

When to add a Counterclaim under Concurrent Coverage Right of Recovery

WORKFLOW STEPS

- ☒ Confirm Incident Details and My Party Information
- ☒ Add Additional Parties
- ☒ Recovery Arguments
- ☒ Coverage Response - Collision
- ☒ Feature Response - 2022 HONDA

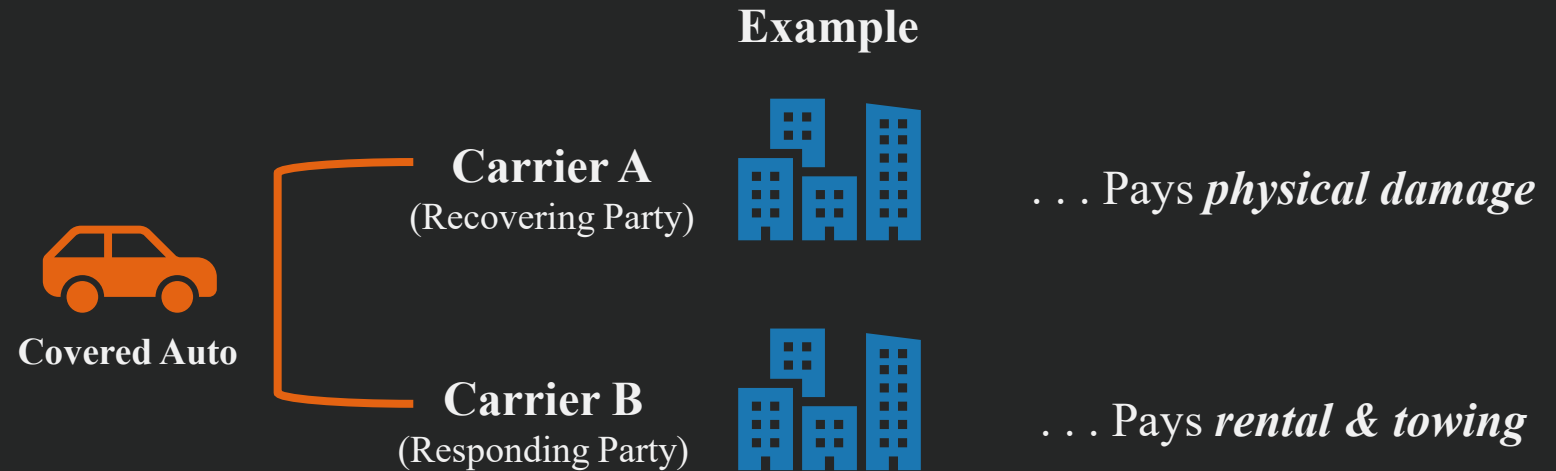


Add My Damages

- ☐ Filing Options & Billing
- ☐ Review & Submit

Under the **Concurrent Coverage** Right of Recovery, **Responding Parties** may add counterclaims when:

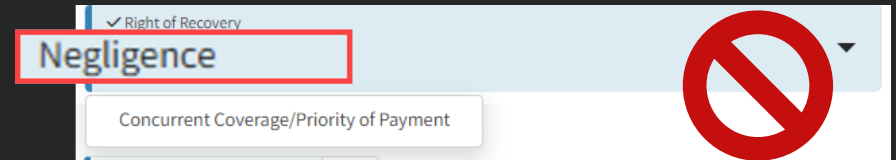
Two co-insurers pay for damages to the same covered auto **under the collision portion of the policy.**



When entering a response, the responding party seeking to recover its damages may add a counterclaim against the co-insurer **only** and not the parties believed to be negligent.

Do not file a counterclaim against a negligent third party.

A separate filing should be initiated under the **Negligence Right of Recovery** against the parties believed to be negligent for the loss.



✓ Right of Recovery

Negligence

Concurrent Coverage/Priority of Payment

Concurrent Coverage Counterclaims

The following examples
illustrate how damages
are awarded based on
the arbitrator's ruling.

Who has Priority of Payment? The Arbitrator Ruling

When Carrier A is Primary

✓ ALPHA INSURANCE OF FLORIDA (HARRY POTTER)	
Primary Carrier	Not a Primary Carrier

✓ BETA INSURANCE OF COLORADO (BETTY CROCKER)	
Primary Carrier	Not a Primary Carrier

No recovery of Carrier A's payment for physical damage. Carrier B's rental & towing recoverable if counterclaim added by response due date.



See Rule 2-2 for exceptions.

When Carrier B is Primary

✓ ALPHA INSURANCE OF FLORIDA (HARRY POTTER)	
Primary Carrier	Not a Primary Carrier

✓ BETA INSURANCE OF COLORADO (BETTY CROCKER)	
Primary Carrier	Not a Primary Carrier

Carrier A's payment for physical damage recoverable. Carrier B's collision deductible will be reduced from award and counterclaim barred.



Deductible will not be reduced if entered in wrong field.

When both are Primary

✓ ALPHA INSURANCE OF FLORIDA (HARRY POTTER)	
Primary Carrier	Not a Primary Carrier

✓ BETA INSURANCE OF COLORADO (BETTY CROCKER)	
Primary Carrier	Not a Primary Carrier

Carrier A and B's payments are apportioned based on the payments made to the covered auto.



Deductible will not be reduced if entered in wrong field.

For questions, submit a ticket to the **Member Support Portal** or call 866-977-3434.