

Index

ACCORD AND SATISFACTION

Homeowners insurance, § 14:11

ACCRUAL

Homeowners insurance, statute of limitations, § 18:1

ACUPUNCTURE

Health insurance, required coverage, § 9:8, 10:5

ADOPTED CHILDREN

Health maintenance contracts, required coverage, § 11:5

AGE

Health insurance, misstatement of age, § 9:2

AGRICULTURAL LABOR

Workers' compensation, § 31:2

ALCOHOL AND ALCOHOLIC BEVERAGES

Health insurance, contract provisions, § 9:2

Workers' compensation, use by employee, § 34:4, 34:6

AMBIGUITIES

Individual (non-ERISA) disability insurance, § 40:8

AMENDMENT

Homeowners insurance, valued policy law, § 15:3

AMPUTATION

Workers' compensation, § 35:4

APPEAL AND REVIEW

Employee Retirement Income Security Act governed disability insurance, § 42:3
to 42:5

APPRAISALS

Homeowners insurance, § 14:8, 14:9, 29:2

ARBITRATION

Automobile insurance, no-fault coverage, § 2:6, 2:21

Homeowners insurance, attorney's fees, § 29:2

ARM, LOSS OF

Workers' compensation, § 35:4

ASSIGNEES

Homeowner's insurance, § 27:3, 29:7

ASSIGNMENT OF BENEFITS

- Automobile insurance, can assignment to unregistered fictitious entity be valid, § 5:8
- Automobile insurance, claims disputes and litigation, § 5:2 to 5:4, 5:6, 5:7
- Intervention in lawsuit, by assignee, § 5:9

ATHLETES

- Workers' compensation, § 31:2

ATTORNEYS AND ATTORNEY'S FEES

- Automobile Insurance, this index
- Employee Retirement Income Security Act governed disability insurance, § 42:6
- Homeowners Insurance, this index
- Individual (non-ERISA) disability insurance, § 40:17
- Prevailing Party, this index
- Workers' Compensation, this index

AUTOMOBILE INSURANCE

- Generally, § 1:1 to 1:7
- Arbitration, no-fault coverage, § 2:6, 2:21
- Assignee, intervention in lawsuit, § 5:9
- Assignment of benefits, claims disputes and litigation, § 5:2 to 5:4, 5:6, 5:7
- Attorney's fees
 - Generally, § 3:1 to 3:10
 - Applicability, § 3:1
 - Difficulty obtaining counsel, necessity of showing to establish need for multiplier, § 3:7
 - Entitlement to fees and costs, § 3:4
 - Insured or assignee, award against, § 3:10
 - Motor Vehicle Repair Act, § 6:11
 - Multipliers, § 3:6 to 3:9
 - Paralegals, services done by, § 3:8
 - Prevailing party, § 3:5
 - Settlement
 - Enforcement of, § 5:12
 - Multiplier should not apply to recovery of fees under proposal for settlement, § 3:9
 - Suit must be filed to recover fees, § 3:2
 - Suits against insurers, § 3:3
- Bad faith claims against uninsured motorist insurer a collateral source?, § 6:6
- Batteries, inoperable vehicles, § 2:3
- Bodily injury coverage, § 1:4
- Brakes, inoperable vehicles, § 2:3
- Cancellation of coverage
 - Generally, § 4:1 to 4:6
 - Insurer cancellation, generally, § 4:1
 - Premium finance companies, § 4:5, 4:6
 - Refund of premium, § 4:4
 - Renewal, § 4:2

INDEX

AUTOMOBILE INSURANCE—Cont'd

Cancellation of coverage—Cont'd

Statutes governing insurer cancellation and non-renewal, § 4:3

Statutes governing premium finance companies, § 4:6

Claims disputes and litigation

Generally, § 5:1 to 5:19

Assignment of benefits, § 5:2 to 5:4, 5:6, 5:7

Can an assignment to an unregistered fictitious entity be valid, § 5:8

Construction and interpretation of policy, § 5:13

Declaratory judgment, § 5:14

Effective date of insurance policy, § 5:15

Effective date of 2012 P.I.P. law, § 5:17

Effective date of 2023 P.I.P., tort reforms, § 5:18

Jurisdiction, P.I.P. law, § 5:19

Policy prohibition against assignment, § 5:3

Process for dispute, § 5:10

Settlement of claims, § 5:12

Standing, § 5:1, 5:5

Collateral sources. Limitation of insured's right to recover special damages in tort claims, below

Consent of insured, required coverage, § 2:8

Constitutional considerations, mandatory binding P.I.P. arbitration unconstitutional, § 2:21

Construction of policy, § 5:13, 5:14

Crime victim compensation, § 1:7

Damages, Motor Vehicle Repair Act, § 6:11

Death benefits, required coverage, § 2:8

Declaratory judgments, claims disputes and litigation, § 5:14

Deductibles, no-fault coverage, § 2:7

Defense against action brought by others, § 1:4

Definitions, no-fault coverage, § 2:3

Demand letter, claims disputes, § 5:11

Disclosures, Motor Vehicle Repair Act, § 6:11

Dispute resolution, uninsured/underinsured motorist coverage, § 1:5

Entitlement to attorney's fees, § 3:4

Estimates, Motor Vehicle Repair Act, § 6:11

Exhaustion of benefits, no-fault coverage, § 2:18

Explanation of benefits, no-fault coverage, § 2:13

Financial dependence on insured, deductibles, § 2:7

Florida 2012 PIP law, Set-off Calculations, effect, § 6:7

Fraud voids all coverage, no-fault coverage, § 2:20

Good faith, entitlement to attorney's fees and costs, § 3:4

Indemnification for injuries causes to others, § 1:4

Injunctions, Motor Vehicle Repair Act, § 6:11

Inoperable vehicles, no-fault coverage, § 2:3

Intent, entitlement to attorney's fees and costs, § 3:4

Interest

No-fault coverage, § 2:15

AUTOMOBILE INSURANCE—Cont'd

Interest—Cont'd

Settlement of claims, § 5:12

Interpretation of policy, § 5:13, 5:14

Intervention in lawsuit, by assignee, § 5:9

Joinder of derivative claims, limitation of insured's right to recover special damages in tort claims, § 6:15

Liability coverage, § 1:4

Limitation of insured's right to recover special damages in tort claims

Generally, § 6:1 to 6:16

Collateral sources, consideration of, § 6:2, 6:3

Collateral sources jury instructions, § 6:5

Joinder of derivative claims, § 6:15

Motor Vehicle Repair Act, § 6:10 to 6:12

Nonjoinder of insurers, § 6:17

Other benefits not considered collateral source, § 6:4

Ownership of vehicle, determination where property damage claim in excess of \$ 2,000, § 6:13

Property damage, § 6:8

Remedies, Motor Vehicle Repair Act, § 6:11, 6:12

Subrogation against owner of commercial vehicle, § 6:16

Tort claims against persons not subject to act, § 6:14

Windshield, comprehensive coverage not to apply deductible to, § 6:9

Litigation. Claims disputes and litigation, above

Mass transit vehicles, no-fault coverage, § 2:3

Medicaid, no-fault coverage, § 2:9

Medical bills, time limits to submit, § 2:6

Medical payments coverage, § 1:6

Military personnel, operation of motor vehicle without security, § 2:3

Mobile homes, no-fault coverage, § 2:3

Modified no-fault coverage, § 2:7

Mopeds, no-fault coverage, § 2:3

Motor Vehicle Repair Act, limitation of insured's right to recover special damages in tort claims, § 6:10 to 6:12

Motorcycles, no-fault coverage, § 2:3

Multipliers, attorney's fees, § 3:6 to 3:9

No-fault coverage

Generally, § 1:2, 2:1 to 2:21

Arbitration, mandatory binding P.I.P. arbitration unconstitutional, § 2:21

Benefits, § 2:8, 2:9

Business practice, failure to timely pay as, § 2:19

Deductibles, § 2:7

Demand letter required prior to filing P.I.P. suits, § 2:14

Exhaustion of benefits, § 2:18

Explanation of benefits, § 2:13

Exposure for payment above policy limits, § 2:18

Fraud voids all coverage, § 2:20

Interest, § 2:15

INDEX

AUTOMOBILE INSURANCE—Cont'd

No-fault coverage—Cont'd

- Limits of policy, exposure for payment above, § 2:18
- Notice of loss to insurer, § 2:10, 2:12
- Operation of motor vehicle without security, § 2:4, 2:5
- Penalties, operation of motor vehicle without security, § 2:3, 2:5
- Primary, P.I.P. as, § 2:2
- Pro rata share of total payment, payment by each insurer, § 2:17
- Proof of security, § 2:4, 2:5
- Required benefits, § 2:8
- Required coverage, § 2:16
- Required security, § 2:3, 2:4
- Survey of key provisions and recent changes, § 2:6
- Suspension of registration and license, operation of motor vehicle without security, § 2:3
- Time to pay benefits, § 2:9, 2:11, 2:12, 2:19
- Written notice of loss to insurer, § 2:10, 2:12
- Nonjoinder of insurers, limitation of insured's right to recover special damages in tort claims, § 6:17
- Notice of loss to insurer, no-fault coverage, § 2:10, 2:12
- Out-of-state vehicles, no-fault coverage, § 2:3
- Passengers, required coverage, § 2:8
- Payment of settlement, claims disputes, § 5:12
- Penalties, Motor Vehicle Repair Act, § 6:11
- Personal injury protection (P.I.P.). No-fault coverage, above
- Physical damage, § 1:3
- P.I.P., required security, § 2:3
- Premium finance companies, cancellation of coverage, § 4:5, 4:6
- Premiums, modified no-fault coverage, § 2:7
- Prevailing party, attorney's fees, § 3:5
- Pro rata share of total payment, payment by each insurer, § 2:17
- Property damage, § 1:3, 6:8
- Refund of premium, cancellation of coverage, § 4:4
- Relative of insured
 - Deductibles, § 2:7
 - Required coverage, § 2:8
- Remedies, Motor Vehicle Repair Act, § 6:11, 6:12
- Renewal, cancellation of coverage, § 4:2
- Rental car reimbursement, § 1:3
- Restitution, Motor Vehicle Repair Act, § 6:11
- Set-off Calculations, 2012 PIP law, effect, § 6:7
- Settlement. Attorneys' fees, above
- Special damages. Limitation of insured's right to recover special damages in tort claims, above
- Stacking, uninsured/underinsured motorist coverage, § 1:5
- Standing, claims disputes and litigation, § 5:1, 5:5
- Statutes governing insurer cancellation and non-renewal, § 4:3
- Statutes governing premium finance companies, § 4:6

AUTOMOBILE INSURANCE—Cont'd

Stored vehicles, no-fault coverage, § 2:3

Subrogation against owner of commercial vehicle, limitation of insured's right to recover special damages in tort claims, § 6:16

Time

Medical bills, time limits to submit, § 2:6

Payment of benefits, no-fault coverage, § 2:9, 2:11, 2:12, 2:19

Transportation expenses, required coverage, § 2:8

Uninsured/underinsured motorist coverage, § 1:5

Unregistered fictitious entity be valid, § 5:8

Wage losses, required coverage, § 2:8

Waiver of challenge to standing, claims disputes and litigation, § 5:5

Windshield, comprehensive coverage not to apply deductible to, § 6:9

Workers' compensation, effect of recovery on, § 35:10

AUTOPSIES

Health insurance, contract provisions, § 9:2

BAD FAITH

Good Faith, this index

BATTERIES

Automobile insurance, inoperable vehicles, § 2:3

BENEFICIARIES

Health insurance, contract provisions, § 9:2

BLINDNESS

Workers' compensation, § 35:4

BRAIN INJURY

Workers' compensation, § 35:4

BRAKES

Automobile insurance, inoperable vehicles, § 2:3

BREAST CANCER

Health insurance, required coverage, § 9:8, 10:5, 11:5

BREAST RECONSTRUCTION

Health insurance, required coverage, § 9:8, 10:5

BURDEN OF PROOF

Homeowners Insurance, this index

Individual (non-ERISA) disability insurance, § 40:12

BURNS

Workers' compensation, § 35:4

BUSINESS EXCLUSIONS

Homeowners Insurance, this index

BUSINESS OVERHEAD EXPENSE POLICY

Individual (non-ERISA) disability insurance, § 41:1

INDEX

CANCELLATION

- Automobile Insurance, this index
- Group health insurance, § 10:6
- Health Insurance, this index
- Health maintenance contracts, § 11:3
- Homeowners insurance, family day care insurance, § 17:3

CANCER

- Health insurance, required coverage, § 9:8, 10:5, 11:5

CARDIOVASCULAR PROBLEMS

- Workers' compensation, § 34:3

CASUAL EMPLOYMENT

- Workers' compensation, § 32:1

CERTIFICATES

- Group health insurance, § 10:4

CHANGES OF RATES

- Group health insurance, § 10:6
- Health Insurance, this index
- Health maintenance contracts, § 11:3

CHILDREN

- Health insurance, required coverage, § 9:8, 10:5, 11:5

CLARIFYING POLICY TERMS

- Individual (non-ERISA) disability insurance, § 40:7

CLEFT LIP AND PALATE

- Health insurance, required coverage, § 9:8, 10:5, 11:5

COERCION OF DEBTORS

- Health insurance, causes of action, § 13:7

COINSURANCE

- Homeowners insurance, § 14:2

COLLATERAL SOURCES

- Automobile Insurance, this index

COMMUNITY SERVICE

- Workers' compensation, § 31:2

COMMUTING TO OR FROM WORK

- Workers' compensation, § 34:9

CONCURRENT CAUSE DOCTRINE

- Windstorm insurance, § 30:11

CONDOMINIUMS

- Windstorm insurance, association loss assessments, § 30:7

CONFLICT OF LAWS

- Individual (non-ERISA) disability insurance, § 40:15

CONFLICTING CLAUSES

Homeowners insurance, judicial construction regarding coverage, § 22:3

CONSENT

Automobile insurance, required coverage, § 2:8

CONSTITUTIONAL CONSIDERATIONS

Automobile insurance, mandatory binding P.I.P. arbitration unconstitutional, § 2:21

CONSTRUCTION AND INTERPRETATION

Automobile insurance, § 5:13, 5:14

Homeowners Insurance, this index

Individual (non-ERISA) disability insurance, § 40:15

COST OF LIVING ADJUSTMENT (COLA) RIDER

Individual (non-ERISA) disability insurance, § 38:13

COSTS AND EXPENSES

Attorneys and Attorney's Fees, this index

Homeowners insurance, replacement cost, § 14:6

Workers' compensation, § 35:8

COUNSEL

Attorneys and Attorney's Fees, this index

COVER FLORIDA HEALTH CARE ACCESS PROGRAM

Generally, § 8:3

CO-WORKERS

Workers' compensation, immunity, § 33:2

CRIME VICTIM COMPENSATION

Automobile insurance, § 1:7

DAMAGES

Automobile insurance, Motor Vehicle Repair Act, § 6:11

Individual (non-ERISA) disability insurance, § 40:16

DATE

Time and Date, this index

DEATH

Automobile insurance, required coverage, § 2:8

Workers' compensation, § 35:3

DECLARATORY JUDGMENTS

Automobile insurance, claims disputes and litigation, § 5:14

Individual (non-ERISA) disability insurance, § 40:7

DEDUCTIBLES

Automobile insurance, no-fault coverage, § 2:7

Homeowners insurance, § 14:3

INDEX

DEFENSE AGAINST ACTIONS

Automobile insurance, § 1:4

DEFINITIONS

Automobile insurance, no-fault coverage, § 2:3

Homeowners Insurance, this index

Workers' compensation, § 31:1

DEMAND LETTER

Automobile insurance, claims disputes, § 5:11

DEPENDENTS

Group health insurance, required coverage, § 10:5

DEVIATION FROM COURSE OF EMPLOYMENT

Workers' compensation, § 34:9

DIABETES

Health insurance, required coverage, § 9:8, 10:5, 11:5

DIRECTORS OF CORPORATIONS

Workers' compensation, § 32:4, 33:3

DISCLOSURES

Automobile insurance, Motor Vehicle Repair Act, § 6:11

DISCRIMINATION

Group health insurance, § 10:3

DISK JOCKEYS

Workers' compensation, § 32:1

DOMESTIC SERVANTS

Workers' compensation, § 31:2

DRUGS AND NARCOTICS

Health insurance, contract provisions, § 9:2

Workers' compensation, use by employee, § 34:4, 34:6

EARNINGS

Health insurance, contract provisions, § 9:2

Workers' Compensation, this index

EARTH MOVEMENT

Homeowners insurance, § 25:1, 25:2

ELIMINATION PERIODS

Individual (non-ERISA) disability insurance, § 38:10

EMERGENCY MEDICAL TECHNICIANS

Workers' compensation, place of accident, § 34:9

EMERGENCY SERVICES

Health insurance, § 9:7, 11:5

Health maintenance contracts, required coverage, § 11:5

EMPLOYEE HEALTH CARE ACCESS ACT

Generally, § 8:6

EMPLOYEE LEASING COMPANIES

Workers' compensation, immunity, § 33:4

EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA)

Disability insurance, § 42:1 to 42:6

Health insurance, preemption, § 13:10

ENTERAL FORMULAS

Health insurance, required coverage, § 9:8

ENTIRE CONTRACT

Health insurance, contract provisions, § 9:2

ERISA

Employee Retirement Income Security Act, this index

ESTIMATES

Automobile insurance, Motor Vehicle Repair Act, § 6:11

EXCLUSIONS

Homeowners Insurance, this index

Individual (non-ERISA) disability insurance, exclusionary/exclusion rider,
§ 38:17

Windstorm insurance, § 30:9

EXERCISE RIDERS

Workers' compensation, § 32:1

EXHAUSTION OF BENEFITS

Automobile insurance, no-fault coverage, § 2:18

EXHAUSTION OF REMEDIES

Employee Retirement Income Security Act governed disability insurance, § 42:2

EXPENSES

Costs and Expenses, this index

EXPLANATION OF BENEFITS

Automobile insurance, no-fault coverage, § 2:13

FAIR RENTAL VALUE

Windstorm insurance, § 30:8

FAMILY AND RELATIVES

Automobile Insurance, this index

Children, health insurance, § 9:8, 10:5, 11:5

Homeowners insurance, visiting relatives, § 28:2

FAMILY DAY CARE INSURANCE

Homeowners insurance, § 17:1 to 17:3

FEDERAL EMPLOYEES HEALTH BENEFITS ACT (FEHBA)

Health insurance, preemption, § 13:11

INDEX

FELLOW EMPLOYEES

Workers' compensation, immunity, § 33:2

FIDUCIARY DUTY

Health insurance, causes of action, § 13:6

Individual (non-ERISA) disability insurance, § 40:6

FIRE

Homeowners Insurance, this index

FIREFIGHTERS

Workers' compensation, place of accident, § 34:9

FLOODS

Homeowners insurance, attorney's fees, § 29:6

Windstorm insurance, § 30:10

FLORIDA HEALTH CHOICES PROGRAM

Generally, § 8:4

FLORIDA HEALTH INSURANCE COVERAGE CONTINUATION ACT

Generally, § 12:1

FLORIDA KIDCARE

Generally, § 8:5

FRAUD AND MISREPRESENTATION

Automobile insurance, no-fault coverage, § 2:20

Homeowners Insurance, this index

Individual (non-ERISA) disability insurance, § 40:4, 40:6

FUTURE PURCHASE/INCREASE OPTION

Individual (non-ERISA) disability insurance, § 38:15

GOING TO OR COMING FROM WORK

Workers' compensation, § 34:9

GOOD FAITH

Automobile insurance, entitlement to attorney's fees and costs, § 3:4

Health insurance, causes of action, § 13:5

Individual (non-ERISA) disability insurance, § 40:3, 40:9

GRACE PERIOD

Health insurance, contract provisions, § 9:2

Health maintenance contracts, § 11:4

GROUNDWATER

Windstorm insurance, § 30:10

GROUP HEALTH INSURANCE

Generally, § 10:1 to 10:7

Acupuncture, required coverage, § 10:5

Breast cancer, required coverage, § 10:5

Breast reconstruction, required coverage, § 10:5

Cancellation, § 10:6

GROUP HEALTH INSURANCE—Cont'd

- Cancer, required coverage, § 10:5
- Certificates, § 10:4
- Children, required coverage, § 10:5
- Cleft lip and palate, required coverage, § 10:5
- Contract provisions, § 10:4
- Custodial children, required coverage, § 10:5
- Dependents, required coverage, § 10:5
- Diabetes, required coverage, § 10:5
- Discrimination prohibited, § 10:3
- Handicapped children, required coverage, § 10:5
- Home health care, required coverage, § 10:5
- Mammograms, required coverage, § 10:5
- Massage, required coverage, § 10:5
- Maternity care, required coverage, § 10:5
- New members, § 10:4
- Newborns, required coverage, § 10:5
- Nonrenewal, § 10:6
- Osteoporosis, required coverage, § 10:5
- Payment of claims, § 10:4, 10:7
- Preexisting conditions, § 10:2
- Rate changes, § 10:6
- Representations of policyholder, § 10:4
- Required coverage, § 10:5
- Surgical procedures, required coverage, § 10:5

GUARANTEED INSURABILITY RIDER

- Individual (non-ERISA) disability insurance, § 38:15

HANDICAPPED CHILDREN

- Group health insurance required coverage, § 10:5
- Health maintenance contracts, required coverage, § 11:5

HEALTH FLEX PLANS

- Generally, § 8:2

HEALTH INSURANCE

- Generally, § 7:1, 7:2
- Acupuncture, required coverage, § 9:8, 10:5
- Age, misstatement of, § 9:2
- Alcohol, contract provisions, § 9:2
- Autopsies, contract provisions, § 9:2
- Bad faith, causes of action, § 13:5
- Beneficiaries, contract provisions, § 9:2
- Breach of contract, causes of action, § 13:2
- Breach of fiduciary duty, causes of action, § 13:6
- Breast cancer, required coverage, § 9:8, 10:5, 11:5
- Breast reconstruction, required coverage, § 9:8, 10:5
- Cancellation, nonrenewal and rate changes
 - Generally, § 9:6

INDEX

HEALTH INSURANCE—Cont'd

- Cancellation, nonrenewal and rate changes—Cont'd
 - Causes of action, § 13:7
 - Group health insurance, § 10:6
 - Health maintenance contracts, § 11:3
- Cancer, required coverage, § 9:8, 10:5, 11:5
- Causes of action
 - Generally, § 13:1 to 13:12
 - Bad faith, § 13:5
 - Breach of contract, § 13:2
 - Breach of fiduciary duty, § 13:6
 - ERISA preemption, § 13:10
 - FEHBA preemption, § 13:11
 - Intentional infliction of emotional distress, § 13:4
 - Intentional or negligent misrepresentation, § 13:3
 - Medicaid, § 13:9
 - PPACA preemption, § 13:12
 - Vicarious liability, § 13:7
- Change of beneficiary, contract provisions, § 9:2
- Change of contract provisions, § 9:2
- Change of occupation, contract provisions, § 9:2
- Changes of rate. Cancellation, nonrenewal and rate changes, above
- Children, required coverage, § 9:8, 10:5, 11:5
- Cleft lip and palate, required coverage, § 9:8, 10:5, 11:5
- Coercion of debtors, causes of action, § 13:7
- Contract provisions
 - Generally, § 9:2
 - Group health insurance, § 10:4
 - Health maintenance contracts, § 11:4
- Cover Florida Health Care Access Program, § 8:3
- Custodial children, required coverage, § 9:8, 10:5
- Diabetes, required coverage, § 9:8, 10:5, 11:5
- Drugs, contract provisions, § 9:2
- Earnings, contract provisions, § 9:2
- Effective period, required coverage, § 9:8
- Emergency services, § 9:7, 11:5
- Employee Health Care Access Act, § 8:6
- Enteral formulas, required coverage, § 9:8
- Entire contract, contract provisions, § 9:2
- ERISA preemption, causes of action, § 13:10
- Estimate, request for, § 9:5
- Favored agent or insurer, causes of action, § 13:7
- FEHBA preemption, § 13:11
- Florida Health Choices Program, § 8:4
- Florida Health Insurance Coverage Continuation Act, § 12:1
- Florida Kidcare, § 8:5
- Forms for claims, contract provisions, § 9:2

HEALTH INSURANCE—Cont'd

- Grace period, contract provisions, § 9:2
- Group Health Insurance, this index
- Guaranteed coverage, § 9:8
- Health flex plans, § 8:2
- Health Maintenance Contracts, this index
- Illegal occupations, contract provisions, § 9:2
- Illegal premiums, causes of action, § 13:7
- Incontestability, contract provisions, § 9:2
- Intentional infliction of emotional distress, causes of action, § 13:4
- Intentional misrepresentation, causes of action, § 13:3
- Intoxicants, contract provisions, § 9:2
- Mammograms, required coverage, § 9:8, 10:5
- Managed competition, § 7:2
- Massage, required coverage, § 9:8, 10:5, 11:5
- Maternity care, required coverage, § 9:8, 10:5, 11:5
- MedAccess, § 8:1
- Mental handicaps, required coverage, § 9:8
- Misstatements in application, contract provisions, § 9:2
- Narcotics, contract provisions, § 9:2
- Negligent misrepresentation, causes of action, § 13:3
- Newborns, required coverage, § 9:8, 10:5, 11:5
- Nonrenewal. Cancellation, nonrenewal and rate changes, above
- Notice of claim, contract provisions, § 9:2
- Osteoporosis, required coverage, § 9:8, 10:5, 11:5
- Other insurance, contract provisions, § 9:2
- Outline of coverage, § 9:9
- Payment of claims
 - Generally, § 9:4
 - Group health insurance, § 10:7
- Payment of claims, contract provisions, § 9:2
- Physical examinations, contract provisions, § 9:2
- Physical handicaps, required coverage, § 9:8
- Policies, generally, § 9:1 to 9:9
- PPACA preemption, § 13:12
- Preexisting conditions
 - Generally, § 9:3
 - Contract provisions, § 9:2
 - Group health insurance, § 10:2
 - Health maintenance contracts, § 11:2
- Pregnancy, preexisting conditions, § 9:3
- Premiums, contract provisions, § 9:2
- Proof of loss, contract provisions, § 9:2
- Rate changes. Cancellation, nonrenewal and rate changes, above
- Refusal to insure, causes of action, § 13:7
- Reinstatement, contract provisions, § 9:2
- Request for estimate, § 9:5

INDEX

HEALTH INSURANCE—Cont'd

Required coverage

Generally, § 9:8

Group health insurance, § 10:5

Health maintenance contracts, § 11:5

Sex, misstatement of, § 9:2

State health plans, generally, § 8:1 to 8:6

Surgical procedures, required coverage, § 10:5

Time

Defenses, contract provisions, § 9:2

Payment of claims, contract provisions, § 9:2

Unfair claim settlement practices, causes of action, § 13:7

Unpaid premiums, contract provisions, § 9:2

Vicarious liability, causes of action, § 13:7

HEALTH MAINTENANCE CONTRACTS

Generally, § 11:1 to 11:5

Adopted children, required coverage, § 11:5

Breast cancer, required coverage, § 11:5

Cancellation, § 11:3

Cancer, required coverage, § 11:5

Children, required coverage, § 11:5

Cleft lip and palate, required coverage, § 11:5

Diabetes, required coverage, § 11:5

Emergency services, required coverage, § 11:5

Grace period, § 11:4

Handicapped children, required coverage, § 11:5

HIV, required coverage, § 11:5

Massage, required coverage, § 11:5

Maternity care, required coverage, § 11:5

Newborns, required coverage, § 11:5

Nonrenewal, § 11:3

Osteopathic hospitals, required coverage, § 11:5

Osteoporosis, required coverage, § 11:5

Preexisting conditions, § 11:2

Rate changes, § 11:3

Required contract provisions, § 11:4

Required coverage, § 11:5

Time limit on certain defenses, § 11:4

HEART ATTACKS

Workers' compensation, § 34:3

HELP SUPPLY SERVICES COMPANIES

Workers' compensation, immunity, § 33:4

HERNIAS

Workers' compensation, § 34:3

HIV

Health maintenance contracts, required coverage, § 11:5

HOME HEALTH CARE

Group health insurance required coverage, § 10:5

HOMEOWNERS' ASSOCIATIONS

Windstorm insurance, loss assessments, § 30:7

HOMEOWNERS INSURANCE

Generally, § 14:1 to 14:11

Accord and satisfaction, § 14:11

Accrual, statute of limitations, § 18:1

Ambiguities, resolution of, § 22:2

Amendment of valued policy law, § 15:3

Appraisal of claims, § 14:8, 14:9, 29:2

Arbitration requirements, attorney's fees, § 29:2

Assignees, § 27:3, 29:7

Attorney's fees

Generally, § 29:1 to 29:8

Appraisal and arbitration requirements, § 29:2

Assignees, carriers as, § 29:7

Calculation of fees, § 29:8

Coverage, denial of, § 29:4

Definition, § 29:1

Filing suit alone insufficient, § 29:5

Flood policies, § 29:6

"Prevail," § 29:3

Burden of proof

Earth movement, § 25:2

Fraud and misrepresentation, § 20:2

Business exclusions

Generally, § 26:1 to 26:4

Definitions, § 26:2

Injury required to "arise out of" business activity, § 26:3

Location where injury occurred, § 26:4

Cancellation of coverage, family day care insurance, § 17:3

Coinurance, § 14:2

Conflicting clauses, judicial construction regarding coverage, § 22:3

Construction of policies. Judicial construction regarding coverage, below

Cost of mediation of claim, § 14:10

Coverage limits and sub-limits, § 14:4

Deductibles, § 14:3

Definitions

Earth movement, § 25:1

Fraud and misrepresentation, § 20:1, 20:5

Insurable interest, § 27:2

Sinkhole coverage, § 16:2

Theft, § 24:1

INDEX

HOMEOWNERS INSURANCE—Cont'd

- Denial of coverage, family day care insurance, § 17:3
- Earth movement, § 25:1, 25:2
- Exclusions
 - Business exclusions, above
 - Fire, § 23:3
 - Judicial construction regarding coverage, § 22:4
 - Theft, § 24:4
- Family day care insurance, § 17:1 to 17:3
- Fire
 - Generally, § 23:1 to 23:4
 - Damage coverage, § 23:2
 - Exclusions, § 23:3
 - Total loss, § 23:4
- Flood policies, attorney's fees, § 29:6
- Fraud and misrepresentation
 - Generally, § 20:1 to 20:5
 - Burden of proof, § 20:2
 - Definitions, § 20:1, 20:5
 - Material misrepresentations, § 20:3
 - Return of premium required on voided policy, § 20:4
 - Statute of limitations, § 18:2
- Hurricanes. Windstorm Insurance, this index
- Innocent co-insured, intentional acts, § 21:5
- Insurable interest, § 27:1 to 27:3
- Intentional acts
 - Generally, § 21:1 to 21:7
 - Determination of intent, § 21:3
 - Drafting around exclusions, § 21:4
 - Innocent co-insured, § 21:5
 - Intent vs. accident, § 21:2
 - Mortgagee rights, § 21:6
- Judicial construction regarding coverage
 - Generally, § 22:1 to 22:5
 - Ambiguities, resolution of, § 22:2
 - Conflicting clauses, § 22:3
 - Exclusionary language, § 22:4
 - Reasonable person standard, § 22:5
- Lienholder interests, § 14:7
- Material misrepresentation. Fraud and misrepresentation, above
- Mediation of claims, § 14:10
- Misrepresentation. Fraud and misrepresentation, above
- Nexus between party and covered property, § 28:1
- Nonrenewal of coverage, family day care insurance, § 17:3
- Notification, responsibility of insured, § 19:2
- Oath, examinations under, § 19:3
- Occupancy, fire coverage, § 23:3

HOMEOWNERS INSURANCE—Cont'd

- Option to repair, § 19:4
- Ordinances and law coverage, § 14:5
- “Prevail,” attorney’s fees, § 29:3
- Proof of loss, responsibility of insured, § 19:2
- Protection of property from damage, responsibility of insured, § 19:1
- Reasonable person standard, judicial construction regarding coverage, § 22:5
- Replacement cost, § 14:6
- Reports, sinkhole coverage, § 16:4
- Residents, coverage of
 - Generally, § 28:1 to 28:3
 - Nexus between party and covered property, § 28:1
 - Residents living outside of covered property, § 28:3
 - Visiting relatives, § 28:2
- Responsibilities of insured, § 19:1 to 19:3
- Return of premium required on voided policy, fraud and misrepresentation, § 20:4
- Sinkhole coverage
 - Generally, § 16:1 to 16:6
 - Case law, § 16:6
 - Definition, § 16:2
 - Dispute resolution, § 16:5
 - Reports, § 16:4
 - Requirements for coverage, § 16:3
- Statute of limitations, § 18:1, 18:2
- Theft
 - Generally, § 24:1 to 24:5
 - Criminal act not required, § 24:2
 - Definitions, § 24:1
 - Exclusions, § 24:4
 - Giving vs. taking, § 24:3
- Valued policy law, § 15:1 to 15:3
- Visiting relatives, § 28:2
- Waiver of right to appraisal, § 14:9
- Windstorm Insurance, this index

HURRICANES

- Windstorm Insurance, this index

HYBRID POLICIES

- Individual (non-ERISA) disability insurance, § 38:7

IMMUNITY

- Workers’ Compensation, this index

IMPLIED COVENANT OF GOOD FAITH AND FAIR DEALING

- Individual (non-ERISA) disability insurance, § 40:3

INCONTESTABILITY

- Health insurance, contract provisions, § 9:2

INDEX

INCONTESTABILITY—Cont'd

Individual (non-ERISA) disability insurance, § 38:22

INDEPENDENT CONTRACTORS

Workers' compensation, § 31:2, 32:1, 32:2

INDIVIDUAL (NON-ERISA) DISABILITY INSURANCE

Generally, § 37:1 et seq.

Ambiguous policy language, § 40:8

Attorney fees, § 40:17

Bad faith, § 40:9

Breach of contract, § 40:2

Breach of fiduciary duty, misrepresentation by insurance brokers, § 40:6

Breach of implied covenant of good faith and fair dealing, § 40:3

Burden of proof, § 40:12

Business overhead expense policy, § 41:1

Causes of action against insurer

Generally, § 40:1 to 40:17

Ambiguous policy language, § 40:8

Attorney fees, § 40:17

Bad faith, § 40:9

Breach of contract, § 40:2

Breach of fiduciary duty, misrepresentation by insurance brokers, § 40:6

Breach of implied covenant of good faith and fair dealing, § 40:3

Burden of proof, § 40:12

Clarifying policy terms, § 40:7

Common disability insurance litigation issues, generally, § 40:11 et seq.

Conflict of laws, § 40:15

Damages, § 40:16

Declaratory judgment, § 40:7

Fraud or misrepresentation, § 40:4, 40:6

Intentional infliction of emotional distress, § 40:5

Intentional or negligent misrepresentation, § 40:4

Interpretation of disability contract, § 40:15

Jurisdiction, § 40:1

Reservation of rights, § 40:14

Statute of limitations, § 40:11

Videotaping or recording independent medical exams, § 40:14

Clarifying policy terms, § 40:7

Common disability insurance litigation issues, generally, § 40:11 et seq.

Conflict of laws, § 40:15

Contract provisions

Generally, § 38:1 to 38:22

Any occupation definition of total disability, § 38:6

Cost of living adjustment (COLA) rider, § 38:13

Definitions

Disability, § 38:2

Injury v. sickness, § 38:18 to 38:20

INDIVIDUAL (NON-ERISA) DISABILITY INSURANCE—Cont'd

- Contract provisions—Cont'd
 - Definitions—Cont'd
 - Total disability, § 38:3, 38:6
 - Elimination periods, § 38:10
 - Exclusionary/exclusion rider, § 38:17
 - Future purchase/increase option, § 38:15
 - Guaranteed insurability rider, § 38:15
 - Hybrid policies, § 38:7
 - Incontestability clauses, § 38:22
 - Injury v. sickness definitions, § 38:18 to 38:20
 - Lifetime rider, § 38:16
 - Own-occupation definition of total disability, § 38:3
 - Partial disability, § 38:9
 - Pre-existing conditions, § 38:22
 - Presumptive total disability, § 38:8
 - Regular occupation at time of disability, § 38:4
 - Residual disability, § 38:9
 - Riders, § 38:11 et seq.
 - Social Security Disability Income (SSDI) rider, § 38:14
 - Substantial and material duties, § 38:5
 - Surgery requirements, § 38:21
 - Waiver of premium, § 38:12
- Cost of living adjustment (COLA) rider, § 38:13
- Damages, § 40:16
- Declaratory judgment, § 40:7
- Elimination periods, § 38:10
- Exclusionary/exclusion rider, § 38:17
- Fraud or misrepresentation, § 40:4, 40:6
- Future purchase/increase option, § 38:15
- Guaranteed insurability rider, § 38:15
- Hybrid policies, § 38:7
- Implied covenant of good faith and fair dealing, § 40:3
- Incontestability clauses, § 38:22
- Intentional infliction of emotional distress, § 40:5
- Intentional or negligent misrepresentation, § 40:4
- Interpretation of disability contract, § 40:15
- Jurisdiction, § 40:1
- Lifetime rider, § 38:16
- Misrepresentation, rescission of policy, § 39:1
- Own-occupation definition of total disability, § 38:3
- Partial disability, § 38:9
- Pre-existing conditions, § 38:22
- Presumptive total disability, § 38:8
- Regular occupation at time of disability, § 38:4
- Rescission of policy, § 39:1
- Reservation of rights, § 40:14
- Residual disability, § 38:9

INDEX

INDIVIDUAL (NON-ERISA) DISABILITY INSURANCE—Cont'd

- Riders, § 38:11 *et seq.*
- Social Security Disability Income (SSDI) rider, § 38:14
- Statute of limitations, § 40:11
- Substantial and material duties, § 38:5
- Surgery requirements, § 38:21
- Videotaping or recording independent medical exams, § 40:14
- Waiver of premium, § 38:12

INFANTS

- Health insurance, required coverage, § 9:8, 10:5, 11:5

INJUNCTIONS

- Automobile insurance, Motor Vehicle Repair Act, § 6:11

INMATES

- Workers' compensation, § 31:2

INOPERABLE VEHICLES

- Automobile insurance, no-fault coverage, § 2:3

INSURABLE INTEREST

- Homeowners insurance, § 27:1 to 27:3

INTENT

- Automobile insurance, entitlement to attorney's fees and costs, § 3:4
- Health insurance, intentional misrepresentation, § 13:3
- Homeowners Insurance, this index
- Workers' compensation, intentional torts, § 33:1

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

- Health insurance, causes of action, § 13:4
- Individual (non-ERISA) disability insurance, § 40:5

INTEREST

- Automobile Insurance, this index

INTERPRETATION

- Construction and Interpretation, this index

INTOXICATING LIQUOR

- Alcohol and Alcoholic Beverages, this index

JOINDER OF CLAIMS

- Automobile insurance, limitation of insured's right to recover special damages in tort claims, § 6:15

JURISDICTION

- Individual (non-ERISA) disability insurance, § 40:1

LAW ENFORCEMENT OFFICERS

- Workers' compensation, place of accident, § 34:9

LAWYERS

- Attorneys and Attorney's Fees, this index

LEG, LOSS OF

Workers' compensation, § 35:4

LIENS

Homeowners insurance, § 14:7

Workers' compensation, creditors' liens, § 35:11

LIFETIME RIDER

Individual (non-ERISA) disability insurance, § 38:16

LIMITATION OF ACTIONS

Statute of Limitations, this index

LOSS OF CONSORTIUM

Workers' compensation, § 35:9

LOSS OF ENJOYMENT OF LIFE

Workers' compensation, § 35:9

LUMP-SUM SETTLEMENTS

Workers' compensation, § 35:8

MAMMOGRAMS

Health insurance, required coverage, § 9:8, 10:5

MANAGERS

Workers' compensation, immunity, § 33:3

MASS TRANSIT VEHICLES

Automobile insurance, no-fault coverage, § 2:3

MASSAGE

Health insurance, required coverage, § 9:8, 10:5, 11:5

MATERNITY CARE

Health insurance, required coverage, § 9:8, 10:5, 11:5

MEDACCESS

Generally, § 8:1

MEDIATION

Homeowners insurance, § 14:10

MEDICAID

Automobile insurance, no-fault coverage, § 2:9

Workers' compensation, § 32:1

MEDICAL BILLS

Automobile insurance, time limits to submit, § 2:6

MEDICAL PAYMENTS

Automobile insurance, § 1:6

Workers' compensation, § 35:2

MENTAL ANGUISH

Workers' compensation, § 35:9

INDEX

MENTAL HANDICAPS

Health insurance, required coverage, § 9:8

MENTAL INJURY

Workers' compensation, § 35:1

MILITARY PERSONNEL

Automobile insurance, operation of motor vehicle without security, § 2:3

MINORS

Health insurance, required coverage, § 9:8, 10:5, 11:5

MISREPRESENTATION

Fraud and Misrepresentation, this index

MOBILE HOMES

Automobile insurance, no-fault coverage, § 2:3

MOPEDS

Automobile insurance, no-fault coverage, § 2:3

MOTOR VEHICLE INSURANCE

Automobile Insurance, this index

MOTOR VEHICLE REPAIR ACT

Automobile insurance, limitation of insured's right to recover special damages in tort claims, § 6:10 to 6:12

MOTORCYCLES

Automobile insurance, no-fault coverage, § 2:3

MULTIPLE EMPLOYERS OR MULTIPLE INSURANCE COMPANIES

Workers' compensation, § 34:7

MULTIPLE PERILS

Windstorm insurance, § 30:11

MULTIPLIERS

Automobile insurance, attorney's fees, § 3:6 to 3:9

MUSICAL PERFORMERS

Workers' compensation, § 32:1

NARCOTICS

Drugs and Narcotics, this index

NEGLIGENT MISREPRESENTATION

Health insurance, causes of action, § 13:3

NERVOUS INJURY

Workers' compensation, § 35:1

NEWBORNS

Health insurance, required coverage, § 9:8, 10:5, 11:5

NO-FAULT COVERAGE

Automobile Insurance, this index

NONRENEWAL

- Group health insurance, § 10:6
- Health Insurance, this index
- Health maintenance contracts, § 11:3
- Homeowners insurance, family day care insurance, § 17:3

NOTICE

- Automobile insurance, no-fault coverage, § 2:10, 2:12
- Health insurance, contract provisions, § 9:2
- Homeowners insurance, responsibility of insured, § 19:2

OATH

- Examinations under, § 19:3

OCCUPANCY

- Homeowners insurance, fire coverage, § 23:3

OFFICERS OF CORPORATIONS

- Workers' compensation, § 32:1, 32:4, 33:3

OSTEOPATHIC HOSPITALS

- Health maintenance contracts, required coverage, § 11:5

OSTEOPOROSIS

- Health insurance, required coverage, § 9:8, 10:5, 11:5

OUT-OF-STATE VEHICLES

- Automobile insurance, no-fault coverage, § 2:3

OVERPAYMENTS

- Workers' compensation, § 35:7

PAIN AND SUFFERING

- Workers' compensation, § 35:9

PARALYSIS

- Workers' compensation, § 35:4

PARAMEDICS

- Workers' compensation, place of accident, § 34:9

PARTIES

- Automobile insurance, claims disputes and litigation, § 5:1, 5:5

PASSENGERS

- Automobile insurance, required coverage, § 2:8

PATIENT PROTECTION AND AFFORDABLE CARE ACT (PPACA)

- Health insurance, preemption, § 13:12

PAYMENTS

- Automobile insurance, claims disputes, § 5:12
- Group health insurance, § 10:4, 10:7
- Health Insurance, this index

INDEX

PENALTIES

- Automobile insurance, Motor Vehicle Repair Act, § **6:11**
- Workers' compensation, § **35:8**

PHYSICAL EXAMINATIONS

- Health insurance, contract provisions, § **9:2**

PHYSICAL HANDICAPS

- Health insurance, required coverage, § **9:8**

PLACE OF ACCIDENT

- Workers' compensation, § **34:9**

POLICE OFFICERS

- Workers' compensation, place of accident, § **34:9**

PREEEXISTING CONDITIONS

- Group health insurance, § **10:2**
- Health Insurance, this index
- Health maintenance contracts, § **11:2**
- Individual (non-ERISA) disability insurance, § **38:22**
- Workers' compensation, § **34:11, 35:1**

PREGNANCY

- Health insurance, preexisting conditions, § **9:3**

PREMIUM FINANCE COMPANIES

- Automobile insurance, cancellation of coverage, § **4:5, 4:6**

PREMIUMS

- Automobile insurance, modified no-fault coverage, § **2:7**
- Health insurance, contract provisions, § **9:2**

PRESUMPTIVE TOTAL DISABILITY

- Individual (non-ERISA) disability insurance, § **38:8**

PREVAILING PARTY

- Automobile insurance, attorney's fees, § **3:5**
- Homeowners insurance, attorney's fees, § **29:3**

PRISONERS

- Workers' compensation, § **31:2**

PROFESSIONAL EMPLOYER ORGANIZATIONS

- Workers' compensation, immunity, § **33:4**

PROOF OF LOSS

- Health insurance, contract provisions, § **9:2**
- Homeowners insurance, responsibility of insured, § **19:2**

RATES

- Changes of Rates, this index
- Health Insurance, this index

REALTORS

Workers' compensation, § 32:1

REASONABLE PERSON STANDARD

Homeowners insurance, judicial construction regarding coverage, § 22:5

RECORDING INDEPENDENT MEDICAL EXAMS

Individual (non-ERISA) disability insurance, § 40:14

RECREATIONAL ACTIVITIES

Workers' compensation, § 34:9

REFUND OF PREMIUM

Automobile insurance, cancellation of coverage, § 4:4

REINSTATEMENT

Health insurance, contract provisions, § 9:2

RELATIVES

Family and Relatives, this index

RENEWAL

Automobile insurance, cancellation of coverage, § 4:2

Health Insurance, this index

RENTAL CARS

Automobile insurance, § 1:3

REPORTS

Homeowners insurance, sinkhole coverage, § 16:4

RESCISSION OF POLICY

Individual (non-ERISA) disability insurance, § 39:1

RESERVATION OF RIGHTS

Individual (non-ERISA) disability insurance, § 40:14

RESIDENTS

Homeowners Insurance, this index

RESIDUAL DISABILITY

Individual (non-ERISA) disability insurance, § 38:9

RESIGNATION

Workers' compensation, § 35:6

RESTITUTION

Automobile insurance, Motor Vehicle Repair Act, § 6:11

RETURN OF PREMIUM

Homeowners insurance, fraud and misrepresentation, § 20:4

RIDERS

Individual (non-ERISA) disability insurance, § 38:11 et seq.

SAFETY INSPECTIONS

Workers' compensation, immunity of organizations providing inspections, § 33:4

INDEX

SECOND INJURIES

Workers' compensation, § **34:11**

SETTLEMENTS

Automobile Insurance, this index

Health insurance, unfair claim settlement practices, § **13:7**

SEX

Health insurance, misstatement of sex, § **9:2**

SINKHOLES

Homeowners Insurance, this index

SOCIAL ACTIVITIES

Workers' compensation, § **34:9**

SOCIAL SECURITY DISABILITY INCOME (SSDI) RIDER

Individual (non-ERISA) disability insurance, § **38:14**

SOLE PROPRIETORS

Workers' compensation, § **32:1**

SPECIAL DAMAGES

Automobile Insurance, this index

SPORTS OFFICIALS

Workers' compensation, § **32:1**

STACKING

Automobile insurance, uninsured/underinsured motorist coverage, § **1:5**

STANDING

Automobile insurance, claims disputes and litigation, § **5:1, 5:5**

STATUTE OF LIMITATIONS

Homeowners insurance, § **18:1, 18:2**

Individual (non-ERISA) disability insurance, § **40:11**

STORED VEHICLES

Automobile insurance, no-fault coverage, § **2:3**

STORM SURGE

Windstorm insurance, § **30:10**

STROKES

Workers' compensation, § **34:3**

SUBROGATION

Automobile insurance, limitation of insured's right to recover special damages in tort claims, § **6:16**

SUBSEQUENT INJURIES

Workers' compensation, § **34:11**

SURGICAL PROCEDURES

Health insurance, required coverage, § **10:5**

SURGICAL PROCEDURES—Cont'd

Individual (non-ERISA) disability insurance, surgery requirements, § 38:21

TAXICABS

Workers' compensation, § 32:1

TERMINATION OF EMPLOYMENT

Workers' compensation, § 35:6

THEFT

Homeowners Insurance, this index

THIRD PARTY TORTFEASORS

Workers' compensation, § 34:5

TIME AND DATE

Automobile Insurance, this index

Health Insurance, this index

Health maintenance contracts, time limit on certain defenses, § 11:4

Homeowners insurance, statute of limitations, § 18:1, 18:2

TORT REFORMS

Effective date of 2023 P.I.P., § 5:18

TRANSPORTATION EXPENSES

Automobile insurance, required coverage, § 2:8

UNEMPLOYMENT COMPENSATION

Workers' compensation, effect of receipt on, § 35:5

UNFAIR CLAIM SETTLEMENT PRACTICES

Health insurance, causes of action, § 13:7

UNINSURED/UNDERINSURED MOTORIST COVERAGE

Automobile insurance, § 1:5

VALUED POLICY LAW

Homeowners insurance, § 15:1 to 15:3

VICARIOUS LIABILITY

Health insurance, causes of action, § 13:7

VIDEOTAPING INDEPENDENT MEDICAL EXAMS

Individual (non-ERISA) disability insurance, § 40:14

VOLUNTEERS

Workers' compensation, § 32:1, 32:3

WAGE LOSSES

Automobile insurance, required coverage, § 2:8

WAIVER

Homeowners insurance, right to appraisal, § 14:9

Individual (non-ERISA) disability insurance, waiver of premium, § 38:12

INDEX

WATER

Windstorm Insurance, this index

WILLFUL AND WANTON DISREGARD

Workers' compensation, immunity of fellow employees, § 33:2

WINDSHIELD

Automobile insurance, comprehensive coverage not to apply deductible, § 6:9

WINDSTORM INSURANCE

Generally, § 30:1 to 30:12

Association loss assessments, § 30:7

Concurrent cause doctrine, § 30:11

Condominiums, association loss assessments, § 30:7

Exclusions, § 30:9

Fair rental value, § 30:8

Flood, § 30:10

Groundwater, § 30:10

Homeowners' associations, loss assessments, § 30:7

Hurricane, defined, § 30:4

Loss of use, § 30:8

Multiple perils, § 30:11

Personal property coverage, § 30:6

Purpose of coverage, § 30:5

Storm surge, § 30:10

Type of loss paid, § 30:3

Water damage, generally, § 30:12

Wind created opening in structure, § 30:2

WORKERS' COMPENSATION

Generally, § 31:1 et seq., 31:2

Accidents and injuries

Generally, § 34:1 to 34:11

Alcohol or drug use at time of accident, § 34:6

Causation of injury without accident, § 34:2

Causation requirements, § 34:8

Compensable accident and injury, generally, § 34:1

Employee causing own injury, § 34:4

Internal failures such as heart attacks, strokes, hernias and cardiovascular problems, § 34:3

Multiple employers or multiple insurance companies, liability of, § 34:7

Person who must be informed for preservation of rights, § 34:10

Place of accident, § 34:9

Second or subsequent injuries, § 34:11

Third party tortfeasors, § 34:5

Advice from attorney specializing in workers' compensation, § 36:4

Agricultural labor, § 31:2

Alcohol, use by employee, § 34:4, 34:6

Amputation, § 35:4

Arm, loss of, § 35:4

WORKERS' COMPENSATION—Cont'd

Athletes, § 31:2

Attorneys and attorney's fees

Generally, § 35:8, 36:1 to 36:5

Advice from attorney specializing in workers' compensation, § 36:4

Amount of fees, § 36:2, 36:3

Book covering all workers' compensation statutes, administrative rules, litigation procedures and case law decisions, § 36:5

Right to attorney, § 36:1

Automobile insurance, recovery under, § 35:10

Benefits

Generally, § 35:1 to 35:11

Creditor liens, § 35:11

Death of employee, § 35:3

Injuries, conditions and ailments covered, generally, § 35:1

Lost wages and indemnity benefits, § 35:4

Medical benefits, § 35:2

Other benefits, § 35:8

Other insurance, § 35:10

Pain and suffering, mental anguish, loss of consortium and loss of enjoyment of life, § 35:9

Recovery by employer of payments made to employee who was not entitled to receive compensation, § 35:7

Refusal to return to work, termination of employment or resignation, effect of, § 35:6

Unemployment compensation, effect of receipt of, § 35:5

Blindness, § 35:4

Book covering all workers' compensation statutes, administrative rules, litigation procedures and case law decisions, § 36:5

Brain injury, § 35:4

Burns, § 35:4

Cardiovascular problems, § 34:3

Cash advances of future payments, § 35:8

Casual employment, § 32:1

Community service under court sentence, § 31:2

Commuting to or from work, § 34:9

Costs, § 35:8

Co-workers, immunity, § 33:2

Creditor liens, § 35:11

Death of employee, § 35:3

Defined, § 31:1

Deviation from course of employment, § 34:9

Directors of corporations, § 32:4, 33:3

Disk jockeys, § 32:1

Domestic servants, § 31:2

Drugs, use by employee, § 34:4, 34:6

Emergency medical technicians, place of accident, § 34:9

Employee leasing companies, immunity, § 33:4

INDEX

WORKERS' COMPENSATION—Cont'd

- Employers that must provide coverage, § 31:2
- Exercise riders, § 32:1
- Fellow employees, immunity, § 33:2
- Firefighters, place of accident, § 34:9
- Going to or coming from work, § 34:9
- Heart attacks, § 34:3
- Help supply services companies, immunity, § 33:4
- Hernias, § 34:3
- Immunity
 - Generally, § 33:1 to 33:4
 - Co-workers and fellow employees, § 33:2
 - Employee leasing companies, professional employer organizations, help supply services companies and organizations providing safety inspections, § 33:4
 - Employers, § 33:1
 - Managers, officers and directors, § 33:3
- Independent contractors, § 31:2, 32:1, 32:2
- Injuries. Accidents and injuries, above
- Inmates, § 31:2
- Intentional torts, § 33:1
- Intoxication of employee, § 34:4
- Law enforcement officers, place of accident, § 34:9
- Leg, loss of, § 35:4
- Loss of consortium, § 35:9
- Loss of enjoyment of life, § 35:9
- Lost wages and indemnity benefits, § 35:4
- Lump-sum settlements, § 35:8
- Managers, immunity, § 33:3
- Medicaid-enrolled clients, § 32:1
- Medical benefits, § 35:2
- Mental anguish, § 35:9
- Mental injury, § 35:1
- Modification of past compensation orders, § 35:8
- Multiple employers or multiple insurance companies, liability of, § 34:7
- Musical performers, § 32:1
- Nervous injury, § 35:1
- Officers of corporations, § 32:1, 32:4, 33:3
- Other insurance, § 35:10
- Overpayments, § 35:7
- Pain and suffering, § 35:9
- Paralysis, § 35:4
- Paramedics, place of accident, § 34:9
- Penalties, § 35:8
- Persons protected
 - Generally, § 32:1 to 32:5
 - Employer charge to employees for providing coverage, § 32:5
 - Independent contractors, § 31:1, 31:2, 32:2

WORKERS' COMPENSATION—Cont'd

Persons protected—Cont'd

Officers and directors of corporations, § 32:1, 32:4

Volunteers, § 32:3

Place of accident, § 34:9

Police officers, place of accident, § 34:9

Pre-existing conditions, § 34:11

Preexisting medical problems, § 35:1

Prisoners, § 31:2

Professional employer organizations, immunity, § 33:4

Realtors, § 32:1

Recovery by employer of payments made to employee who was not entitled to receive compensation, § 35:7

Recreational activities, § 34:9

Refusal to return to work, § 35:6

Resignation, § 35:6

Safety inspections, immunity of organizations providing, § 33:4

Second or subsequent injuries, § 34:11

Social activities, § 34:9

Sole proprietors, § 32:1

Sports officials, § 32:1

Strokes, § 34:3

Taxicabs, § 32:1

Termination of employment, § 35:6

Third party tortfeasors, § 34:5

Unemployment compensation, effect of receipt of, § 35:5

Volunteers, § 32:1, 32:3

Willful and wanton disregard, immunity of fellow employees, § 33:2