



2026

Managing professional & executive risk in an era of deregulation

The regulatory environment in the U.S is undergoing profound change.

The current presidential administration has embraced an aggressive use of executive orders and agency rulemaking to advance a deregulatory agenda. At the same time, businesses face a complex web of state and local regulations along with other persistent threats, such as litigation.

Regulatory shifts across four distinct areas are creating uncertainty for public companies, private companies, and nonprofit organizations across multiple industries:

- | Securities enforcement
- | Developments related to ESG principles, with a key focus on DEI
- | The workplace
- | Cybersecurity and new technologies

Businesses face a fractured regulatory landscape, characterized by relaxed oversight in some areas and more intense enforcement in others. This is challenging risk professionals, senior leaders, and others to consider new and varied exposures and adopt insurance and compliance strategies to mitigate them.

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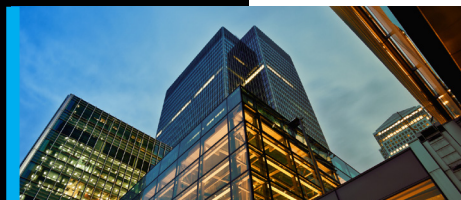
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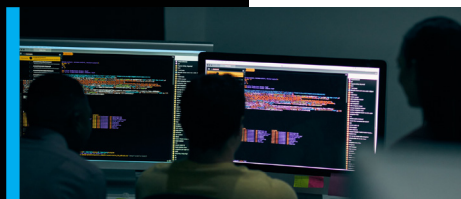
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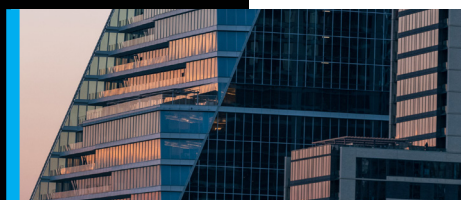
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A NEW LANDSCAPE

Shifting regulatory priorities

Presidents historically take office with grand plans and objectives that influence the landscape of regulation and regulatory enforcement, to a greater or lesser degree than their predecessors. A common element in regulatory change is uncertainty, and that aptly describes the current landscape.

From a historical context, President Trump's approach to lawmaking since returning to office has been atypical. In the past, presidents have often been content to let Congress lead large-scale regulatory change through legislation.

Although the current Congress has narrow Republican majorities that largely support the executive branch, the House and Senate remain strongly divided along political and ideological lines, making legislation difficult to pass. In the absence of new laws, President Trump has used executive orders, rulemaking by federal agencies, and public pronouncements to enact his agenda.

The current administration began resetting priorities almost immediately. In 2025, President Trump signed 225 executive orders, according to the Federal Register. (See Figure 1.) For comparison, President Trump signed 220 executive orders during his entire first term, while President Biden signed 162 orders during his term and President Obama signed 277 orders over two terms.

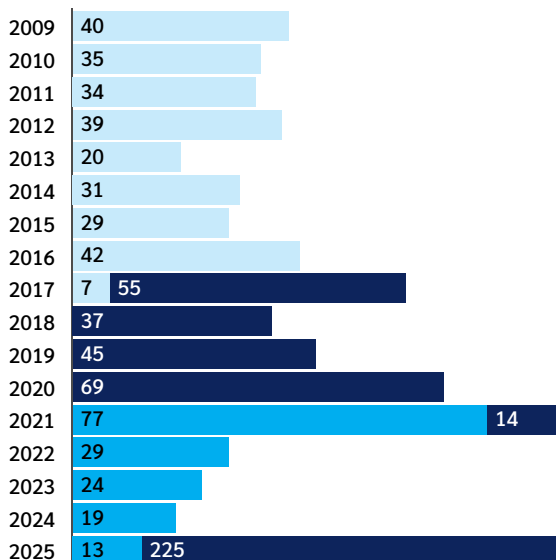


Figure 1: President Trump issued more than 200 executive orders in 2025.

Obama
Biden
Trump

A prevalent theme in 2025's executive orders was deregulation. Specific measures were intended to reduce the impact of economic inflation, improve the international competitiveness of U.S. businesses, strengthen national security, and shrink perceived bureaucracy in the federal government, among other objectives.

Many orders revoked rules and guidance implemented under the Biden administration, resulting in relaxed oversight in some sectors and more stringent enforcement in others. Shortly after his inauguration, for example, President Trump rescinded nearly 80 executive orders by President Biden. Beyond executive orders, federal agencies and departments have also rescinded Biden-era rules and guidance related to a variety of topics, including diversity, equity, and inclusion (DEI), securities law, digital assets, artificial intelligence, worker classification, and more.

Also unique: President Trump's use of social media as a form of policymaking.

President Trump has used social platforms in ways his predecessors in the age of social media have not, both to muse about potential policy changes and to direct members of his administration to take action. For example, in September 2025, the president made his case on social media for semiannual reporting by public companies rather than quarterly reporting. The Securities and Exchange Commission (SEC) later announced that it would consider the idea.

In areas where the executive branch and Congress have not taken clear action, as is often the case, states may pursue legislation and/or litigation to drive their own objectives. For example, absent a federal AI framework, at least 38 states enacted their own legislation governing the use of AI in various contexts in 2025, according to the National Conference of State Legislatures.

All 50 states, Puerto Rico, the Virgin Islands, and Washington, D.C., introduced at least one piece of AI-related legislation last year. Additional state action on AI, however, may be stalled following a recent executive order aimed at limiting the ability of states to enforce their own AI rules.

Private litigation is another area that tends to increase amid shifting regulations. History has shown that deregulation does not eliminate legal conflict; rather,

it merely shifts where the conflict is waged. In addition to securities class actions against public companies, litigation risk is also substantial for private companies.

Deregulation efforts are frequently challenged in court, with various stakeholders fighting either to preserve or to overturn the changes. This often-protracted litigation means the deregulation process can be lengthy rather than quick, and it presents uncertainty for businesses as to the ultimate outcome and the manner in which they must operate in the meantime.

Organizations must prepare for potentially dramatic increases in legal expenditures. Organizations must also be mindful that unless and until Congress codifies recent rescissions, rollbacks, and guidance, they can be reversed by a future administration.



SECURITIES ENFORCEMENT

A lighter touch from the SEC

The regulatory environment for publicly traded corporations and financial institutions is complex, but an underlying framework of regulations designed to promote transparency for investors, prevent fraud, and keep the U.S. financial system secure remains robust.

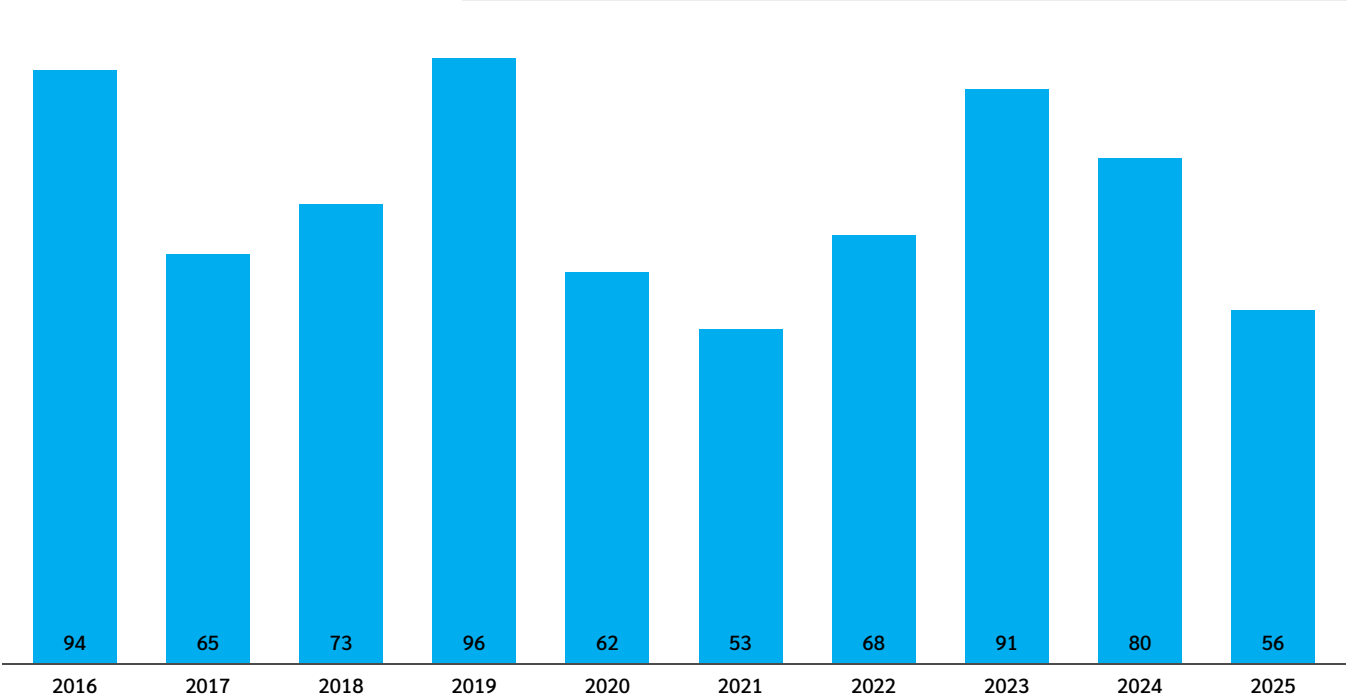
Under the second Trump administration, the SEC's tone is generally friendlier toward regulated entities than in the past. Senior executives nevertheless remain aware that the fastest way to trigger an inquiry or a securities lawsuit is a compliance misstep. Some of the largest settlements and verdicts historically for financial institutions have arisen from regulatory inquiries.

A softer approach to financial regulation may stem from personnel changes at the SEC, Treasury Department, and other federal agencies. For example, the current administration includes more officials with business experience, as opposed to the academics and public servants who have often dominated past administrations.

The current administration's regulatory approach places more focus on enforcement driven by fraud and consumer harm rather than the procedural foot faults that prior administrations may have pursued. Current Chair Paul Atkins has made it clear that he intends to refocus the agency on enforcement in traditional areas like insider trading, accounting fraud, and disclosure violations. "Naming and shaming" is another tactic the current administration has used to express its viewpoint where no specific regulations exist.

That said, the SEC initiated just 56 actions against public companies and their subsidiaries during the 2025 fiscal year, which ended Sept. 30, 2025, according to Cornerstone Research. (See Figure 2.) That represents a 30% drop from FY2024.

Figure 2: SEC enforcement activity fell substantially in FY2025.



Source: Cornerstone Research
Enforcement actions shown for each fiscal year ending Sept. 30.

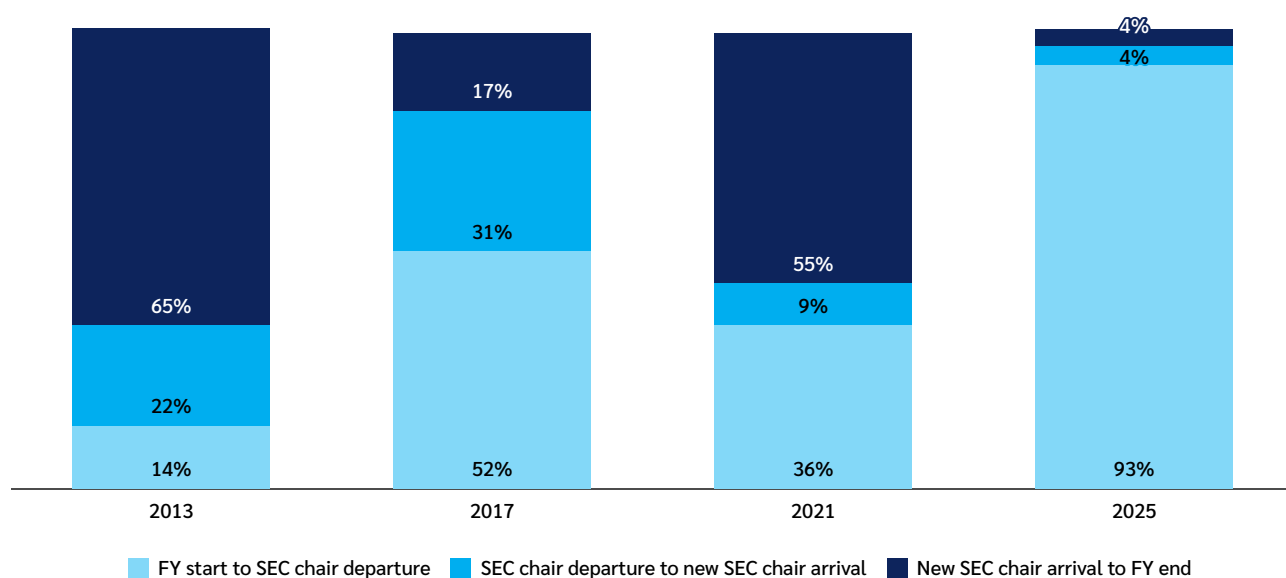
93%

Notably, 93% of the actions during FY2025 were initiated under the Biden administration and previous chair Gary Gensler, the most by an outgoing administration during a year of leadership change. (See Figure 3.)

4/56

Just four of 56 total actions were initiated under the second Trump administration, including two after Atkins was confirmed as chair. Reduced staffing of federal agencies, particularly in the SEC's Enforcement Division, is another likely contributing cause of the fall in enforcement activity.

Figure 3: In 2025, the SEC was far more active under Biden than under Trump.



Source: Cornerstone Research

Share of enforcement actions shown for each fiscal year ending Sept. 30.

Figures may not total 100% due to rounding.

September delivered two examples of policy shifts, both done outside of the SEC's official rulemaking process:

The SEC reversed a decades-long policy of prohibiting companies seeking to go public from relying on arbitration clauses to avoid class-action lawsuits.

The president suggested the SEC relax rules on quarterly filings and instead limit financial reporting to every six months. The SEC is considering codifying this approach, which would align with a growing trend of companies declining to issue quarterly investor guidance.



ESG & DEI

A retreat from corporate social priorities

One of the earliest actions taken by the second Trump administration was an executive order — issued on Jan. 20, 2025 — to dismantle diversity, equity, and inclusion (DEI) programs in the federal government, part of a broader pushback against environmental, social, and governance (ESG) investment principles.

“ESG speaks to what investors care about in terms of how they make money; in short, it speaks to their values.”

While the U.S. has largely lagged behind other countries in its embrace of ESG as an investment philosophy, ESG had grown in prominence in recent years, with some support from large institutional investors and the Biden administration.

In 2021, the SEC enforcement division launched a climate and ESG task force. And in a 2024 speech, SEC director of enforcement Gurbir Grewal declared that “ESG speaks to what investors care about in terms of how they make money; in short, it speaks to their values.”

The Trump administration, however, fundamentally opposes ESG principles. In addition to rolling back Biden-era environmental rules and regulations, the president has focused his attention on DEI programs in effect at both public and private companies, which he has called wasteful and discriminatory.

Several subsequent actions in 2025 highlight the administration's opposition to DEI:

In February, the Federal Trade Commission (FTC) announced the formation of a task force to investigate and prosecute unfair, deceptive, or anticompetitive labor market practices.

In March, the Equal Employment Opportunity Commission (EEOC) issued new guidance on DEI-related discrimination in the workplace, noting that DEI policies or practices may be unlawful under Title VII of the Civil Rights Act of 1964.

In July, the Department of Justice issued a memorandum advising recipients of federal funding that discriminatory practices — including DEI programs — are unlawful under federal antidiscrimination laws.



Seeking to avoid loss of federal funds, public shaming by the administration, and potential bias claims, employers in various industries have quietly relabeled or abolished DEI practices and roles such as chief diversity officer. As a result, there was far less public discussion or promotion of DEI programs in 2025 than during the Biden and Obama administrations.

In June, the U.S. Supreme Court struck down a legal standard that required a heightened burden of proof for reverse discrimination lawsuits. This decision, in *Ames v. Ohio Department of Youth Services*, has opened the door to litigation from nonminority group plaintiffs alleging DEI programs and other practices were discriminatory.

In October, the EEOC regained a quorum for the first time since January 2025. The agency is expected to issue formal guidance on and begin adjudicating what constitutes “illegal DEI,” among other stated administration priorities, such as reverse discrimination protections and combating anti-American and religious discrimination.



THE WORKPLACE

Redefining employers' obligations

U.S. employers, particularly those with multistate operations, have long had to contend with a complex, and sometimes conflicting, regulatory environment. But the first year of the second Trump administration has introduced several new challenges for both public and private employers.

A few days before the end of 2025, the EEOC submitted a request to the White House Office of Management and Budget to rescind in its entirety harassment guidance the agency issued in April 2024. Some of the arguably more controversial aspects of the guidance — like the use of preferred pronouns and names — were expected to be rescinded by the current administration. However, the guidance also addresses standard anti-harassment advice and other employment law mainstays that many employers have been relying upon for years.

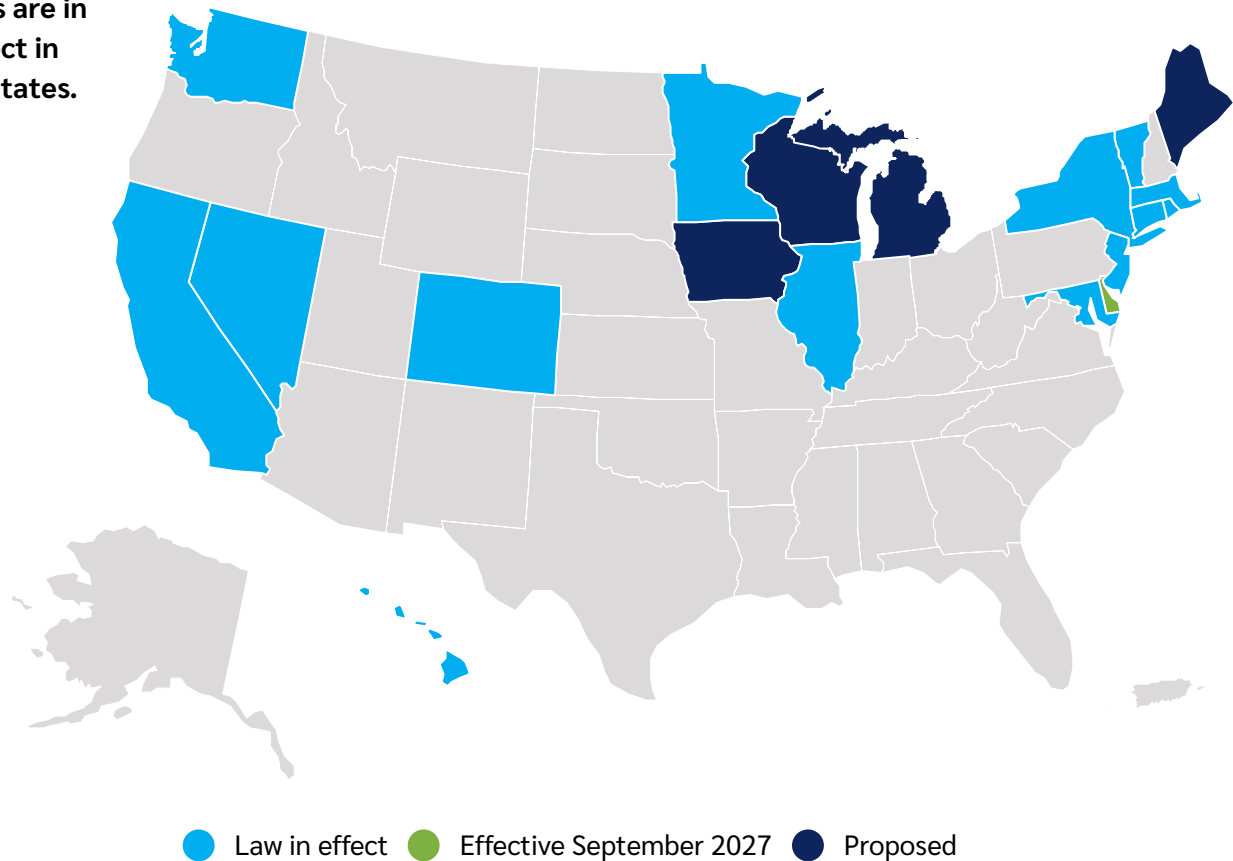
Meanwhile, Congress has, in the past, considered legislation that would mandate that employers be

transparent about employee wages. Some see such legislation as a means to better ensure pay equity in the workforce.

For example, the Salary Transparency Act — introduced in the House in 2023 — proposed to amend the Fair Labor Standards Act (FLSA) to require that employers disclose wage or salary ranges for openings in public and internal job postings. The bill was referred to the House Committee on Education and Workforce, but it was not advanced to the full House for debate.

With no federal pay transparency law in effect, states and cities have stepped in to impose their own regulations on employers. Fourteen states and the District of Columbia had pay transparency laws in effect as of Oct. 1, 2025, according to human resources data services company Brightmine. (See Figure 4.)

Figure 4: Pay transparency laws are in effect in 14 states.



Delaware has also enacted a pay transparency law, which will take effect in September 2027, and similar laws have been proposed but not enacted in Iowa, Maine, Michigan, and Wisconsin. Several cities — including New York, Cincinnati, and Cleveland — have enacted their own laws, as have New York’s Albany and Westchester counties.

Pay transparency legislation generally requires employers to include salary or wage ranges with each job posting. These laws often impose steep fines and penalties for violations or allow private plaintiffs to pursue damages through litigation.

For example, Washington state’s Equal Pay and Opportunities Act (EPOA) allows both job applicants and current employees to file civil litigation alleging violations of the law. A September 2025 Washington Supreme Court ruling on who qualifies as a job applicant for purposes of filing a pay transparency claim under the EPOA is expected to open the door to private litigation against employers in that state.

Other workplace regulatory risks that should be top of mind for employers include:



Joint employer status.

The National Labor Relations Board (NLRB) enforces the National Labor Relations Act, which requires joint employers to share responsibility for meeting labor standards. The NLRB in 2023 classified its rule on joint employer status as a major rule subject to congressional review.



Wage and hour liability.

The Wage and Hour Division of the Department of Labor (DOL) enforces the FLSA, recovering back wages and damages for workers. Historically, wage and hour filings have outpaced all other workplace class-action litigation, such as pay discrimination claims.



Pay equity.

At the federal level, the Equal Pay Act of 1963 prohibits wage discrimination on the basis of sex. Virtually every U.S. state has a pay equity or wage discrimination law in effect.



Independent contractor status.

The DOL's interpretation of how to classify workers — as employees or contractors — under the FLSA has shifted back and forth under Democratic and Republican administrations. In September 2025, the DOL announced it would rescind a rule enacted in 2024 that imposed a six-factor test for determining how an employee is classified under the law. More recently, on Feb. 26, 2026, the DOL made clear that its new rule would revert to an “economic reality” test similar to the one used in a rule that was finalized in January 2021, just before the end of President Trump's first term.

Wage & hour by the numbers

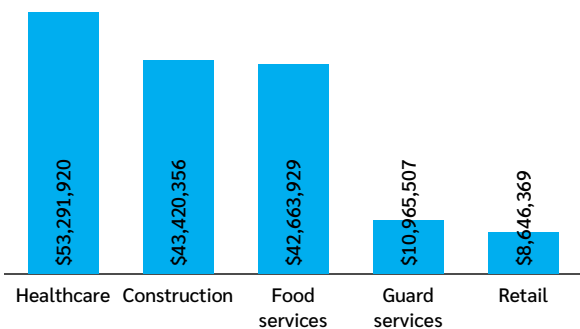
\$1,465

Back wages per employee recovered by Department of Labor Wage & Hour Division in FY2025

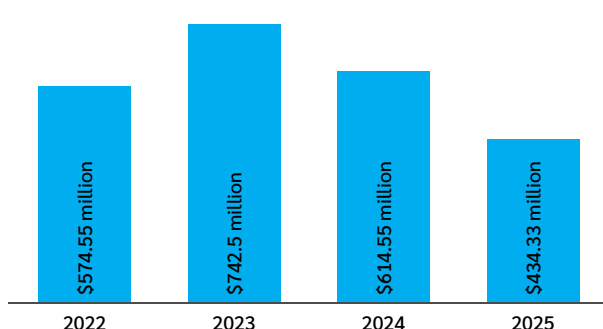
2,155

Wage and hour class and collective actions filed in 2025 alleging violations of the FLSA

Total wage & hour division recoveries by industry

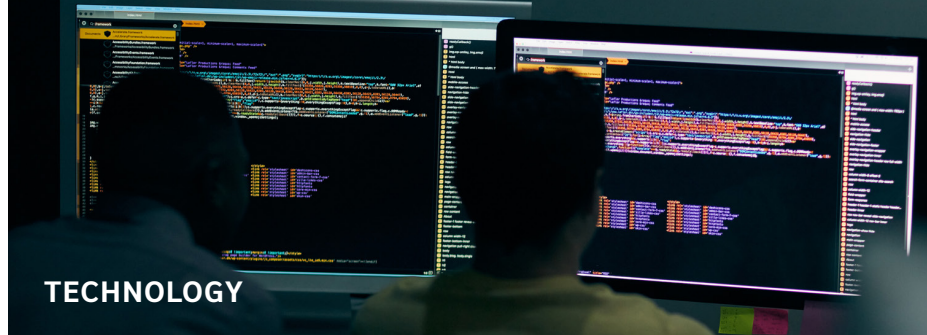


Total value of top 10 settlements by year



Sources: Department of Labor, Duane Morris LLP

State and local governments have been active on a variety of workplace-related topics. For example, several states have implemented leave laws permitting employees to take paid leave for medical or caretaking purposes. In addition to new legislation on this issue, several states have issued new regulations to clarify these laws. States have also enacted new rules about the use of AI and automated tools in employment decision-making along with new wage and hour rules. At the local level, New York City enacted new rules regarding prenatal personal leave.



A new chapter in cybersecurity & AI regulation

Consistent with its broader approach to policymaking, the Trump administration favors deregulation in the realm of cybersecurity and AI. Businesses must nevertheless contend with a variety of cyber risks and comply with a range of state-level and international regulations.

KEY CYBER RISKS INCLUDE:

01

Privacy, including wrongful collection and failure to obtain consent for data collection practices.

02

Business email compromise schemes and denial-of-service attacks.

03

Copyright and intellectual property infringement, which is emerging as a more significant risk as AI tools continue

04

Ransomware and other threats, which are similarly becoming more complicated as threat actors increasingly leverage AI to advance attack methodologies.

Cyber and technology exposures can morph into management liability claims depending on how companies handle and/or disclose incidents. Under a rule finalized by the SEC in 2023, public companies listed on U.S. securities exchanges are required to disclose — within four business days — any material cybersecurity incidents, such as data breaches and ransomware attacks. Failure to disclose such events — along with stock drops and other losses that may result from these events — could lead to costly securities litigation.

AI, meanwhile, is becoming a growing area of focus in securities litigation. From 2021 through 2023, shareholders filed an annual average of seven lawsuits with allegations related to AI — for example, alleging that companies and senior leaders misrepresented their AI capabilities or failed to disclose AI-related risks — according to Cornerstone Research. Shareholders filed 15 such suits in 2024 alone, and 16 in 2025.

Outside of the U.S., the European Union and other jurisdictions are beginning to issue strict regulations on AI in the context of data privacy, presenting new compliance obligations for both public and private companies. Conversely, the U.S. federal government has a less regulated approach to AI and is

encouraging the development of large data centers to accommodate AI demand and the export of U.S. AI technology.

Many states have enacted their own laws regarding the use of AI. A few states have passed comprehensive cross-sector AI regulations, while many others have passed more targeted legislation focused on avoiding bias or promoting transparency and accountability.

In December 2025, however, President Trump issued an executive order aimed at limiting the ability of states to enforce these laws. Beyond AI, a patchwork of state laws related to privacy — along with the EU’s General Data Protection Regulation — and other cybersecurity-related matters remains in place.

It is imperative that senior executives and compliance professionals at both public and private companies stay up to date with AI developments and data privacy regulations. Organizations should put protocols in place to prevent cybersecurity events and respond to AI-related risks. Boards and senior management teams should remain aware of AI issues in the same way as cybersecurity exposures and should respond accordingly.

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AI-related
securities
suits filed
in 2025

ADDITIONAL RISK CONSIDERATIONS

Emerging topical & industry-specific risks



There is no shortage of risks that should be on public and private companies' radars in the current regulatory climate, including some that affect certain organizations more than others. [Additional key topics to consider include:](#)



TARRIFS & GEOPOLITICAL RISKS

Shifting reciprocal tariffs continue to create operational and financial uncertainty for U.S. companies, increasing scrutiny by directors and officers liability (D&O) underwriters, and litigation risk. Several organizations have already faced shareholder suits alleging inadequate disclosure of tariff impacts, with more expected as trade policies evolve. After the Supreme Court's February ruling that most 2025 tariffs imposed under the International Emergency Economic Powers Act are unconstitutional, companies filed hundreds of refund claims in the Court of International Trade, driven by uncertainty over timelines and administrative processes.

Boards now face heightened exposure to allegations of poor oversight, insufficient risk management, and inadequate governance. With a creative plaintiffs' bar, allegations could include failure to appropriately anticipate or respond to rapidly shifting tariff policies, failure to reassess supply chain or financial risks in a timely manner, or a lack of adequate governance frameworks for managing evolving geopolitical pressures. Organizations should reassess governance practices, document board level risk evaluations, and strengthen disclosures to mitigate potential D&O claims.



ANTITRUST ISSUES

In 2024, the DOJ and Department of Health and Human Services announced a joint inquiry into the role of private equity in healthcare, signaling a new direction in regulatory investigations into business transactions. More recently, on Jan. 30, 2026, the FTC and the DOJ issued warning letters to 42 U.S. law firms regarding potentially unfair and anticompetitive employment practices tied to DEI hiring initiatives, marking a new application of traditional antitrust concepts to policy-driven activities. The costs of defending antitrust enforcement actions can quickly mount into millions of dollars.



CRYPTOCURRENCY & DIGITAL ASSETS

The Trump administration views cryptocurrency and digital assets favorably. In the Biden administration, lawsuits and investigations in the digital asset space were relatively frequent, whereas the current administration sees this space as important to financial innovation, with benefits for consumers and investors. In 2025, the SEC prioritized development of a crypto task force to create a "comprehensive and clear regulatory framework for crypto assets." Stablecoin legislation — the GENIUS Act — was also passed in 2025. Additional comprehensive market structure legislation to clarify the roles and responsibilities of the SEC and Commodity Futures Trading Commission, among other things, is slowly moving through Congress.



01 Financial institutions

Regulatory and compliance risks dominate financial institution board agendas. Other top priorities include financial disclosures, consumer protection, cybersecurity, data and regulatory governance, financial crime and fraud, operational and financial resilience, and reputational and conduct risk.

While many in the financial sector expect regulatory easing to unlock growth, boards recognize that even in a “friendly” political climate, regulatory expectations persist. The tone may shift, but the exposure remains — and there will continue to be expectations around robust internal controls and compliance frameworks.

Regulatory exposures include:

- Prudential capital and liquidity requirements.
- Sales and market conduct rules.
- Consumer and investor protection regimes.
- Anti-money laundering and sanctions frameworks.
- Cybersecurity and data privacy obligations.
- Disclosure and governance standards varying by sector, product, and jurisdiction.

Regulatory coverage is available for many financial institutions, and the marketplace for D&O and errors and omissions (E&O) insurance is generally favorable. Risk can be transferred through D&O and E&O policies, but coverage varies materially by policy form and carrier. For example, some policies are triggered by informal or preliminary regulatory investigations or inquiries, while others are only triggered once an investigation results in a formal legal, administrative, or enforcement proceeding.



02 Education

The higher education sector is in the crosshairs of the current administration regarding DEI programs and social justice initiatives. The administration has sought to tighten or, in some cases, block federal funding for research and grants, sending target letters ordering schools to adopt a particular approach. Loss of federal research grants can devastate schools already operating under financial pressure.

Additional regulatory challenges for the education sector stem from a massive influx of money in collegiate athletics, with institutions scrambling to protect their nonprofit status, and perceived bias in student admissions and financial aid.

Cyber and privacy regulatory risk is intensifying for both K-12 and higher education as regulators increasingly treat schools and education-technology ecosystems like consumer-data businesses, with heightened sensitivity when minors' data is involved. Federal enforcement has focused on student data collection, retention, and baseline security controls under Children's Online Privacy Protection Act (COPPA) and FTC Act "unfair or deceptive practices" theories.

Notable examples include:

- The FTC's 2023 action against technology platform Edmodo, which resulted in a suspended \$6 million COPPA penalty and injunctive relief centered on excessive data collection and misuse for advertising.
- The FTC's 2025 action against technology provider Illuminate Education, which alleged failures to implement reasonable security safeguards and deficiencies in breach handling and representations.

At the state level, New York's 2024 \$750,000 settlement with the College Board under Education Law §2-d highlights growing scrutiny of student data monetization and licensing practices, even in the absence of a traditional ransomware or extortion event.

From an insurance and claims perspective, these developments are translating into multi-vector losses that blend first-party cyber response costs with regulatory investigations, privacy litigation, and vendor liability disputes.

Common claim scenarios include:

- Breaches involving third-party learning or assessment platforms that trigger forensic costs, notification, credit monitoring, and often include parallel state attorney general investigations into vendor oversight and breach-notice timing.
- Privacy suits tied to tracking pixels or analytics embedded in admissions portals, student portals, or video content (often pleaded under the Video Privacy Protection Act or similar theories).

These claims frequently hinge less on technical intrusion and more on consent, disclosures, and data-sharing mechanics, increasing pressure on cyber and technology E&O policies, where coverage may be constrained by privacy statutory damages exclusions. Organizations must understand their policies' "wrongful collection" provisions and regulatory and antitrust carveouts.



03 Healthcare

Healthcare entities face turmoil and chaos in this regulatory environment, including significant shifts at the federal level and more oversight pushed to states. For example, the current administration is seeking to dismantle the Affordable Care Act and enhanced premium tax credits enacted in recent years. The Centers for Medicare and Medicaid Services are also prioritizing enforcement of the False Claims Act and medical payment reviews by recovery audit contractors to collect sizable fines and penalties.

Under the False Claims Act, so-called qui tam lawsuits — filed by federally protected whistleblowers — are spiking due to consumer frustration with the healthcare system. An uptick in D&O litigation against healthcare organizations has led insurers to restrict or narrow regulatory coverage to include defense expenses only. Other insurance markets are restricting coverage for regulatory and antitrust matters. Conditions in the D&O insurance marketplace for healthcare industry buyers are stable, with retentions tightening.



04 Private equity

Private equity operates within a complex regulatory landscape. Both private equity portfolio companies and the fund vehicles that manage them face unique exposures stemming from four primary sources:

Notable examples include:

- Financial market regulators (such as the SEC).
- Tax authorities at the federal, state, and foreign levels.
- Industry-specific regulators overseeing sectors like healthcare, energy, and telecommunications.
- State-level governmental bodies, including attorneys general and legislatures, which increasingly assert oversight through enforcement and statutory initiatives.

Typically, when federal regulators step back on enforcement, state regulators come forward. Recent examples include actions by state attorneys general and legislatures against private equity involvement in healthcare and other industries.

Distinct insurance solutions exist at the portfolio company and fund level that can help address these risks. Well-constructed policies are designed to respond to regulatory actions, with coverage for investigations — especially against corporate entities or funds — being more nuanced. General partnership liability (GPL) policies carried at the fund level often include broad investigation coverage, whereas portfolio company D&O policies may require more targeted negotiations to achieve similar protection.

Well-crafted programs can create a comprehensive risk transfer framework. Thoughtfully negotiated GPL and portfolio company D&O policies can provide expansive protection, and portfolio-level coverage can, in many cases, be structured to extend meaningful coverage to directors and officers, private equity partners, and other affiliated individuals.

Practical guidance for risk professionals

In this new era of deregulation, risk management is challenging for all forms of organizations — public, private, and nonprofit — in virtually every industry. Ultimately, each organization must assess what jurisdictional and industry-specific laws, rules, regulations, and norms apply to it, in consultation with legal counsel, insurance broker partners, and other trusted advisors.

The following questions offer a starting point for this analysis:

- 01** What risks should our organization prepare for in a new era of deregulation?
- 02** Who within the organization is tasked with identifying trends and risks? Who is responsible for monitoring and owning the process?
- 03** Will regulatory changes impact our daily operations? If so, how?
- 04** What new compliance practices may be necessary?
- 05** Will deregulation offer more or fewer opportunities for growth?
- 06** What can we do to mitigate these risks?
- 07** How should our risk management and insurance strategies adapt to meet new regulatory challenges?
- 08** What do board and C-suite engagement and ownership look like for our organization?



Coverage implications

Depending on the matter at hand, insurance coverage for regulatory investigations can be found in a number of policies. These include:

- D&O.
- Employment practices liability.
- Wage and hour liability.
- GPL.
- E&O/professional liability.
- Cyber insurance policies.
- Regulatory billing policies for healthcare organizations.

The high costs of defending investigations, however, have led some insurers to limit or exclude coverage, require coinsurance and higher retentions, or

reduce capacity. Across the board, management liability underwriters are giving closer scrutiny to organizations' loss histories and business practices.

Antitrust investigations historically have generated multimillion-dollar settlements, which has led some insurers to exclude coverage for antitrust matters or provide defense-only coverage. This varies by industry. Healthcare and education systems, for example, are seeing D&O insurers restrict coverage for regulatory and antitrust exposures.

Policy wording matters: It is crucial for organizations to understand how their policies' terms — including sublimits, deductibles, and self-insured retentions — align with their management liability exposures.

Recommendations

Operating in an era of deregulation and fast-changing rules is difficult, and it's unclear how long this environment will last. To mitigate regulatory risk, Lockton recommends the following for companies, boards, and senior executives:



Continue

to monitor changes in the regulatory landscape and government policies.



Create

a process to identify, gather, monitor, and own risk assignments.



Adhere

to the highest standards of compliance. Where regulations differ among jurisdictions, a prudent path is to align practices around the strictest requirements.



Optimize

insurance policy language, limits, and structures to prevent coverage gaps.



Choose

insurance partners carefully, and look to build strong, long-term relationships. Insurance companies differ in their underwriting and claims approaches to professional and executive liability.



Work

with a broker and risk advisor that understands the complexities of the professional and executive liability space.

Get in touch

For more information on how we can help manage your regulatory risks, click the button or scan the QR code on the right to visit our website.

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