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**THE HARTFORD**

Name of Insurance Company to which Application is made

**THE HARTFORD PROFESSIONAL CHOICE LIABILITY POLICY  
 INSURANCE APPLICATION**

**This is an application for a CLAIMS-MADE AND REPORTED Policy**

If a policy is issued, this application will attach to and become part of the policy. Therefore, it is important that all questions are answered accurately.

**NOTICE:** THIS PROFESSIONAL LIABILITY INSURANCE IS WRITTEN ON A CLAIMS-MADE AND REPORTED BASIS AND PROVIDES COVERAGE FOR THOSE CLAIMS WHICH ARE FIRST MADE AND REPORTED TO THE COMPANY WHILE THIS INSURANCE IS IN FORCE AND WHICH ARE THE RESULT OF WRONGFUL ACTS OCCURRING SUBSEQUENT TO THE RETROACTIVE DATE SHOWN IN ITEM 8 OF THE DECLARATIONS PAGE. NO COVERAGE EXISTS FOR CLAIMS FIRST MADE AFTER THE END OF THE POLICY PERIOD UNLESS, AND TO THE EXTENT, AN EXTENDED REPORTING PERIOD APPLIES. THE INSURANCE PROVIDED BY THIS POLICY PROVIDES THAT THE LIMIT OF LIABILITY AVAILABLE TO PAY JUDGMENTS OR SETTLEMENTS WILL BE REDUCED BY AMOUNTS INCURRED FOR DEFENSE COSTS. DEFENSE COSTS SHALL ALSO BE APPLIED AGAINST THE RETENTION AMOUNT

**PLEASE PROVIDE THE FOLLOWING INFORMATION:**

- Organizational chart including Applicant's ownership % and complete description of services provided by each subsidiary
- Promotional Brochures
- Sample contracts used with customers.
- Most recent complete annual financial information
- Description of risk management practices

**A. GENERAL INFORMATION**

- 1) NAME OF APPLICANT: \_\_\_\_\_
- 2) ADDRESS: \_\_\_\_\_
- 3) YEAR ESTABLISHED: \_\_\_\_\_ 4) WEB-SITE ADDRESS: \_\_\_\_\_
- 5) NUMBER OF EMPLOYEES: \_\_\_\_\_
- 6) List the total gross receipts for the past three years, projected receipts for the coming year derived from the services for which coverage is desired and total number of transactions.

YEAR	GROSS REVENUES	TRANSACTIONS/PROJECTS
Current Projected	\$ _____	_____
200_____	\$ _____	_____
200_____	\$ _____	_____
200_____	\$ _____	_____

7) For the receipts listed above, please give an approximate percentage breakdown derived from each professional service.

**TYPE OF SERVICE**

**PERCENTAGE OF RECEIPTS**

_____	_____ %	
_____	_____ %	
_____	_____ %	
_____	_____ %	<b>Total = 100%</b>

**B. PROFESSIONAL SERVICES**

1) Describe the professional services/operations for others for which coverage is desired.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2) Describe the types of negligent acts, incidents, circumstances, exposures, or E&O claims for which coverage is desired.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3) Is the Applicant engaged in any business other than as described in question 8?  Yes  No **If yes, please attach an explanation and estimated receipts.**

4) Please provide the percentage of the Applicant's services rendered to each category based on client's revenue size:

Percentage of Services	Size of Client
_____ %	Individuals/Consumers
_____ %	Less than 50 million in revenues
_____ %	50-500 million in revenues
_____ %	Greater than 500 million in revenues

5) List your five largest projects during the last three years:

<u>CLIENT</u>	<u>SPECIFIC SERVICES YOU PROVIDED</u>	<u>LENGTH</u>	<u>REVENUE</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6) Total number of clients: \_\_\_\_\_

7) Does the Applicant do work outside the United States?  Yes  No **If yes, where?** \_\_\_\_\_

8) What is the average contract amount (your Annual revenues) for Professional Services:

\_\_\_\_\_

9) What is the average contract length for Professional Services:

\_\_\_\_\_

10) What is your longest contract length for Professional Services:

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**C. Ownership & Control**

- 1) a. Is the Applicant directly or indirectly controlled by, owned, or associated or does it own any other business enterprise, partnership, corporation or company?  Yes  No **If yes, please attach an explanation.**
- b. Does the Applicant, any of its owners, partners, directors, officers or employees own (wholly or partly), operate, manage or serve as directors, officers or partners of any other firm or organization?  Yes  No **If yes, please attach an explanation.**
- c. If either a) or b) are answered Yes, does the Applicant render any services to such business enterprise?  Yes  No **If yes, please attach an explanation.**
- 2) a. In the past 12 months, or in the next 12 months, has or does the Applicant plan to reorganize, acquire, divest or changed its name?  Yes  No **If Yes, please provide explanation.**
- b. If the Applicant acquired another entity, did the Applicant acquire the assets or the assets and liabilities of such entity?
- Assets  Assets & Liabilities

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**D. Contracts & Subcontractors**

- 1) What percentage of the time does the Applicant use written contracts? \_\_\_\_\_%
- 2) Do standard contracts contain a hold harmless agreement that benefits the Applicant?  Yes  No
- 3) Do standard contracts contain a hold harmless agreement that benefits other parties of the contract?  Yes  No
- 4) What percentage of the time does the Applicant modify its standard contracts? \_\_\_\_\_%
- 5) a. Does in-house or outside legal counsel review all contracts?  Yes  No
- b. Which one?  in-house legal counsel  outside legal counsel  both
- 6) Who writes and authorizes any changes to the contracts? \_\_\_\_\_
- 7) What percentage of revenues does the Applicant subcontract work to others? \_\_\_\_\_%
- 8) a. Does the Applicant require subcontractors to carry E&O insurance and obtain evidence of insurance?  Yes  No
- b. Do contracts with subcontractors have hold harmless agreements that benefit the Applicant?  Yes  No
- If no, please describe your risk management polices and procedures to address this issue.**

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**E. Insurance History**

- 1) Has any similar insurance ever been declined, canceled or non-renewed?
- Yes  No **If Yes, please explain on a separate sheet of paper.**
- 2) List all professional liability insurance carried for each of the past three years. If none .

Insurer	Policy Period	Limit	Deductible	Premium	Retroactive Date

3) Please List your current General Liability insurance for the most recent year.

Insurer	Policy Period	Limit	Deductible	Premium	Retroactive Date

**F. Loss History**

- 1) Have any of the Applicant's Owners, Principals, Directors, Officers or employees ever been the subject of reprimand or disciplinary or criminal actions by authorities as a result of their professional activities?  Yes  No  
If Yes, please attach explanation.
  
- 2) Has there been or is there now any pending litigation, claim or arbitration against or civil, criminal, administrative or regulatory action or proceeding of the Applicant or any person or entity proposed for insurance?  Yes  No If Yes, please complete Supplemental Claim Form for each claim.
  
- 3) Does any person or entity proposed for insurance have knowledge or information of any act, error or omission which might reasonably give rise to a claim under the proposed policy?  Yes  No If Yes, please complete Supplemental Claim Form for each.

**It is understood and agreed that with respect to Questions 25, 26 and 27 above, that if such knowledge or information exists, any claim or action arising therefrom is excluded from this proposed coverage.**

**NOTICE TO APPLICANT - PLEASE READ CAREFULLY**

**WARRANTY:** The Applicant warrants that the information contained herein is true as of the date this application is executed and understands that it shall be the basis of the policy of insurance and deemed incorporated therein if the Company accepts this application by issuance of a policy. It is hereby agreed and understood that this warranty constitutes a continuing obligation to report to the Company, as soon as possible, any material change in the circumstances of the Applicant's business, including but not limited to size of firm, areas of business engaged in by the firm and information contained on each supplemental application submitted by the Applicant.

The Applicant hereby authorizes the release of all claims information from any prior insurer to the Company. The Applicant agrees that the organization releasing the information, its agents, servants or employees shall not incur any liability as a result of any information released or furnished pursuant to this authorization including any errors, omissions or mistakes contained in such released information.

**NOTE:** In applying for coverage, the Applicant agrees that in the event of covered losses, he/she will be required to be defended by an attorney appointed by the Company.

The Applicant hereby acknowledges that he/she is aware that the limit of liability shall be reduced, and may be completely exhausted, by defense costs and in such event, the Company shall not be liable for defense costs or for the amount of any judgment or settlement to the extent that such exceeds the limit of liability.

The Applicant hereby further acknowledges that he/she is aware that defense costs that are incurred shall be applied against the deductible amount.

The Applicant understands and accepts that the policy applied for provides coverage on a "claims-made and first reported" basis for only those claims that are made against the Insured while the policy is in force and that coverage ceases with the termination of the policy.

#### **FRAUD WARNING STATEMENTS**

**ARKANSAS APPLICANTS: ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN PRISON.**

**COLORADO APPLICANTS: IT IS UNLAWFUL TO KNOWINGLY PROVIDE FALSE, INCOMPLETE, OR MISLEADING FACTS OR INFORMATION TO AN INSURANCE COMPANY FOR THE PURPOSE OF DEFRAUDING OR ATTEMPTING TO DEFRAUD THE COMPANY. PENALTIES MAY INCLUDE IMPRISONMENT, FINES, DENIAL OF INSURANCE, AND CIVIL DAMAGES. ANY INSURANCE COMPANY OR AGENT OF AN INSURANCE COMPANY WHO KNOWINGLY PROVIDES FALSE, INCOMPLETE, OR MISLEADING FACTS OR INFORMATION TO A POLICY HOLDER OR CLAIMANT FOR THE PURPOSE OF DEFRAUDING OR ATTEMPTING TO DEFRAUD THE POLICY HOLDER OR CLAIMANT WITH REGARD TO A SETTLEMENT OR AWARD PAYABLE FROM INSURANCE PROCEEDS SHALL BE REPORTED TO THE COLORADO DIVISION OF INSURANCE WITHIN THE DEPARTMENT OF REGULATORY AGENCIES.**

**DISTRICT OF COLUMBIA APPLICANTS: "IT IS A CRIME TO PROVIDE FALSE OR MISLEADING INFORMATION TO AN INSURER FOR THE PURPOSE OF DEFRAUDING THE INSURER OR ANY OTHER PERSON. PENALTIES INCLUDE IMPRISONMENT AND/OR FINES. IN ADDITION, AN INSURER MAY DENY INSURANCE BENEFITS IF FALSE INFORMATION MATERIALLY RELATED TO A CLAIM WAS PROVIDED BY THE APPLICANT."**

**FLORIDA APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER FILES A STATEMENT OF CLAIM OR AN APPLICATION CONTAINING ANY FALSE, INCOMPLETE, OR MISLEADING INFORMATION IS GUILTY OF A FELONY OF THE THIRD DEGREE.**

**HAWAII APPLICANTS: FOR YOUR PROTECTION, HAWAII LAW REQUIRES YOU TO BE INFORMED THAT PRESENTING A FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT IS A CRIME PUNISHABLE BY FINES OR IMPRISONMENT, OR BOTH.**

**LOUISIANA APPLICANTS: ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN PRISON.**

**KENTUCKY APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE CONTAINING ANY MATERIALLY FALSE INFORMATION OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME.**

**MAINE APPLICANTS: IT IS A CRIME TO KNOWINGLY PROVIDE FALSE, INCOMPLETE OR MISLEADING INFORMATION TO AN INSURANCE COMPANY FOR THE PURPOSE OF DEFRAUDING THE COMPANY. PENALTIES MAY INCLUDE IMPRISONMENT, FINES OR A DENIAL OF INSURANCE BENEFITS.**

**NEW JERSEY APPLICANTS: ANY PERSON WHO INCLUDES ANY FALSE OR MISLEADING INFORMATION ON AN APPLICATION FOR AN INSURANCE POLICY IS SUBJECT TO CRIMINAL AND CIVIL PENALTIES.**

**NEW MEXICO APPLICANTS: ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO CIVIL FINES AND CRIMINAL PENALTIES.**

**NEW YORK APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE CONTAINING ANY MATERIALLY FALSE INFORMATION OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY MATERIAL FACT THERETO COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL BE ALSO SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE STATED VALUE OF THE CLAIM FOR EACH SUCH VIOLATION.**

**OHIO APPLICANTS: ANY PERSON WHO, WITH INTENT TO DEFRAUD OR KNOWING THAT HE IS FACILITATING A FRAUD AGAINST AN INSURER, SUBMITS AN APPLICATION OR FILES A CLAIM CONTAINING A FALSE OR DECEPTIVE STATEMENT IS GUILTY OF INSURANCE FRAUD.**

**OKLAHOMA APPLICANTS: WARNING: ANY PERSON WHO KNOWINGLY, AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER, MAKES ANY CLAIM FOR THE PROCEEDS OF AN INSURANCE POLICY CONTAINING ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION IS GUILTY OF A FELONY.**

**OREGON APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD OR SOLICIT ANOTHER TO DEFRAUD AN INSURER: (1) BY SUBMITTING AN APPLICATION OR; (2) FILING A CLAIM CONTAINING A FALSE STATEMENT AS TO ANY MATERIAL FACT MAYBE VIOLATING STATE LAW.**

**PENNSYLVANIA APPLICANTS: ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR INSURANCE OR STATEMENT OF CLAIM CONTAINING ANY MATERIALLY FALSE INFORMATION OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME AND SUBJECTS SUCH PERSON TO CRIMINAL AND CIVIL PENALTIES.**

**TENNESSEE: IT IS A CRIME TO KNOWINGLY PROVIDE FALSE, INCOMPLETE OR MISLEADING INFORMATION TO AN INSURANCE COMPANY FOR THE PURPOSE OF DEFRAUDING THE COMPANY. PENALTIES INCLUDE IMPRISONMENT, FINES AND DENIAL OF INSURANCE BENEFITS.**

**VIRGINIA APPLICANTS: IT IS A CRIME TO KNOWINGLY PROVIDE FALSE, INCOMPLETE OR MISLEADING INFORMATION TO AN INSURANCE COMPANY FOR THE PURPOSE OF DEFRAUDING THE COMPANY. PENALTIES INCLUDE IMPRISONMENT, FINES AND DENIAL OF INSURANCE BENEFITS.**

**WEST VIRGINIA: ANY PERSON WHO KNOWINGLY PRESENTS A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OF A LOSS OR BENEFIT OR KNOWINGLY PRESENTS FALSE INFORMATION IN AN APPLICATION FOR INSURANCE IS GUILTY OF A CRIME AND MAY BE SUBJECT TO FINES AND CONFINEMENT IN PRISON.**

Signing this form and tendering premium does not bind the Applicant or the Company to complete the insurance. This application must be signed to be considered for quotation.

\_\_\_\_\_  
President or Chief Executive Officer of Applicant's Signature

\_\_\_\_\_  
Print or Type Name & Title

\_\_\_\_\_  
Date (Month/Day/Year)