Insurance Regulatory

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Strategic counsel, extensive experience and deep knowledge to help clients navigate the complex business of insurance.

At Mitchell Williams, our insurance regulatory practice combines a sophisticated team of lawyers with extensive experience in handling transactions and regulatory issues for insurance industry clients in all 50 states and D.C. Because of our depth of experience and breadth in national relationships, our team understands the complex business of insurance and helps clients navigate the consistent industry challenges emerging from increasing regulations, market consolidations, technology innovations, data privacy and new competition.

We represent the largest life and property-casualty insurers in the industry, having decades of experience handling numerous complex domestic and cross-border transactions. We advise domestic and global insurance companies, private equity funds and investment banks on mergers and acquisitions, loss portfolio transfers and other acquisition and disposition transactions structured as reinsurance.

HIGHLIGHTS

- Top Ranked in Texas by Chambers USA
- Integrated team of former senior regulators and former insurance company in-house counsel
- Deep understanding of the complex business of insurance
- Extensive experience handling complex domestic and cross-border transactions

CAPABILITIES

- Insurance company formations, state licensing and adding lines of authority
- Reciprocal exchange insurance company formation
- Insurance company reorganizations
- Demutualization
- Mergers and acquisitions
- Withdrawals from the marketplace
- Reinsurance
- Insurance insolvency
- Multistate market conduct examinations
- Regulation of intermediaries of insurers
- Corporate governance
- Insurance product development
- Policy forms and rate filings in all states (SERFF and COMPACT)
- Regulatory and compliance matters including privacy and security compliance (HIPAA)
- Holding company systems regulatory filings and compliance
- Medicare Advantage and managed Medicaid plans
- Affordable Care Act
- Anti-money laundering compliance
- OFAC compliance reviews

- Financial Industry Regulatory Authority (FINRA) and Securities and Exchange Commission (SEC) matters
- International compliance, guidance and investigations
- State enforcement actions
- Regulatory compliance, investigations and audits
- Legislative advocacy
- Formation and development of on-shore and off-shore captive insurance companies

For decades, we have been a leader and innovator in the captive industry having lobbied for and authoring legislation in favor of captive insurance companies in multiple states. In addition, we have participated in the rule-making process and were instrumental in forming the Texas Captive Insurance Association. We have assisted clients with structuring and forming domestic and off-shore captives, captive re-domestications, regulatory and compliance matters and corporate governance matters.

We are actively engaged with the major insurance organizations and trade associations monitoring issues critical to the business of insurance. Our insurance regulatory team has a significant physical presence at the National Association of Insurance Commissioners (NAIC) national meetings and works on behalf of our insurance clients to monitor issues critical to the client's business. When necessary, we represent clients on specific issues being considered by NAIC Committees or subcommittees.

We also work regularly with the major insurance trade associations including the American Insurance Association (AIA), the Complex Insurance Claims Litigation Association (CICLA), the National Association of Mutual Insurance Companies (NAMIC), the Property Casualty Insurers Association of America (PCI), the American Council of Life Insurers (ACLI), the National Association of Professional Employer Organizations (NAPEO), the North American Pet Health Insurance Association (NAPHIA), the Consumer Credit Industry Association (CCIA), the Insured Retirement Institute (IRI) and State associations on the wide variety of issues affecting the business of insurance.