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Updates on Observer Provider Insurance Workshop

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Presentation Overview

- **Results of Observer Provider Insurance Workshop**
- **Progress on national policy and guidelines for contracted observer services**
- **Status of NOP and NMFS General Counsel pursuing regulatory language addressing gaps in coverage**

Observer Provider Insurance Workshop Results

Insurance Coverage Gaps Identified

- Observers are covered when deployed at sea with FECA
- Maritime Employer's Liability supplements FECA (NEFOP)
- Worker's Compensation at State level supplements FECA (NPOP)
- In Alaska Region, 2 insurance coverages in MSA are not appropriate (Jones Act and GML)



Observer Provider Insurance Coverage Derived from Workshop

	Acts and Laws			Federal/State Coverage		Observer Provider Coverage (not discussed in detail at the workshop)		
Observer Location	Jones Act	GML	LHWCA	FECA	State Workers' Comp	CGL	MGL	MEL
On Land*	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Applicable</u> Needs Further Investigation	<u>Not Applicable</u>	<u>Applicable</u> Needs Further Investigation	<u>Not Applicable</u>	<u>Applicable</u>	<u>Not Applicable</u>
At Sea*	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Not Applicable</u>	<u>Applicable</u> No Overtime Compensation	<u>Applicable</u> Needs Further Investigation	<u>Not Applicable</u>	<u>Applicable</u>	<u>Applicable</u> Could possibly supplement FECA

*Represents both industry funded and NMFS contracted observers



National Policy and Guidelines for Contracted Observer Services

Guidelines for contracted observer services


- National Observer Program and NOPAT developing national guidelines for future observer services contracts
- Results from Workshop assisted with crafting language in several future contracts for observer services



National Regulatory Process MSA

National Observer Program and NMFS General Counsel

- Request for Information to collect more details on minimum coverage requirements (green text in table)
- Develop national regulations to address specific observer coverage needs while deployed and working on land
- Advanced Notice of Proposed Rulemaking and Public Comment



**Questions?
Thank You!**

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