

Hilary N. Rowen  
**Partner, San Francisco, CA**

Insurance Regulation



### Current Scope of Practice

Ms. Rowen provides her clients with thoughtful analysis and practical solutions to regulatory problems grounded in a thorough understanding of the business of insurance. She is well respected by insurance regulators and can advocate effectively before insurance departments and courts addressing insurance issues. Ms. Rowen represents property & casualty insurers, health insurers, health plans and life insurers on a broad spectrum of complex regulatory issues.

Ms. Rowen advises clients on insurance regulatory compliance issues and market conduct examinations. She represents insurers in a wide range of enforcement actions by insurance regulators. She also represents insurers in unfair trade practice lawsuits and class action litigation with significant regulatory issues.

Ms Rowen has handled numerous contest rate hearings involving property & casualty rates for personal and commercial lines and health insurance rates for individual and Medicare Supplement products. In addition to rate hearings, she advises insurers on rate regulation and rate structure issues and represents clients in rate regulation rule making proceedings.

Ms. Rowen provides advice on excess and surplus lines regulatory issues and on compliance issues facing reinsurers in U.S. jurisdictions.

Ms. Rowen has experience in drafting proposed legislation and regulations. She drafts testimony in connection with formal rulemaking proceedings, participates in insurance department pre-rulemaking workshops and engages in discussions with regulators on complex regulatory issues. She advises insurers on compliance requirements posed by new statutes and regulations and assists her clients in crafting and implementing practical solutions. She has also represented insurers in judicial challenges to unlawful regulations.

Ms. Rowen advises clients on the structure of insurer groups and drafts inter-company agreements between insurers under common control. She helps insurers obtain regulatory approvals for licensure, mergers and acquisitions, surplus note issuances, intercompany agreements and other transactions.

Prior to joining Sedgwick, Ms. Rowen was a partner in an AmLaw 100 law firm. Previously she served as chief of the Insurance Division for the Department of the Attorney General for the Commonwealth of Massachusetts. During this time, she directed a division of seven lawyers, a Ph.D. economist and support staff. Ms. Rowen also chaired the Health Insurance Task Force of the Insurance Committee of the National Association of Attorneys General.

### Affiliations, Activities and Accomplishments

Ms. Rowen is a Vice Chair of the ABA Tort Trial & Insurance Practice Section Insurance Regulation Committee. Previously she served as chair of the e-Commerce Committee (now the Law and Technology Committee) of TTIPS. She is admitted to practice in the state of California (1991) and in the state of Massachusetts (1979).

### Presentations & Publications

- Sedgwick Health Law Seminar Series, “A 5-4 Decision in the Making: Constitutional Challenges to Federal Healthcare Reform,” presented in Los Angeles and San Francisco (June 8-9, 2011).
- “Green Insurance: Protecting Assets, Reducing Carbon Footprints,” Sedgwick’s Insurance Regulation & Litigation Seminar (February 15, 2011).
- “New Developments, Challenges Concerning Federal Healthcare Reform,” Sedgwick’s *Healthcare Law Newsletter*, (Winter 2011).
- “Impact of the Newly Issued Premium Refund Regulations on Federal Healthcare Reform,” ABA *Health eSource* (November 2010).
- “Impact of Virginia Federal Court Decision Finding Mandatory Coverage Provision of PPACA To Be Unconstitutional on Other PPACA Coverage Requirements,” Sedgwick’s *Healthcare Law Alert* (December 15, 2010).
- “California Court of Appeal Adopts Filed Rate Doctrine for Insurance Rate Filings,” Sedgwick’s *Insurance Law Flash* (October 11, 2010).
- “What Happens Now: The Federal Patient Protection and Affordable Care Act and State Regulation of Health Insurance,” Sedgwick Annual Healthcare Seminar Series, Los Angeles, Orange County and San Francisco (May 24-25, 2010) and Hartford, CT (September 22, 2010).
- “Brief Overview of Impact of the Federal Healthcare Reform Law on Health Rate Structure and Rate Regulation,” Sedgwick’s *Healthcare Law Newsletter* (Fall 2010).
- “New California Regulations on Health Insurance Rescission,” Sedgwick’s *Healthcare Law Alert* (August 17, 2010).

- “Department of Insurance Review and Approval of Insurance Transactions,” Association of California Insurance Companies 21st Annual General Counsel Seminar (July 21–23, 2010).
- “CA Court of Appeal Clarifies Standards for Rescission Based on Misrepresentation in Health Insurance Applications,” Sedgwick’s *Healthcare Law Newsletter* (May 2010).
- “Potential Impact of the New Federal Health Reform Legislation on California Rescission Litigation in Light of the Court of Appeal Decision on ‘Post Claims Underwriting,’” Sedgwick’s *Healthcare Law Alert* (April 1, 2010).
- “New Insurance Ballot Initiatives on the Horizon in California,” Sedgwick’s *Insurance Law Flash* (March 2010).
- “A Survey of the Landscape Proposed by 2010 Initiatives,” Sedgwick’s Insurance Regulation & Litigation Seminar (January 13, 2010).
- “California Appellate Decision Applies Collateral Source Rule to Health Care Provider Negotiated Fee Discounts,” Sedgwick’s *Healthcare Law Alert* (December 2009).
- “What Insurers Need to Know About Bankruptcy: Issues and Strategies,” presented to Scottsdale Insurance Company (November 19, 2009).
- “Recent Developments in Insurance Regulation,” a chapter of the *ABA Tort Trial & Insurance Practice Law Journal* (April 23, 2009).
- “California Department of Insurance Contemplates Changes to ‘Prior Approval’ Regulations,” Sedgwick’s *Insurance Law Flash* (December 2008).
- “California Developments,” presented to Nationwide (December 10, 2008).
- “London Claims, Underwriting and Insurance Companies: What do they have in Common?” Sedgwick internal presentation (November 7, 2008).

#### Education

Ms. Rowen earned her J.D. Harvard Law School, *cum laude* (1979). She received her M.P.P. John F. Kennedy School of Government, Harvard University (1979) and her B.A. Stanford University, with honors (1974).