



Insurance Regulatory and Compliance

McGlinchey's Insurance Regulatory and Compliance team offers deep industry knowledge, paired with the regulatory relationships and years of experience that allow us to make a difference for our clients.

Our firm's holistic approach to serving the full range of players in the insurance industry, coupled with our leading-edge capabilities in consumer financial services compliance, give us capabilities few competitors can match.

We are often called in on the front-end of product development, to brainstorm with industry innovators on new insurance products and services to meet the ever-evolving needs of the insurance market. Then, leveraging our comprehensive knowledge of the regulatory landscape, we work with clients to make sure those new products and services pass muster with regulators across the US and its territories.

Colleagues at AmLaw 50 firms have called on our team to assist in insurance regulatory compliance matters and due diligence for large transactions.

Our clients include:

Insurers and other risk-bearing entities – including captive insurers, health maintenance organizations, risk retention groups, and others.

Insurance agents and brokers – including administrators such as third-party administrators and managing general agents.

Financial services companies – companies which sell quasi-insurance products to their consumer finance customers or want to be able to represent insurers in sales of insurance products such as automobile ancillary insurance, gap coverage, mortgage insurance, homeowner’s collateral protection insurance (forced place coverage), and other insurance that protects creditors.

Insurance premium finance companies (IPFCs) – organizations which finance insurance premiums for businesses and individuals.

We are deeply familiar with the wide array of insurance products and the companies involved with those products – from insurance producers, agencies, and companies (including managed-care health insurers) to third-party administrators and reinsurers, as well as manufacturers and other companies that sell insurance products. Our clients include U.S. companies operating regionally and nationally, as well as Japanese, German, and other multinational companies offering insurance products and services to U.S. customers.

Our lawyers pride themselves on being highly creative, as well as accessible and responsive. Many clients who have been with us for decades credit our tenacity with earning their business over the long haul.

What We See On the Horizon

Contact your McGlinchey Insurance Regulatory and Compliance team for our latest insights about the following:

Usage-based insurance – i.e., insurance in which the cost is measured on the type of car against time, distance, place, and behavior. With the rise of ride-hailing and ride-sharing services and autonomous vehicles, insurers are working continuously to adapt their products and services to the needs of the market – developing insurance products that can be “turned on and off” as they are needed, both for consumers and commercial enterprises.

InsureTech – i.e., new insurers creating and implementing new ways to use data in the underwriting and pricing of insurance.

Cybersecurity and insurance – No less than any business, insurers and related insurance-industry players face unrelenting threats to the privacy and security of their data. With McGlinchey’s large base of clients in the financial services sector, our firm is continuously audited for data privacy and cybersecurity concerns, to verify the firm meets and exceeds the strictest of standards. Our lawyers are leaders in the field of data privacy protection and we bring this compliance mindset to our insurance clients and their operations.

Strengths Sought After by McGlinchey Clients

Our team advises on the full range of insurance regulatory and compliance issues. We assist clients with agency formation, acquisitions and divestitures of books of business, organizational and operational issues, licensing

and regulatory approvals, regulatory filings, insurance product development, high-deductible health plans, consumer credit products, insurance holding company reporting, insurance agency agreements, reinsurance agreements, intermediary agreements, market conduct examinations, regulatory hearings and enforcement actions, risk retention groups, captive reinsurance and self-insurance, voluntary liquidations and insolvencies, and defense of insurance-related business litigation.

We have particular strength advising on:

Licensing in all 50 states and the District of Columbia. Our team has extensive experience obtaining licenses and related regulatory approvals in all 50 states and D.C.

Ancillary insurance products. McGlinchey's Insurance Regulatory and Compliance team has advised automobile and heavy equipment manufacturers regarding sales of ancillary insurance products – including extended warranties, vehicle service contracts, and gap products – and the establishment of dealer financial services providers, finance companies, and insurance subsidiaries.

Auto finance. In addition to advising auto manufacturers on providing ancillary insurance products, we have advised them on the formation of captive insurance companies and agencies (including call centers) for nationwide sales, and we developed nationwide compliance programs for sales, solicitation and marketing of full property and casualty insurance lines.

Industry strengths. In addition to the deep knowledge our team has advising the automotive industry, we also have extensive experience advising on insurance regulatory and compliance issues for companies in a variety of other industries: aviation, information technology, financial services/banking, real estate, energy, healthcare, equipment, consumer products, and more.

Regulatory hearings and enforcement actions. Maintaining productive relationships with key regulatory authorities enables our team to advocate effectively for clients when regulatory disputes and alleged statutory violations arise. If and when litigation is necessary, our Insurance Regulatory and Compliance team lawyers work side by side with our litigators.

Lobbying and government relations. When regulations or enforcement practices become too burdensome, we represent clients in seeking legislative changes and/or changes in regulations.

InsureTech. Alongside colleagues with deep experience advising on regulatory and compliance issues with respect to emerging technologies in the financial services industry (FinTech), our Insurance Regulatory and Compliance team advises on the relevant regulatory compliance issues implicated by emerging technologies and related business models of companies selling and/or servicing new and innovative insurance products and services.

HMOs and PPOs. We have deep experience working for health insurers and supporting their growth strategies.

Initial Contacts

- Rudy Aguilar

- Ronnie L. Johnson

Related Industries

- Auto Finance
- Construction
- Education
- Financial Services
- Insurance
- Real Estate
- Technology
- Cannabis
- Electric Vehicles

Related Services

- Consumer Financial Services Compliance
- Tax
- Class Action Defense
- Corporate and M&A
- Environmental
- Cybersecurity and Data Privacy
- Insurance Defense and Coverage
- Government Relations, Contracts, and Lobbying
- Aviation and Aerospace
- Insurance Regulatory and Compliance
- FinTech