



# Minnesota Youth Soccer Association

Insurance: What is Covered and What is Not  
(and Why You Should Care)



# Top 10 Liability Claims

# Claim #1

Coach in personal auto waves player onto highway en route to another practice facility. Player strikes oncoming motorcycle. Motorcyclist has severe head injuries resulting in need for 24/7 residential skilled nursing care. Lower court ruled the player was “an agent of the club” and that it benefited the club to transport the players. Appealed to 9th Circuit Court and upheld.

**Total: \$7,764,674**  
**Indemnity: \$5,000,000**  
**Expense: \$2,764,674**

## Claim #2

Sexual abuse of a 13 year old female soccer player. State association failed to conduct at a minimum criminal background checks of its coaches. US Youth Soccer named as a defendant in a lawsuit that alleges the National Association had a minimum duty to conduct criminal background checks.

**Total: \$7,123,000**

**Indemnity: \$6,500,000**

**Expense: \$ 623,000**

# Claim #3

Chartered bus with an ODP soccer team and chaperones overturned causing multiple injuries and 2 fatalities. The bus was traveling at an excessive speed on wet roads en route to Charles de Gaulle Airport, Paris. Lawsuit filed in US claimed that the State Association did not properly screen transportation company, its driver's record or do any safety planning. Jury awarded \$8,300,000 but settled for policy limits.

**Total: \$5,887,000**

**Indemnity: \$5,000,000**

**Expense: \$ 887,000**

# Claim #4

A player had a seizure during a tournament game and quit breathing. CPR was administered immediately, but an on premise AED was not used and an ambulance was not on site. Ambulance arrived in 8 minutes. Player has significant impairment – cannot speak, needs feeding tube. Lawsuit claims AED should have been used.

**Total: \$3,250,000**

**Indemnity: \$3,100,000**

**Expense: \$150,00**

## Claim #5

Player struck and killed by unanchored, portable goal during practice. The team was moving the goal back in place after it had been moved to the side by the groundskeepers.

**Total: \$2,400,000**

**Indemnity: \$2,200,000**

**Expense: \$ 200,000**

## Claim #6

Sexual abuse of a 13 year old female soccer player. State association failed to conduct at a minimum criminal background checks of its coaches.

**Total: \$2,100,000**

**Indemnity: \$2,000,000**

**Expense: \$ 100,000**



# Claim #7

Sexual molestation of a soccer player by its coach. Background check conducted by club.

**Total: \$1,600,000**

**Indemnity: \$1,500,000**

**Expense: \$ 100,000**

# Claim #8

Soccer coach allegedly became intoxicated and sexually molested a female player.

**Total: \$1,374,849**

**Indemnity: \$1,300,000**

**Expense: \$ 74,849**

# Claim #9

Coach driving rental vehicle on behalf of named insured failed to yield and collided with motorcyclist while making a left turn. Motorcyclist sustained severe injuries and had medical costs of almost 2.5 million.

**Total: \$ 1,020,419**  
**Indemnity: \$ 995,000**  
**Expense: \$ 35,419**

# Claim #10

Goal fell on an 8-year-old girl who jumped and hung on the crossbar. She suffered crushed facial bones. This was a portable goal owned by a local soccer club on city-owned land. Goal was not in use at the time by the club, but it was neither anchored or chained.

**Total: \$ 687,270**

**Indemnity: \$ 635,000**

**Expense: \$ 52,270**

# Duty of Care

- Properly plan the activity
- Provide proper instruction
- Warn of inherent risks\*
- Provide a safe environment (duty to inspect)\*
- Provide adequate and proper equipment
- Match athletes appropriately
- Evaluate athletes for injury or incapacity
- Supervise the activity closely\*
- Provide appropriate emergency assistance

# Legal Liability

- Negligence
  - A failure to exercise the care that a reasonably prudent person would exercise in like circumstances
  - You breached your duty of care

# Types of Policies

## **MYSA Provides**

- General Liability
- Excess Accident Medical
- D&O Insurance

## **Does NOT Provide**

- Commercial Property
- Dishonesty Coverage
- Workers Compensation
- Cyber Liability

# General Liability

Provides liability protection for alleged or actual acts of negligence

## 1) Bodily Injury

- Athletic Participant Liability
- Business Invitee / Spectators
- Premises
- Sexual Abuse

[Bleacher Picture](#)

[Bounce House](#)

[Drain Pictures](#)

## 2) Personal & Advertising Injury

- Libel / Slander

## 3) Property Damage (Third Party)



# GL Policy: Who is an Insured?

- Minnesota Youth Soccer Association  
(First Named Insured)
- Member associations, leagues, clubs, teams, directors & officers, coaches, players, referees, employees, officials, and volunteers ***but only for activities sanctioned by the First Named Insured (the SSA)***

# “Typical” Covered Activities

- Official Tryouts
- Practices
- Games
- Tournaments
- Camps / Clinics
- Concession Sales
- Fund-Raising
- Award Banquets & Ceremonies
- End of Season Celebrations
- Picnics

# General Liability & Excess Liability Limits

Each Occurrence Limit:	\$1,000,000
General Aggregate Limit:	Unlimited
Participant Legal Liability Each Occur. (Non-Brain Injury):	\$1,000,000
Participant Legal Liability Each Occur. (Brain Injury Only):	\$2,000,000*
Participant Legal Liability Aggregate (Brain Injury Only):	\$5,000,000*
Sexual Abuse / Molestation Each Occurrence:	\$1,000,000
Sexual Abuse / Molestation Aggregate:	\$2,000,000
Hired & Non Owned Auto Liability:	\$1,000,000
Excess Liability:	\$5,000,000

\*Brain Injury Limits are Inclusive of Defense Costs

# Common GL Questions

- Is a member organization's owned facility covered?
- Are we covered for the use of golf carts, tractors, or Gators?
- Do we have Liquor Liability coverage?
- Is rented equipment covered?
- Are bounce houses / inflatables covered?
- When are camps / clinics operated by a member organization covered?

# Excess Accident Medical

## What is it?

Provides medical expense coverage for an insured person injured during a sanctioned and approved activity of the state soccer association

## Who is insured?

Registered team members, coaches, managers, referees and volunteers

## What is a covered activity?

Scheduled practices, games, organized GROUP travel or other sponsored activities under the direct supervision of a team official

# Accident Medical Limits

- Excess / secondary coverage
- \$200,000 Maximum per injury
- \$1,000 Deductible per injury
- 52 week benefit period
- \$5,000 AD&D benefit

# Non-Profit Liability (D&O)

- Provides liability protection for wrongful acts attributed to the governance of the organization
- Wrongful act = breach of duty, neglect, error, misstatement, misleading statement or omission
- Includes Employment Practices Liability & Third party Wrongful Acts

## Limit of Liability

\$2,000,000      Shared aggregate limit of liability

## Retention (Deductible)

\$5,000      per D&O Covered Claim

\$5,000      per Employment Practices Covered Claim

# Examples of Non-Profit Liability Claims

## D&O

- Failure to follow bylaws
- Acts beyond granted authority
- Misappropriation of funds
- Financial mismanagement
- Conflicts of interest
- Rules interpretation issues

## EPL

- Discrimination
- Sexual or workplace harassment
- Failure to hire / promote
- Wrongful termination
- Breach of employment contract
- Employment related retaliation



# MYSA does NOT Provide

- Commercial Property
  - Physical loss to your “stuff”
- Employee / Volunteer Dishonesty
  - Embezzlement of funds
- Workers Compensation
  - Employee or Independent Contractor???
- Cyber Liability
  - Release of Personally Identifiable Information (PII)

# Portable Soccer Goal Safety

- Educate Coaches, Players & Parents
- Inspect AND Re-inspect
- Follow Manufacturer's Anchoring Guidelines
- Proper Supervision (No Horseplay)
- Know And Document Who Owns the Goal
- Consumer Products Safety Commission

# Sexual Abuse Statistics

- 1 in 4 girls will be sexually abused prior to adulthood
- 1 in 6 boys will be sexually abused prior to adulthood
- 90% of abuse victims know and trust the abuser
- No visual profile of an abuser
- Only 10% of abusers in criminal justice system

# Sexual Abuse Prevention

- Conduct Background Checks
- Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017
  - Mandatory Reporting
  - Mandatory Policies & Procedures
  - Mandatory Prevention Training
- Know Signs of Grooming

# Questions?

Feel free to contact me if you have any questions.

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