

Personal Deviations in Study
Abroad Insurance
Podcast Transcript

Prevention and Protection
a United Educators Risk Management Podcast

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JOE: Hello and welcome to Prevention and Protection, the United Educators' Risk Management podcast. I'm Joe Vossen, risk management counsel at UE, and in today's podcast I'm going to chat with my colleague, Hillary Pettegrew, about personal deviation insurance for study abroad programs. Thanks for joining me, Hillary.

HILLARY: Hello again, Joe.

JOE: We're reuniting for another podcast on study abroad after our first program on pre-departure orientations a few months back. We hadn't even posted that first podcast when one of our colleagues gave us the idea for this program. So set the scene for us, Hillary.

HILLARY: We were hosting several risk managers and general counsel here at United Educators and talking about study abroad risks. After the presentation, a colleague who's a risk manager at a West Coast institution mentioned that his school, and probably many others, negotiate with their travel insurers to cover accidents and injuries that occur during personal deviations. That sparked a great conversation with other risk managers at the table who are also concerned about coverage for personal deviations.

JOE: Let's pause to make sure we're all on the same page. Personal deviation means travel or an activity that is not related to the study abroad program. What usually happens is that people arrive before the program begins or they stay after it ends. They're doing this to engage in personal travel, is that right Hillary?

HILLARY: Yes, it is. And of course personal deviations could occur between the regular start and end dates for a program as well. But I think you can paint a better picture for our listeners by explaining some of the findings from your own study abroad research.

JOE: Fair point. I'll back up and talk quickly about how students and faculty travel and use free time when they go abroad, and then that will set us up for a more in-depth discussion of personal deviation coverage. How's that for a roadmap?

HILLARY: I like it and I remember in your study abroad research you found that more than half of the claims occurred during a student's so-called free time. How did you define free time?

JOE: That's exactly what we found when we reviewed over 100 study abroad claims over 10 years, and we define free time very similarly to how we defined a personal deviation earlier. It's travel or an activity outside the study abroad program.

HILLARY: Do you have an example of that?

JOE: Sure. I can remember one claim where a group of students elected to stay in Asia for one week after an institution-sponsored study abroad program in China. They traveled to Thailand and rented a motor boat to sightsee down the Mekong River. The students took turns actually riding in a raft behind the boat. Unfortunately, one student broke her leg when she fell off the raft. While the injury wouldn't have been life threatening in the U.S., the students were in a very remote part of Thailand, and reliable medical services were scarce.

HILLARY: Normally, travel medical or evacuation insurance would cover a situation like that, wouldn't it?

JOE: If the event that caused the injury was part of the program, I would say yes. But every insurance policy is different. Because this boat trip was a personal deviation that occurred outside the formal program, the travel insurer refused to cover the student's injury.

HILLARY: So, Joe, UE is a liability insurer. You mentioned this trip to Thailand was organized and operated by students with no oversight or involvement by the college. That doesn't sound like a case of institutional liability to me.

JOE: Well, maybe or maybe not. But our advice to members in these situations is always the same, and that is to respond with compassion. In this claim, the college responded to the student's injury promptly by paying for her medical evacuation, keeping in touch with her parents, and helping her get back into the swing of things once the new academic semester started. Thankfully, in this case the student suffered no permanent injuries, so what might have been a tragedy ended on a relatively positive note.

HILLARY: That was an excellent move on the college's part. Joe, I think the bottom line here is that while an institution usually faces little to no liability for injuries and accidents that occurred during a traveler's free time, it will almost always be asked to assess nevertheless. So the first number that students or mom and dad will call when something bad happens is going to be the college.

JOE: That's right. And the practice of traveling outside the regular study abroad program is not uncommon, as we've seen.

HILLARY: And our members certainly report that more and more students see study abroad not only as an academic opportunity, but really as a cultural and social event. They want to engage in extreme sports like rock climbing, zip-lining, and skydiving with their friends. They want to hike volcanoes and swim in oceans.

JOE: They want to do all those things. If you know your students are going to undertake these activities, it's in everyone's best interest to purchase insurance that covers them. But we also found in our study abroad research that one of the most common issues was that the insurance coverage purchased by the institution was not as broad as expected. Basically, institutions buy an insurance package from one or several travel insurers without really understanding what the policies cover and what they don't.

HILLARY: I actually remember a claim like that from your study. There was a professor who took a small group of students to Italy. The professor volunteered to take them into the Swiss Alps for hiking, and he made it very clear that none of the students were required to participate in this weekend hike. But it did occur during the middle of the group's three weeks abroad. Unfortunately, one of the students fell off a bridge during the hike. While there are certainly great doctors and hospitals in Switzerland, the student's parents insisted that their child be flown back to the U.S. so their own doctor could treat him.

JOE: That's right, and there was some uncertainty about whether this was a personal deviation, whether the insurance policies covered personal deviations, and whether the medical evacuation coverage applied to nonlife-threatening injuries.

HILLARY: In that case you have an injured traveler, stressed out parents, and a university that's trying to do right by their students and families. To top it off, the university was finding out what their insurance policies covered and what they didn't. It was not a great situation.

JOE: Hillary, let's not make this too complicated. The takeaways here are, No. 1, know what your international travel policies cover; and No 2, if they don't cover personal deviations, try to negotiate with insurers.

HILLARY: Earlier, we defined personal deviations as travel or activities not related to the purpose of the study abroad program. I gather that this definition may vary slightly based on the specific insurer and the policy at issue.

JOE: That's correct, and the window or amount of time before or after the program that covers personal deviations will also depend on the insurer.

HILLARY: Is there a standard or common length of time that you've been seeing?

JOE: It seems to me that most colleges and universities are telling their students, you're covered starting at one to two weeks before the program and ending one to two weeks after. So there's that built-in window.



HILLARY: Now I know you worked with one of our members on this issue recently. Did you learn anything new?

JOE: I learned that different insurers have different names for this coverage. Most use personal deviation, but I've also seen sojourn or outside travel used. Again, this varies so widely that risk managers, administrators, study abroad directors, probably legal counsel, or whoever on campus is involved in this insurance purchase should work together to make sure that coverage purchased is coverage intended.

HILLARY: Joe, what should institutions do if they're unsuccessful in securing personal deviation coverage for their international travelers?

JOE: Great question. I think if you're unsuccessful securing this coverage, you should explain that to your trip participants. Notify travelers during the registration process if outside travel is not covered by medical or emergency evacuation insurance. But remember, like we said before, when things go wrong, your institution will still be asked to help. So how would you respond?

HILLARY: Good stuff. Unfortunately, we're out of time but we hope you found this podcast interesting and helpful to all the work you do managing risks on your campuses. Thanks for inviting me to participate, Joe.

JOE: Of course, and thanks for joining. From United Educators Insurance, this is the Prevention and Protection Podcast.



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