

### **Regulatory Complexity & Enforcement**

- Investigations, oversight & prosecution related to regulatory compliance
- Qui Tam litigation by whistleblowers
- Anti-trust investigations
- Pseudo criminal investigations of executives & managers
- OCR/HIPAA privacy breach investigations
- TPCA and consumer claims

#### **Benefit Claims**

- Out of Network / UCR claims/ Surprise billing
- Narrow Network inclusion/exclusion/ credentialing claims
- Vicarious/derivative liability for medical & other negligence claims
- Provider tiering and Rx formulary claims
- Medical necessity/level of care/ experimental therapy
- ACA exchange compliance claims

#### Financial Risk

- Government program capitation/ reimbursement (CMS)/star rating
- Medical Loss Ratio application and MRA claims
- Consolidation/M&A and competition from hybrid MCOs
- US economy impacting revenues/ expenses/Interest rates and Investment return
- Cost of new infrastructure, labor, technology
- Health Care Policy uncertainty

# Cyber Risk

- Federal/state/foreign privacy breach claims
- Ransomware and social engineering claims
- **Business Interruption loss**
- Criminal hacking and employee/ vendor theft
- 23 Loss of data/use
- Data collection and use

# Non-Industry Specific Risks

- Social Justice, Inclusion and Diversity
- Misc Property Claims tied to pandemic, climate/weather/environment business interruption
- Reputational loss
- Construction claims
- Workers Compensation/Health
- Wage and Hour, Pension Claims

#### Innovative Business Models

- Impact of ACOs, joint ventures and other hybrid entities
- Diversification beyond core competencies
- Value/Risk based contracting
- JV and MSO/Admin claims
- Miscellaneous services provided to third parties
- Risk associated with consolidation

# **About Willis Towers Watson**

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