

Responses to the Open Water Dilemma

By Jon Blank

Last month's Chairman's Corner questioned continuing utilization of LMSC funds to subsidize insurance costs at USMS-sanctioned open water events. As you may recall, at a USMS-sanctioned event, (the Maui Channel Swim) a boat driver volunteering for the event ran over a swimmer, resulting in lacerations so severe as to require amputations of the swimmer's arm. At the national level, USMS' insurer, as a result of this horrific event, significantly raised premiums to USMS beginning in 2013. Your NC LMSC Board, in an effort to encourage OW events in NC, agreed to subsidize several events for 2013. Several NC athletes responded to the article; selected comments are below:

Larry Hartley asks:

"How about getting competitive bids from various insurers? I don't really mind Masters subsidizing premiums for events if the costs are in line with what other groups pay. But if our costs are out of line, then maybe we should only subsidize major events such as state or national championships. I like open water and long distance events but they shouldn't break the back of the organization".

With regards to specific requirements for USMS sanction due to insurance regulations,

Tito Craige points out:

"My club has had an open water event also, but at that lake there is zero chance of a prop injuring a swimmer, since no power boats are allowed. Why should we be charged an insurance premium for a non-existent risk of a propeller injury? Don't we have among our many members any insurance professionals that could find a company that can look at such an event and adjust premiums accordingly?"

Don Gilchrist takes the long view,

"Insurance cost at some point will come down. Once the risk is understood adjustments will occur. Secondly, most if not all insurance companies use same data base in ascertaining risk. So do not know why USMS has not sought the other companies providing coverage at a reasonable price".

At the national level, USMS has indeed been diligent in submitting bids to other insurers. The problem is that any insurer will know of this event that occurred under USMS sanction. As such, despite the fact that the incident was a very rare and unusual situation, the actuaries are required to take the high acuity, severe injury, and significant monetary claim into account when submitting a coverage proposal. Don Gilchrist is right: at this time there is discordance between USMS insurance costs and that of other organizations. Over time, this difference may disappear, if indeed the USMS event becomes part of a larger open water incident database. Until then, though, USMS sanctioned events will bear higher insurance premiums.

The reason your LMSC Board agreed to subsidize events for 2013 was twofold. First, open water events offer significant potential for growth of USMS membership and participation.

As Tito Craige recognizes:

"The future of swimming (for many of us) is OW. I have done two pool meets in 20 years but dozens of OW events. I love being outdoors at different lakes and oceans".

Second, your LMSC Board believes that USMS sanction adds value to open water events.

Jerry Clark writes:

"With regard to our LMSC trying to grow OW activity in NC, that is a noble thought and I realize our allegiance should be to USMS"

We hope that sponsors of OW events targeted to adult swimmers recognize the value of USMS sanction.

Gene Kennedy agrees:

"I participate in open water swims as well as pool meets. I enjoy the variety and challenges of doing both. What I appreciate and look for in USMS sanctioned open water events is the structure put around these events. Unlike pool events which seem to have a 'formula' and familiarity to them, open water events are completely different. This makes the structure that USMS brings to the table something that I look for. It is not the only thing I look for but it is a determining factor.

Since I do open water events in a multitude of places and not always in NC, I do not necessarily feel the need for the NC program to subsidize the insurance for these events. If they were to be subsidized, I would rather it go to the USMS level to cover costs as a whole to bring down insurance".

National USMS OW stipulate a \$1000 fee to offset the insurance cost. Other than the continued \$1000 fee, revisions have made 2014 requirements less onerous than the 2013 regulations.

Jim Barber, a member of the national OW Committee cited one example: *whereas in 2013, any motorized boat needed an actual propeller guard, the 2014 requirements have done away with that restriction. Instead, USMS now requires a "swim monitor" onboard any motorized craft, to minimize the chance of a boat operator running over a swimmer.*

So, while some of the challenges for an event organizer are lessened for 2014, the cost of insurance remains as an obstacle for USMS sanction of OW events. Your LMSC Board appreciates the time that our members took to reply.

The most comprehensive response **(from NC's 2013 Open Water Outstanding Swimmer) Andrea Packard**, is reproduced with her permission:

"1. Other than National Championship events (and perhaps regional or state championships) I don't believe that the official USMS sanction makes an open water event that much more attractive for attendees. As an open water swimmer, I personally choose my events based on factors such as date, location, swim distance, and water conditions. As long as the event is safe and the people running it have a good reputation for being organized, I really couldn't care less if the event is sanctioned by USMS or not".

"2. I don't want to see LMSC funds used to "force" the existence of USMS sanctioned events. If there truly is a demand for them, people will pay. If there is not enough demand, then the event will either happen as a non-USMS event with lower entry fees, or it won't happen at all".

"3. If the LMSC insists on subsidizing, there should be some pre-determined limits such as subsidy amount per swimmer, and total spent on subsidies per year. For instance, I think that a subsidy that amounts to over \$10-15 per swimmer is irresponsible".

"Let me use a triathlon analogy if I may. There are many Ironman distance events throughout the world each year. Many of them are part of the official "Ironman" series with the most well-known one being the World Championships in Kona, Hawaii".

"However, an increasing number of ironman distance events is offered by companies other than WTC. One of those races is the Beach 2 Battleship in Wilmington, NC. It's a fantastic race, it fills up every year, and is rated one of the top iron distance races in the country. The entry fees are less because entrants aren't paying for the "Ironman" brand name. But there are plenty of triathletes like myself who don't really care whether a race has the official Ironman label or not – it's still the same grueling distance and you still get the same satisfaction from crossing the finish line".

"So why not let open water swimming be a natural competitive market? Those who can offer the most organized, safest races at competitive entry fees should do so WITHOUT financial assistance from the LMSC".

Jerry Clark concurs,

"It's clear that swimmers in our general area continue to go to OW events (Death Valley near Clemson, Charleston, Wrightsville Beach, Southern Pines, etc.) regardless of whether or not they're USMS sanctioned. But if already popular OW events continue to be put on by people who get their own insurance and do their own marketing, the OW swimmers in NC already know of them and readily participate in them".

Thoughtful commentary from our LMSC membership. As always, thanks to everyone who took the time to reply. Your responses will guide your LMSC Board's decision!