

FAQs

LIABILITY INSURANCE FOR PROS & BUSINESSES

FREQUENTLY ASKED QUESTIONS | UPDATED 9/9/20

GENERAL

What insurance products do you offer for dive professionals?

The DAN Risk Retention Group offers Professional Liability (both individual and group) and Commercial General Liability Insurance. DAN also offers Dive Accident Insurance, Trip and Travel Insurance and free Student Medical Expense Coverage for entry-level students.

Do I need to carry both liability insurance and DAN dive accident insurance?

Yes. It is wise to have both types of insurance because each product provides different protection. Professional, group professional and general liability insurance protects you when a student or customer is injured and files a claim against you or your business. DAN dive accident insurance protects against hyperbaric chamber costs, physician and hospital fees, and ambulance charges incurred in the event of a diving injury. Liability insurance and dive accident insurance are not interchangeable, and the benefits do not overlap.

Is my policy a claims-made or occurrence-based policy?

The Professional Liability policy is a claims-made policy, meaning that coverage is triggered when a claim is made against the insured and it is reported to the underwriter while the policy is in force. If a claim is made while the policy is not in force, there is no coverage for that claim. Under an occurrence-based policy, coverage is triggered on the date the bodily

injury or property damage occurs. The claim may be made after the expiration of the policy term, provided the event occurred during the policy term.

When will my policy become effective?

The effective date is generally 12:01 a.m. on the day after you submit your application, however approval may take up to 48 hours. If you prefer a later effective date, you may choose the date you would like coverage to begin. To avoid a lapse in coverage, please submit your application prior to the expiration date. There is no grace period.

How quickly can I get a quote and where do I apply?

You can get an instant quote on [DAN.org/LIABILITY](https://dan.org/LIABILITY). Once the application is approved and payment confirmed, confirmation is sent via email with a link that will take you to the policy documents.

Do you offer short-term policies less than 12 months?

We do not offer short-term policies. Our policies are 12 months long.

What training agencies recognize DAN RRG liability insurance?

DAN RRG liability insurance is recognized by all major training agencies in the industry. This includes PADI, NAUI, SDI, SSI, TDI, IANTD, PDIC, PFI, PSS, RAID, NASE, AIDA, SEI and others. If your training agency is not listed here, contact a liability insurance specialist to learn about coverage.

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ELIGIBILITY

Who is eligible to purchase coverage?

Currently, the DAN liability coverage is only available to U.S. residents who hold credentials from an approved training agency. DAN has future plans to extend coverage to other countries.

Can I purchase coverage as a freediving or swimming instructor?

Yes, our policies provide options for those who do not teach scuba but are qualified to teach freediving, RSSA (Recreational Surfaced-Supplied Air) diving, swimming, skin diving and snorkeling.

COVERAGE

Does DAN RRG liability insurance protect me against claims arising from COVID-19?

DAN RRG liability insurance does not protect you or your business for claims arising from or related to COVID-19. Infectious diseases are excluded from the policy; this is common with most liability insurance policies in the dive industry.

Is there a pandemic exclusion on the policy?

A specific pandemic exclusion is not included with DAN RRG professional, group professional or general liability insurance policies. However, all policies contain an exclusion for losses arising from a communicable disease, which would include a pandemic.

Do DAN Professional Liability plans meet training agency requirements for coverage?

Yes. The DAN liability coverage meets the insurance requirements of all dive training agencies.

Where am I covered when I teach or supervise divers?

The Professional Liability policy offers worldwide coverage to U.S. residents, no matter where in the world you teach or supervise divers.

Am I covered to teach rebreathers or technical diving?

Yes, you may customize your plan to include the Rebreather and/or Technical Dive Training endorsements at no additional charge. Applicants must carry the appropriate certifications/ratings for the equipment used for coverage to be valid.

Many pools require general liability insurance for independent instructors. Can I purchase general liability insurance if I am not set up as a business?

DAN RRG general liability insurance can be purchased only by entities that are legally established as businesses. A professional would be eligible to purchase general liability insurance if operating as an LLC or corporation. Documentation must be provided to DAN RRG to confirm eligibility. A physical address for the business is necessary, but there is no requirement that the business have a retail (brick and mortar) establishment for serving customers.

Does DAN RRG professional liability insurance cover non-diving courses such as gas blending and visual cylinder inspection courses?

Non-diving courses such as gas blending, cylinder inspection and other similar courses are covered only by a DAN RRG general liability insurance policy. Currently, DAN RRG professional and group professional liability insurance policies do not cover the insured for these types of courses.

Are instructors who teach public safety classes covered by DAN RRG liability insurance?

DAN RRG professional and group professional liability insurance policies cover the insured for teaching public safety diving. However, the insured would not be covered while working as a public safety diver.

If I switch liability insurance providers when my policy expires next month, is discounted pricing available from DAN because of the COVID-19 pandemic?

DAN RRG has a special split payment option available for new professional liability insurance customers through July 31, 2020. DAN RRG will honor the split payment plan (25% down payment / 75% balance due in 90 days) as long as the application is started before this date. Financing options are available on general and group professional liability insurance policies.

Does DAN RRG liability insurance cover training performed in a national park?

In most cases, DAN RRG professional, group professional and general liability insurance covers the insured when training in a national park. However, some parks, such as Lake Mead National Recreation Area, will not accept the DAN RRG coverage. If you plan to operate within a national park, please contact a liability insurance specialist beforehand to confirm coverage.

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Is DAN RRG liability insurance available to residents of Canada?

DAN RRG liability insurance is available only to residents of the United States. However, the coverage protects insureds no matter where in the world they are conducting training.

Is DAN RRG liability insurance available to residents of Puerto Rico? What about other U.S. territories?

Coverage is not available to residents of Puerto Rico or other U.S. territories at this time. However, this situation continues to evolve, so check back with a DAN RRG insurance specialist before the next time you renew your policy.

Does DAN RRG liability insurance cover mermaids and other underwater performers?

DAN RRG professional, group professional and general liability insurance covers the insured when conducting mermaid training. However, these policies do not provide coverage while working as a mermaid performer.

Does DAN RRG offer inland marine insurance policies?

At this time DAN RRG does not offer inland marine policies.

Is there a maximum age limitation for DAN RRG liability insurance?

All qualified dive professionals are eligible for coverage under the DAN RRG policy provided they meet any age requirements of their training agency. DAN RRG does not place limitations on the training standards developed by the training agencies and closely follows the recommended guidelines established by these agencies.

Can a dive club purchase general liability through DAN RRG?

Unless a dive club is operating as a business, they are not eligible to purchase a DAN RRG general liability policy. If the club/association is looking for a directors and officers liability policy, DAN RRG does not offer such coverage.

How does DAN RRG liability insurance compare to Vicencia & Buckley?

Most liability insurance offered in the diving industry provides essentially the same coverage. While there may be minor variations in policy language and available optional coverages, each provides protection against the losses most dive professionals encounter.

When you trust DAN RRG to protect you or your business, you get more than just a policy. You are backed by the knowledge and experience of an organization that has helped divers in need for nearly 40 years. Plus, you're joining forces with a team that has reinvested more than \$100 million in dive safety.

ADDITIONS

Can I add an endorsement after I purchase my policy?

Yes, you can add any endorsement later and pay the prorated amount for the remainder of your policy term.

Is there any way to cover excess limits above the standard \$1 million per claim / \$2 million aggregate?

You may customize your plan to include the Excess Liability Endorsement, which will increase your policy limits from \$1 million per claim/\$2 million aggregate to \$2 million per claim/\$4 million aggregate. There is an additional premium for the higher limits.

Who can be an additional insured?

Additional insureds are third parties who can be added to the policy at no additional cost. The listed additional insureds are then protected under your policy and have coverage against claims that result from professional services you (the named insured) provide as a dive leader, instructor or business owner.

Instructors or divemasters may not be added as additional insureds; they must have their own professional liability coverage or be listed as insured staff members under a group policy.

Are there fees to add additional insured? What about fees for policy upgrades?

There is no additional cost to add additional insureds. There are no additional fees for upgrades, but some changes require the payment of additional premium.

Can I purchase equipment liability for my personal gear I loan to students?

Yes, you can purchase the Equipment Liability endorsement, which will provide you with coverage for claims alleging defective or malfunctioning equipment that you own which is being used by students or other customers.

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RENEWALS

When do I need to renew my Professional Liability policy?

If you want continuous coverage, you need to renew no later than the day before your existing policy expires. Renewal notices will be sent to remind you; however, you can renew as late as the day before your policy is due to expire to keep your coverage without lapsing. There is no grace period.

I won't be teaching again for a while, why should I renew my coverage?

Since the insurance you are purchasing is a claims-made policy, it requires you to have coverage at the time the claim is made. If a claim is made and your coverage has lapsed, you will not be covered.

Will DAN RRG automatically notify my training agency(s) that I have purchased a liability insurance policy?

Yes, DAN RRG will notify all designated training agencies about your liability insurance coverage and policy term extension; no action is required by you. However, additional insureds will only be notified at your request.

Does DAN RRG offer automatic renewal on its liability insurance policies?

DAN RRG does not offer automatic renewal on professional, group professional or general liability insurance policies. Each policy must be renewed manually each year. You will receive a renewal notice in advance of the renewal date.

Does DAN RRG offer tail coverage?

If you are no longer actively teaching or supervising divers, the risk of a claim against you drops considerably. However, claims can arise from teaching or supervision you did in prior years and you need insurance coverage at the time the claim is made.

For these situations, DAN RRG offers "tail coverage" to protect you against claims that are made after you have retired. After a few years (the length of time depends on the state), the ability of an injured diver to bring a claim expires and tail coverage is no longer needed.

COSTS

Do I have to pay for Professional Liability Insurance up-front?

Yes, the policy needs to be paid for the coverage to be in effect. All premiums are fully earned, and there are no refunds.

I am a DAN member, do I get a discount on my Personal Liability Insurance policy?

Yes, as a DAN member, you are eligible to receive a discount on each of the policies sold by DAN Risk Retention Group. If you need to renew your DAN membership or sign up, you can do so at DAN.org/JOIN.

SUPPORT

How do I access my proof of coverage?

Once your policy has been issued, you can log in to your account at DAN.org/LIABILITY to print your declaration page and insurance card at any time.

Whom do I contact if I have questions?

For questions, contact a member of our liability insurance team by phone at +1 (919) 490-2934 or by email at LiabilityInsurance@DAN.org.

PROFESSIONAL LIABILITY & GENERAL LIABILITY

What risk mitigation programs, products or services do you offer?

The DAN Risk Retention Group offers Professional Liability (both individual and group) and Commercial General Liability Insurance. DAN also offers Dive Accident Insurance, Trip and Travel Insurance and subsidized Student Medical Expense Coverage for entry-level open water students.

DAN offers a variety of risk mitigation programs, including the following:

1. Brochures and other materials on diving safety, available in print and digital
2. Hazard Identification and Risk Assessment (HIRA) — 3 levels (2 are self-assessments)
3. Prepared Diver Course (e-learning program which reminds divers of the causes of diving accidents)
4. Student Medical Expense coverage (to offset the cost of an injury to your student)

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5. DIDS Boards (to count divers on the boat)
6. Oxygen and first aid kits, and training, to respond to injuries

Is my policy a claims-made or occurrence-based policy?

The Group Professional Liability policy (both individual and group) is a claims-made policy, meaning that coverage is triggered when a claim is made against the insured verbally or in writing, or reported in writing to the underwriters, during the policy period. The claim must be made during the policy period or any extended reporting period, and must occur after the designated retroactive date. (cont.) The Commercial General Liability policy is an occurrence-based policy, meaning that coverage is triggered on the date the bodily injury or property damage occurs. The claim may be made after the expiration of the policy term, provided the event occurred during the policy term.

Who is eligible to purchase coverage?

Currently, DAN liability coverage is available to U.S. residents who hold credentials from an approved training agency.

How quickly can I get a quote?

You can get an instant quote on DAN.org/LIABILITY.

Do DAN Professional Liability plans meet training agency requirements for coverage?

Yes. DAN liability coverage meets all dive training agency standards.

Where am I covered when I teach or supervise divers?

The Professional Liability policy offers worldwide coverage, no matter where in the world you teach or act in a dive-professional capacity.

Can I purchase coverage as a freediving or a swimming instructor?

Yes. Our group policies provide options for those who do not teach scuba but are qualified to teach freediving, RSSA (Recreational Surfaced-Supplied Air) diving, swimming, skin diving and snorkeling.

Can I add endorsements, teaching staff, additional insureds after I purchase my policy?

Yes, changes can be made at any time. You can add or purchase endorsements or riders, add/remove staff or add/remove additional named insureds. Contact a liability representative for assistance.

Who can be an “additional insured”?

Additional insureds are third parties who can be added to the policy at no additional cost. The listed additional insureds are then protected under your policy and have coverage against claims that result from professional services you (the named insured) provide as a dive leader, instructor or business owner.

Are there fees to add additional insureds or staff?

Are there any fees for policy upgrades?

There is no additional cost to add additional insureds or staff. For an upgrade, there may be an additional premium depending on what’s added to the policy.

How do I apply for coverage?

You must complete the application found on the DAN Risk Retention Group website.

How do I get proof of coverage?

Upon payment of your premium, your liability documents will be sent to the email address on your application. You will be provided with a Declarations Page which describes the coverage you have purchased. If you have listed additional insureds, they will be provided with a separate certificate of insurance.

Who do I contact if I have questions?

For questions, contact a member of our liability insurance team at +1 (919) 490-2934 or email at LiabilityInsurance@DAN.org.

What insurance products do you offer for dive professionals?

The DAN Risk Retention Group offers Professional Liability (both individual and group) and Commercial General Liability Insurance. DAN also offers Dive Accident Insurance and Trip/Travel Insurance.

Can I purchase Group Professional Liability by itself?

Yes, both Group Professional and General Liability can be purchased separately.

I help plan trips for my customers. Can I be held responsible?

Yes, which is why we offer Tour and Travel Agent Liability as an endorsement option for the Commercial General Liability policy.

I own a quarry and use it for teaching. Is this property automatically covered?

No. Since you own the quarry (also applies to a lake),

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coverage requires the purchase of a separate rider and payment of an additional premium. If you do not own the lake or quarry, but just use it for training, you do not need to add this rider.

I own additional shop locations. Are they covered?

Yes, additional locations are covered at no additional cost provided they are listed with their physical addresses on the application.

How long does it take to process an application?

Most applications are processed the day they are received. However, underwriting may require 24 to 48 hours.

Is premium financing available?

Yes, DAN RRG can refer you to a third-party finance company to provide premium financing. This requires a separate application. If approved, there is a 25% deposit and the balance is paid in 9 installments. The interest rate is set by the finance company and does not benefit DAN.

Does the General Liability program cover equipment service and repair?

Yes, claims made for negligent equipment service and repair, including rebreathers, is covered.

I only need coverage for a couple of months.

Do you offer short-term policies?

No, all DAN RRG policies are for a one-year (12-month) terms. We do not offer short-term policies.

Am I covered to teach rebreathers or tech diving?

Yes, you may customize your policy by adding the endorsement to include the Rebreather and/or Technical Dive Training endorsement at no additional charge. Applicants must carry the appropriate certifications/ratings for coverage to be valid.

Does DAN's Professional Liability Policy include prior acts coverage?

Yes, this is a claims-made policy and covers all claims made during the policy term, provided the incident/loss occurred subsequent to the earliest date from which you have had continuous professional liability insurance coverage. That coverage could have been with another insurance carrier, but it must have been continuous.

Can you insure the contents of my shop?

No, you need to purchase property insurance for this

risk. Currently, DAN is not able to insure the building or contents of your shop for loss or theft. We are working on options for property insurance, so check back for future announcements.

How do I file a claim?

Complete an incident report to gather the relevant information. Once this is done, call 1-800-446-2671 (+1-919-684-2948) and speak with one of the customer service representative for the DAN Pro Program, or email the report to liabilityclaims@dan.org. If the incident involves a fatality or serious bodily injury, please contact DAN ASAP so that we can take steps to protect your interests.

What is Tour and Travel Agent Liability?

This extends coverage to services provided in the role of tour or travel agent, or otherwise arranging activities for customers with airlines, hotels, resorts, dive operators, concessionaires, vendors or subcontractors.

Can you cover my boat?

No, you need a marine policy for this risk. Currently, DAN is not able to insure boats. We are working on options for marine insurance, so check back for future announcements.

How many staff members can be covered under my group policy?

Currently, there is no limit to the number of staff members that can be covered under your group policy. But remember, all staff members share the single policy limit.

Are there discounts available?

Yes, a discount is available for DAN members. To receive the DAN member discount rate, all dive professionals under a Group Professional Liability policy must have an active individual/family DAN membership.

Are there extras fees for multiple shop locations?

No, there is no additional charge for additional locations.

My shop revenues are higher than the listed amounts. Can I still purchase coverage?

Yes, please call 1-800-446-2671 (+1-919-684-2948) and speak with one of the customer service representatives for the DAN Pro Program, or email ProMember@DAN.org

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How does coverage work under a Group Professional Liability policy?

Coverage is the same as under an individual policy, but note the following:

1. All staff listed under a group policy share a single limit of liability (\$1 million / \$2 million aggregate) and that limit is reduced each time a claim is made.
2. Coverage only applies to professional services provided by your staff to the store's customers. If a dive professional teaches or leads a dive trip with someone who is not a customer of the dive shop, the dive professional has no coverage.

What limits are available?

For General Liability and Group Professional Liability you may purchase limits of \$1 million per claim and \$2 million aggregate. You may increase the limits on the Group Professional Liability to \$2 million per claim and \$4 million aggregate by purchasing the Excess Liability endorsement.

Am I exposed to liability whether or not I choose to render aid?

Each case will be fact dependent, but understand that a plaintiff can file suit against you regardless, and place the burden of proof upon you to defend.

If I teach for more than one dive training agency, can I be covered under one Group Liability policy?

Yes, the Group Professional Liability policy is designed to cover a professional for services provided under the guidelines of any of the approved training agencies. However, with a group policy the professional services must be provided to customers of the dive business. Professional services you provide outside the scope of your responsibilities as an employee or independent contractor of the dive business are not covered under a group policy.

Is your defense cost on the Professional Liability included in the policy limits or is it outside the limits?

Defense costs are included in the aggregate policy limit of both the GL and PL policies.