

Justin T. Liby

SHAREHOLDER

he / him / his

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Justin Liby has a talent for organizing and managing large national and multi-state licensure and research projects. This knack provides him with a solid foundation for crafting and implementing sound, efficient strategies that achieve success for his clients. Justin concentrates his efforts on helping the insurance industry navigate the formidable federal and state regulatory maze to achieve the industry's business needs. He stays current in the insurance industry's evolution, as well as the legislation and regulatory activity impacting the industry.

Justin is a former regulator for the Kansas Insurance Department and in-house counsel for a national third-party administrator. He supports all members of the insurance industry, including:

- Insurance companies
- Health maintenance organizations
- Third-Party administrators
- Adjusters
- Managing general agents
- Discount medical plan organizations
- Pharmacy benefit managers
- Preferred provider organizations
- Utilization review organizations
- Insurance brokers and agents
- Industry associations
- Captive insurance companies
- Employers
- Health care entities/providers

His experience spans both segments of the insurance industry – property and casualty and life and health. He has advised on alternative risk vehicles; indemnity and assumption reinsurance transactions; credit for reinsurance and the related regulatory approvals; affiliate transactions and holding company filings; provider network agreements; producer agreements; managing general agent agreements; third-party administrator service agreements; insurance commission and rebating issues; and electronic commerce issues.

Capabilities

- Insurance
- Third Party Administrator (TPA) Licensing & Compliance Services
- Financial Institutions Privacy

Education

- Washburn University School of Law (J.D., 1994)
 - Dean's Honors
- University of Kansas (B.A., 1991)

Bar Admissions

- Kansas, 1995
- Missouri, 1998

Court Admissions

- U.S. District Court, District of Kansas
- U.S. District Court, Western District of Missouri

Memberships

- American Bar Association
 - Tort Trial and Insurance Practice Section
- The Missouri Bar
- Kansas City Metropolitan Bar Association
- Leawood Country Manor Homeowners Association
 - Secretary, Board of Directors, 2011
 - Member, Board of Directors, 2011-2012
- Heart of America United Way
 - Young Leaders Society
 - Steering Committee, 2000

Matters

- Managed a national project to obtain licensure for a health care entity as a discount medical plan organization, pharmacy benefit manager, and third-party administrator with an eye toward successfully maintaining existing relationships with business partners and warding off unwanted regulatory actions.
- Member of a group that successfully licensed offshore third-party administrators in the United States on a national basis.
- Helped form and license a stock property and casualty insurance company and add a new certificate of authority in an additional state.
- Spearheaded two national projects to amend the existing certificates of authority of a stock health insurance company using the Uniform Certificate of Authority Application Corporate Amendment process adopted by the National Association of Insurance Commissioners and the state-specific process in California to execute a name change, acquisition and business plan change, and add new lines of authority.
- Oversaw a stock health insurance company's successful applications for new certificates of authority in two states using the Uniform Certificate of Authority Application Expansion process.
- Part of a team that managed a multi-state project to amend the existing certificates of authority of a stock workers' compensation insurance company to add new lines of authority using the Uniform Certificate of Authority Application Corporate Amendment process and to add new certificates of authority in multiple states using the Uniform

Certificate of Authority Application Expansion process.

- Provided a stock health insurance company with analysis regarding the regulatory requirements applicable to the various components of its reinsurance program.
- Helped licensed the first full-service discount medical plan organization under the Knox Keene Act in California.
- Successfully navigated the third-party administrator licensure and exemption requirements applicable to a stock health insurance company performing administrative services-only work for unrelated insurance companies.
- Member of a group that manages the periodic licensure renewals for discount medical plan organizations, pharmacy benefit managers and third-party administrators with respect to multiple clients.
- Negotiated on behalf of an insurance agent to acquire an existing block of business owned jointly by another insurance agent and insurance agency.
- Represented a national hospital system regarding the impact of state insurance holding company system laws on the acquisition and divestiture of an insurance company.
- Advised third-party administrators regarding the adjuster and third-party administrator licensure requirements applicable to workers' compensation insurance and disability income insurance on a national basis, including the in-state claims handling requirements applicable to workers' compensation insurance in multiple states.
- Represented insurance brokers and agents to maneuver through the regulations around anti-rebate restrictions and sharing commissions or paying referral fees to licensed and unlicensed persons in multiple states.
- Assisted the owner of an existing captive insurance company to identify and mitigate the regulatory risks involved with the captive arrangement.