

# **Traumatic Brain Injury Liability: What Education Institutions Need to Know**

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# Traumatic Brain Injury Liability: What Education Institutions Need to Know

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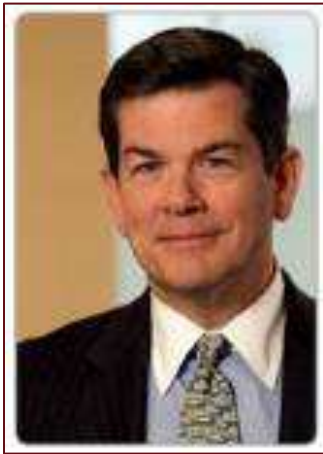
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# Today's Moderator



**David Bradford-** President,  
Research & Editorial Group, Advisen  
Ltd.

# Today's Panelists



**Robb Jones**, Senior Vice President and General Counsel for Claims Management, United Educators



**Bryan Elie**, Vice President of Underwriting, United Educators

# Today's Panelists

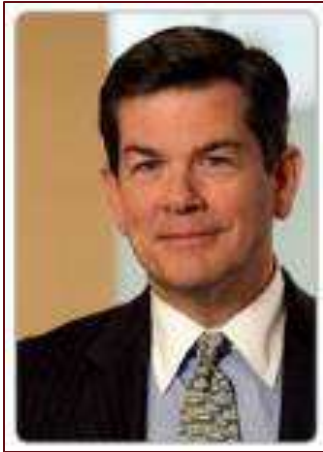


**Dr. Kevin Guskiewicz**, Orthopedist and Co-Director of the Matthew Gfeller Sport-Related Traumatic Brain Injury Research Center, University of North Carolina at Chapel Hill



**Dr. Gerard A. Gioia**, Chief - Division of Pediatric Neuropsychology, Children's Research Institute

# Today's Panelists



Robb Jones is the senior vice president and general counsel for claims management at United Educators (UE) Insurance Risk Retention Group. At UE, he heads the team of 22 lawyers and 18 other professionals responsible for liability claims management for more than 1,200 colleges, universities, and K-12 schools. He has been at United Educators since 1997.

Robb has over thirty years of experience serving the higher education community. He currently serves as a trustee for a liberal arts college, has evaluated higher education programs for the federal government and a state board of regents, and has taught as an adjunct faculty member at two different institutions. From 1994-97 Jones was director of the Judicial Education Division of the Federal Judicial Center, where he developed and managed training and continuing legal education programs for the federal courts.



# Today's Panelists



Bryan Elie started his career with United Educators in 1995. He was promoted to Associate Vice President of Underwriting in 2004, and moved to the underwriting leadership position in 2009. Elie's key responsibilities include researching and creating new insurance products, revising existing policy language, applications, and underwriting guidelines, and managing the underwriting approach on United Educators' most complex new and renewal accounts.

Before joining UE, Elie worked for Aetna Casualty for five years and at Great American Insurance for two years in both marketing and underwriting positions.

Elie received his Bachelor of Science degree in business from Wake Forest University in 1988.

# Today's Panelists



Kevin Guskiewicz is the Kenan Distinguished Professor and Co-Director of the Matthew Gfeller Sport-Related Traumatic Brain Injury Research Center and Director of the Center for the Study of Retired Athletes in the Department of Exercise and Sport Science at The University of North Carolina at Chapel Hill. He holds joint appointments in the Department of Orthopaedics, UNC Injury Prevention Research Center, and Doctoral Program in Human Movement Science.

Over the past 18 years, Dr. Guskiewicz's research has focused on sport-related concussion. He has investigated the effect of sport-related concussion on balance and neuropsychological function in high school and collegiate athletes, and the long-term neurological issues related to playing sport. Dr. Guskiewicz has been the recipient of 23 funded research grants, and has published over 90 journal articles and six textbook chapters related to concussion in sport.

# Today's Panelists



Gerard Gioia is Division Chief of Pediatric Neuropsychology at the Children's Research Institute. His research focuses on concussion, mild traumatic brain injury and executive function.

He is also Professor of Pediatrics at George Washington University School of Medicine and Health Sciences and Professor of Psychiatry & Behavioral Sciences at George Washington University School of Medicine and Health Sciences.

# Question: Why have Traumatic Brain Injuries in sports become such a hot topic in recent years?



**Dave Bradford**- Advisen Ltd.



**Robb Jones**, Senior Vice President and General Counsel for Claims Management, United Educators



**Bryan Elie**, Vice President of Underwriting, United Educators



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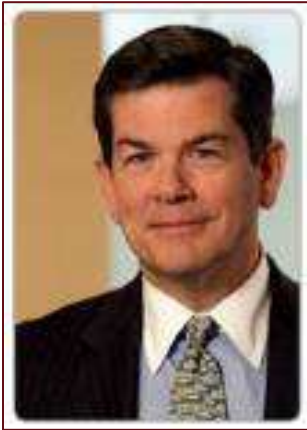


**Dr. Gerard A. Gioia**, Chief - Division of Pediatric Neuropsychology, Children's Research Institute

# **Question:** When we refer to a Traumatic Brain Injury, what exactly does that mean? What are some of the longer term consequences of TBI?



**Dave Bradford**- Advisen Ltd.



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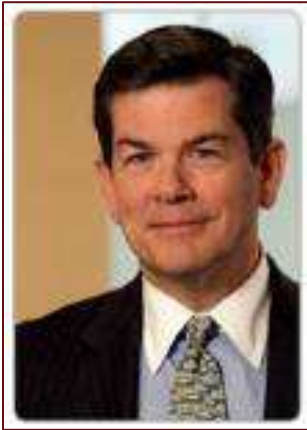
**Dr. Gerard A. Gioia**, Chief - Division of Pediatric Neuropsychology, Children's Research Institute



# Question: Which athletes are most at risk and why? How do college athletes differ from high school athletes?



**Dave Bradford**- Advisen Ltd.



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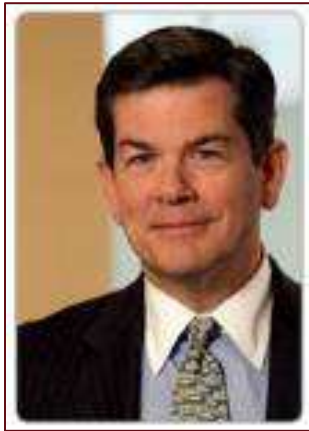


**Dr. Gerard A. Gioia**, Chief - Division of Pediatric Neuropsychology, Children's Research Institute

# Question: What is the current litigation environment concerning high schools and colleges?



**Dave Bradford**- Advisen Ltd.



**Robb Jones**, Senior Vice President and General Counsel for Claims Management, United Educators



**Bryan Elie**, Vice President of Underwriting, United Educators



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**Dr. Gerard A. Gioia**, Chief - Division of Pediatric Neuropsychology, Children's Research Institute

# Question: What kinds of regulations have been passed to better protect young athletes? Are they effective?



**Dave Bradford**- Advisen Ltd.



**Robb Jones**, Senior Vice President and General Counsel for Claims Management, United Educators



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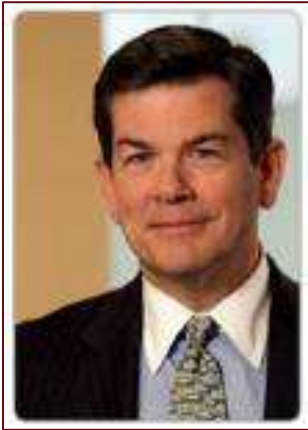
**Dr. Gerard A. Gioia**, Chief - Division of Pediatric Neuropsychology, Children's Research Institute



# Question: Is better equipment the answer?



**Dave Bradford**- Advisen Ltd.



**Robb Jones**, Senior Vice President and General Counsel for Claims Management, United Educators



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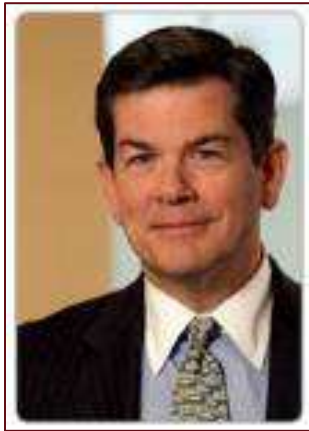


**Dr. Gerard A. Gioia**, Chief - Division of Pediatric Neuropsychology, Children's Research Institute

# Question: What is the “culture of resistance in athletics?” How can it be overcome?



**Dave Bradford**- Advisen Ltd.



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# **Question:** What else do you recommend educational institutions do to protect their student athletes and minimize their exposure to liability?



**Dave Bradford**- Advisen Ltd.



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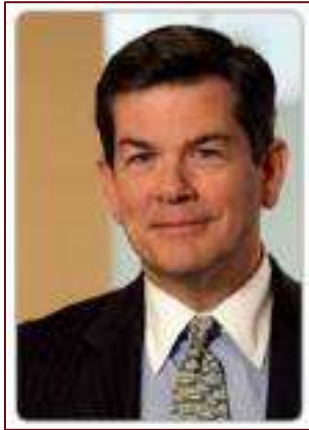


**Dr. Gerard A. Gioia**, Chief - Division of Pediatric Neuropsychology, Children's Research Institute

# **Question:** How can educational institutions stay current with best practices in concussion prevention and treatment?



**Dave Bradford**- Advisen Ltd.



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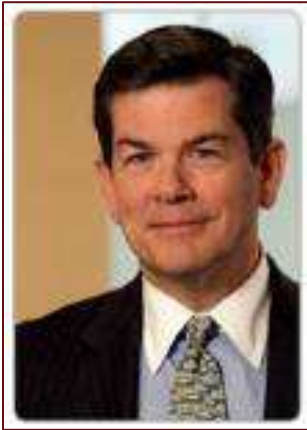
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# Question: What are the most significant considerations when structuring insurance coverage?



**Dave Bradford**- Advisen Ltd.



**Robb Jones**, Senior Vice President and General Counsel for Claims Management, United Educators



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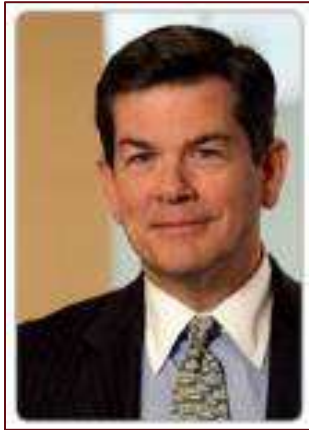


**Dr. Gerard A. Gioia**, Chief - Division of Pediatric Neuropsychology, Children's Research Institute

# **Question:** How are you helping your members address this emerging issue?



**Dave Bradford**- Advisen Ltd.



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