One of the benefits of having credit card insurance is if you can’t work for some reason, your credit card provider would at least make minimum payments on your behalf until you could, leaving your credit history and score unaffected.”

Jason Heath, managing partner at Objective Financial Partners, likens it to a life insurance policy. “It’s almost like life or disability insurance to a certain extent because that would cause the credit card company to pay off your balance or make monthly payments for you,” says Heath. “You’re protecting against the risk of something happening that might make it hard for you to pay your credit card balance.”

Macmillan says the amount you pay in premiums isn’t fixed since the cost of your credit card insurance is calculated using your average daily balance. But generally speaking, Macmillan says this premium is around 0.8 to 1.2 per cent of your average daily balance.

“It’s kind of like mortgage insurance,” says Heath. “A lot of times when you get a mortgage, the financial institution will offer you mortgage insurance that will pay off your balance should something happen to you, and likewise, it tends to be expensive.”

Despite the costs, Macmillan thinks credit card insurance is sometimes worth the money. “For example, if you carry a large balance each month, don’t have a lot of savings, and you don’t have any disability insurance, then we recommend getting additional credit card insurance on top of what you would already have,” says Macmillan.

Just note that only some injuries, illnesses, or instances of unemployment qualify you for credit card insurance coverage.

For example, Macmillan says if you resigned or were terminated with cause, that wouldn't count as loss of employment. "So, it's important to remember the terms and conditions as part of your credit card and what you are eligible for," says Macmillan.

Read Story (Subscription Required): <https://www.thestar.com/business/2023/01/02/what-is-credit-card-protection-insurance-and-is-it-worth-the-money.html>

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## Neil Skelding Stepping Down As RBC Insurance CEO On January 31

By Alain Thériault, *Insurance Portal*, January 6, 2023

After 20 years with RBC Group, including the last 18 years as President and CEO of RBC Insurance, Neil Skelding is retiring on January 31, 2023. He can now dedicate more time to his family and other pursuits, which include outdoor sports and community involvement.

Skelding joined RBC Insurance in January 2003 as Executive Vice President, Life Operations, said Doug Guzman, Group Head, RBC Wealth Management, RBC Insurance and RBC Investor & Treasury Services in a press release. Skelding previously worked with other insurers including Transamerica Life Canada (now iVari, acquired by Sagicor Financial Company on August 25, 2022). He was appointed President and CEO of RBC Insurance in 2004.

"During the next 18 years, Neil worked to establish RBC Insurance as Canada's largest bank-owned insurer," Guzman said. Under Skelding's leadership, RBC Insurance grew to become the leading creditor and disability insurance provider in Canada, he added.

### A new generation of experience

Neil Skelding told *Insurance Portal* that his succession has been carefully planned for almost a year. As part of this transition, Jennifer Publicover was promoted to executive vice-president and appointed CEO of RBC Insurance on January 1, 2023.

Doug Guzman highlighted Publicover's extensive global business experience and passion for leading and developing teams. He also lauded her expertise partnering across RBC. "Jennifer and Neil will work closely together over the coming weeks on this transition," he adds.

Jennifer Publicover joined RBC in 2018 as Vice President, Strategic Initiatives. She has established herself as an innovative strategic leader, said Doug Guzman. In 2019, Publicover joined the Wealth Management, Insurance & Investor, and Treasury Services Operating Committee as Senior Vice President, Products & Strategy, Wealth Management. "In this global role, she leads a team of over 400 employees to deliver Wealth Management's platform strategy, investments, digital and data solutions, credit and cash management and transformational programs," Guzman notes.

Neil Skelding told *Insurance Portal* that Rino D'Onofrio is the President and Chief Operating Officer of RBC Insurance. He has been head of RBC's Canadian insurance business since 2010. D'Onofrio joined RBC in 2007 and was formerly Actuarial Vice President at Canada Life. A member of the Canadian Life and Health Insurance Association (CLHIA) Board of Directors for the 2021-2022 term, D'Onofrio has been re-appointed to that role for the 2022-2023 term. He also chairs the CLHIA's Corporate Services Standing Committee.

### **Notable achievements**

Doug Guzman noted that Neil Skelding played a pivotal role in creating the RBC Insurance branch strategy. That strategy led RBC Insurance to open more than 50 stores across Canada, "effectively growing the brand and making our insurance products more visible and accessible to Canadians," Guzman said.

In 2016, RBC Insurance sold its P&C insurance business to Aviva Canada. Doug Guzman noted that Skelding was instrumental in this home and auto insurance agreement.

The President and CEO of RBC Insurance has also been a leading advocate for the industry beyond his role at RBC. For one, Skelding has chaired the CLHIA's Marketplace Relations Standing Committee.

In addition, he is a past chair of the Canadian Association of Financial Institutions in Insurance (CAFII) and of the Industry Advisory Committee of Assuris, an organization that protects policyholders if their life insurer fails.

Neil Skelding said he was particularly proud of his RBC team's diversity and unique culture. Those factors fuelled the strong scores in RBC Insurance's employee engagement survey, Doug Guzman noted. What's more, Skelding "has been a mentor and advocate for the advancement of women and always pushed for greater diversity and inclusion at RBC Insurance," Guzman said.

### **A passion for health and education**

Neil Skelding told *Insurance Portal* that he is grateful for the opportunity to have led a high-calibre group company for so many years. For the outgoing head of RBC Insurance, retirement does not mean leaving the insurance world behind. "I would like to give back to the industry. I'm not sure how I'm going to do that yet," he said.

Skelding has many irons in the fire. The outgoing leader of RBC Insurance is particularly committed to building stronger communities, health care, and education. He has served on the Board of Governors of McMaster University and as Chair of its Investment Pool Committee. He was appointed by the Lieutenant Governor of Ontario as Chair of the Mississauga Halton Local Health Integration Network. Skelding also served as Chair of the Board of the Credit Valley Hospital, and co-led the voluntary merger of the Mississauga and Queensway hospitals. In April 2009, Skelding received the Wayne C. Fox Distinguished Alumni Award from McMaster University's DeGroote School of Business.

## Visionary

A visionary and a regular source in our publications, Neil Skelding detailed the effects of the perfect storm that hit the industry after the 2008 crisis. In his view, additional capital requirements, new accounting standards, including the one for insurance contracts then in-development (IFRS 4, now IFRS 17), and persistent low interest rates rocked the insurance world.

In a 2010 *Insurance Journal* article republished on *Insurance Portal*, Skelding predicted that the industry would be transformed by regulation and new accounting rules. He explained that consumers would have to pay more for insurance products if regulatory capital requirements were tightened.

Skelding likened the crisis to “a live stress test” for insurers, adding that “most insurers’ models were not built for a scenario of capital markets plunging as much as they did.” Another live stress test is the climate of low interest rates and low inflation over long periods of time, he added.

In addition, Skelding talked to *Insurance Portal* about his views on the future of the industry and the distribution of insurance products. His projections will be featured in a soon-to-be-published article on the outlook for the life and health insurance industry in 2023.

Read Story (Subscription Required): [https://insurance-portal.ca/society/neil-skelding-stepping-down-on-january-31/?utm\\_source=sendinblue&utm\\_campaign=daily\\_complete\\_202301-09&utm\\_medium=email](https://insurance-portal.ca/society/neil-skelding-stepping-down-on-january-31/?utm_source=sendinblue&utm_campaign=daily_complete_202301-09&utm_medium=email)

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## Ottawa Committed To Beefing Up Passenger Bill Of Rights In Wake Of Holiday Travel Chaos, Prime Minister Says

By Ian Bailey, *The Globe and Mail*, January 12, 2023

Prime Minister Justin Trudeau says his government is committed to beefing up the passengers bill of rights in the wake of travel chaos over the holidays.

“We recognize that things have been very difficult over the past year for travellers and there are even larger challenges that have come up. For example, we saw it over the holidays,” Mr. Trudeau told a news conference in Ottawa on Thursday, January 12.

“So I can assure you that, yes, we are looking at strengthening and improving and to make even more relevant the protections for travellers under the charter. So, yes, we are looking at what more to do.”

The bill of rights, enacted in 2019, is intended to clarify for travellers what they can expect in terms of service or compensation if their travel arrangements are disrupted by events within the control of airlines.

Mr. Trudeau's comments came as federal politicians grilled executives of Canadian airlines and airports over the holiday travel disruptions, calling the wave of cancelled and delayed flights a "disaster" that ruined winter getaway plans and kept families apart at Christmas.

Members of the transport committee called the company representatives to the meeting to explain why so many of their customers endured long delays, cancellations, and lost luggage while travelling over the Christmas break. Hundreds of Sunwing Airlines customers were stranded in sun resorts for days with little or no communications from the carrier.

"This holiday season was a complete disaster for my constituents and Canadians across the country," said Calgary member of Parliament George Chahal.

Read Story (Subscription Required): [https://www.theglobeandmail.com/politics/article-politics-briefing-ottawa-committed-to-beefing-up-passenger-bill-of/?utm\\_medium=email&utm\\_source=Politics%20Briefing&utm\\_content=2023-1-12\\_16&utm\\_term=Politics%20Briefing%3A%20Ottawa%20committed%20to%20beefing%20up%20passenger%20bill%20of%20rights%20in%20wake%20of%20holiday%20travel%20chaos%2C%20PM%20says&utm\\_campaign=newsletter&cu\\_id=Ts6FwhWx6n2rSHCOx7MiReEeeFJOJkTb](https://www.theglobeandmail.com/politics/article-politics-briefing-ottawa-committed-to-beefing-up-passenger-bill-of/?utm_medium=email&utm_source=Politics%20Briefing&utm_content=2023-1-12_16&utm_term=Politics%20Briefing%3A%20Ottawa%20committed%20to%20beefing%20up%20passenger%20bill%20of%20rights%20in%20wake%20of%20holiday%20travel%20chaos%2C%20PM%20says&utm_campaign=newsletter&cu_id=Ts6FwhWx6n2rSHCOx7MiReEeeFJOJkTb)

## U.S. Travel Insurance Provider Expands Into Canada

*By Alain Castonguay, Insurance Portal, December 14, 2022*

Travelex Insurance Services, a U.S. company specializing in the distribution of travel insurance products, has opened its first Canadian location in Toronto.

The announcement was made in a press release on November 21. Travelex has been operating in the United States for over 25 years.

Travelex has been part of the Zurich family of global brands since 2017, which operates in about 15 countries. Travelex is headquartered in Omaha, Nebraska.

CEO Shannon Lofdahl stated that Travelex is renowned for its quality customer service. "I think Canadian travellers will be impressed with what we have to offer them," she said. The Canadian offering also includes claims administration.

According to Brooke Kirby, Travelex's Vice-president of Marketing, the company did not have to publish a notice of branch establishment in the Canada Gazette because it is not an institution covered by Canada's federal insurance legislation.

Travelex's Canadian operations fall under Ontario's legislation, sources at the Department of Finance Canada and the Office of the Superintendent of Financial Institutions (OSFI) confirmed to *The Insurance Portal*.

According to OSFI spokesperson Carole Saindon, Travelex operates in Canada as an insurance agency, which falls under provincial jurisdiction. What's more, its Canadian travel insurance products are underwritten by Zurich Canada, she pointed out. Zurich's Canadian subsidiary is federally regulated.

Read Story (Subscription Required): [Travel insurance provider expands to Canada - Insurance Portal \(insurance-portal.ca\)](https://insurance-portal.ca/travel-insurance-provider-expands-to-canada)

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## New Zealand Woman Loses Home After Insurer's Rejection Of Brain Tumour Claim

*Company's Refusal To Cover Surgery Highlights Numerous Failures Of Critical Condition Insurance Policy, Says Expert*

*By Jean Dondo, Wealth Professional, December 15, 2022*

[https://www.wealthprofessional.ca/investments/life-and-health-insurance/woman-loses-home-after-insurers-rejection-of-brain-tumour-claim/372371?utm\\_source=GA&e=YnJlbmRhbi53eWNrc0BjYWZpaS5jb20&utm\\_medium=20221215&utm\\_campaign=WPCW-Newsletter-20221215&utm\\_content=9B8F63D4-69B1-4D0C-AE64-59C8BBAFABC8&tu=9B8F63D4-69B1-4D0C-AE64-59C8BBAFABC8](https://www.wealthprofessional.ca/investments/life-and-health-insurance/woman-loses-home-after-insurers-rejection-of-brain-tumour-claim/372371?utm_source=GA&e=YnJlbmRhbi53eWNrc0BjYWZpaS5jb20&utm_medium=20221215&utm_campaign=WPCW-Newsletter-20221215&utm_content=9B8F63D4-69B1-4D0C-AE64-59C8BBAFABC8&tu=9B8F63D4-69B1-4D0C-AE64-59C8BBAFABC8)

A New Zealand woman who purchased life and critical illness insurance to help her cover her mortgage should she ever get too ill to work found her policy was useless when she developed a crippling and fatal brain tumour.

After experiencing symptoms such as fast weight gain, muscle loss, cognitive fog, exhaustion, despair, and excruciating headaches for several years, Amber Denney was eventually found to have a pituitary tumour in 2020. She then underwent brain surgery.

Based on her neurosurgeon's assessment, the New Zealand woman met all the requirements to succeed in her A\$49,000 life and critical condition claim, reported Stuff. However, the insurance company, BNZ Life Insurance, denied the claim after deliberating for six months.

Denney's condition rendered her unable to work, and as a result, she lost the house she purchased when she was just 21. Even today, she questions whether the money from the critical condition insurance would have enabled her to save it.

BNZ declined to comment on whether the insurance it offered Denney had failed her when she needed it most. However, Partners Life, which acquired BNZ Life Insurance after her claim was determined, has pledged to re-examine her case.

Denney has not yet given up on her claim to her insurer, and she may file a complaint with the Banking Ombudsman and the Insurance and Financial Services Ombudsman over BNZ's decision to deny her claim due to poor service.

She claims, however, that she is speaking out in order to inform others that their insurance may be much more restricted than they believe and may be unable to help them when they most need it. Denney suffered from Cushing's Disease, a collection of severe symptoms brought on by the pituitary tumour.

"I'm not the only Cushing's person who has had this trouble with the insurance companies," Denney told Stuff. "The endocrinologist told me about all the other people who have been struggling."

According to Denney and insurance attorney Tim Gunn, who is assisting Denney *pro bono*, there were many significant flaws in the critical condition insurance BNZ offered her.

Pituitary tumours were covered by the BNZ Life policy, but it had two problems.

First, it had to result in brain damage and functional disability that a specialist regarded as permanent. Second, it needed to be removed using a craniotomy, a procedure that involves breaking into the skull.

According to Gunn, the requirement for a craniotomy is irrational, unjust, and out-of-date. Denney's life was saved via keyhole surgery rather than craniotomy, which was formerly the primary surgical option for pituitary tumours.

But Denney and Gunn contend that the policy also had a fatal fault. Because it takes so much time for medical specialists to conclude the damage after a pituitary tumour operation is permanent, paying a claim in time to help save a policyholder's home is impossible, Denney said.

One note from BNZ Life dated September 2021 said that while Denney was diagnosed in July 2020 and underwent surgery in September 2020, while under level four lockdown, proof of permanency had still not been produced. But Denney insisted that her symptoms of permanent memory loss, severe headaches, and other hallmarks of Cushing's disease should be enough.

Partners Life has committed to review BNZ Life's decision to deny Denney's claim.

Partners Life says its claims philosophy is "if it's grey, we pay", and "where the medical information is unclear or conflicting, we will remove the uncertainty and simply pay your claim."

## UPCOMING CAFII MEMBER-RELEVANT WEBINARS AND EVENTS

### Second Annual FSRA Exchange Event

**Dates:** Thursday, January 19, 2023

**Time:** 8:30 a.m. – 1:45 p.m. EST

Please join The Financial Services Regulatory Authority of Ontario (FSRA) and a great line up of guest speakers and panelists for the second annual cross-sectoral FSRA Exchange event. This year you have a choice to attend **in-person** or **virtually**.

Special speakers include:

- The Honorable Peter Bethlenfalvy, Minister of Finance
- FSRA's Board Chair, Joanne De Laurentiis;
- FSRA's CEO, Mark White.

The general morning session for all FSRA regulated sectors includes a chat with FSRA CEO Mark White, a Consumer Protection Panel and a Principles Based Regulation Panel. You have a choice of afternoon sessions focused on specific sectors: Property and Casualty Insurance; Credit Unions and Insurance Prudential; Mortgage Broker; Life and Health; or Pensions.

[Register Here](#)

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### Canadian Club Toronto Webinar On DEI In The Workplace

**Dates:** Thursday, January 26, 2023

**Time:** 12:00 p.m. – 1:00 p.m. EST

Over the past several years, society has taken great steps to address some of our historic inequities in business and beyond. Efforts to expand the diversity of boards of directors, executive teams, and senior leadership across industries have been imperative. How has this challenge been met? What are the obstacles to success, and how do we overcome them? How do we ensure diverse boards are, in fact, inclusive?

Join Canadian Club Toronto on January 26 for a virtual discussion on what practices are working now and where do we still need to lean in to take DEI forward?

[Register Here](#)