



The Community Advocate August 2014

Underinsured Motorist (UIM) Coverage: What Is It And Why Do I Need It?

With the proliferation of insurance company ads on television it is difficult to differentiate one insurance company from the other. Apart from deciding which company to choose (a stock company or a mutual company), we also have to decide what type of coverage to purchase and the amount of coverage to purchase. While people usually understand the importance of purchasing "Liability" coverage in order to protect them when they are at fault for an accident, they often overlook the importance of purchasing adequate "Underinsured Motorist", or UIM, coverage. This article is intended to offer you a primer on UIM coverage and encourage you to speak with your agent about this often overlooked, but extremely important type of automobile insurance coverage.

While Wisconsin has recently adopted mandatory automobile *liability* insurance, those limits are currently set at only \$25,000 per person and \$50,000 per accident. (The term "mandatory" is somewhat misleading as there is currently no requirement a citizen show proof of insurance when buying a vehicle, like there is in other states. Instead, our legislature essentially relies on the honor system, trusting its citizens to purchase the insurance. Sadly, many Wisconsin citizens do NOT follow this requirement, however, thereby making "Uninsured Motorist" equally essentially. That is a topic for a separate article, however.) Given the escalating costs of medical insurance, it is not at all unusual to see the medical bills exceed these low *liability* limits. As such, very rarely are these limits able to adequately compensate someone who has been injured in an automobile accident. That is where UIM coverage comes into play. Underinsured Motorist coverage serves to protect an individual who is injured due to the negligence of another driver but the at-fault driver carries liability insurance limits *less than the UIM limits* of the injured person's UIM coverage. UIM coverage is usually very inexpensive and is "personal and portable"; in other words, you take it with you whether you are driving your own vehicle at the time of the accident, a passenger in another vehicle at the time of the accident or a pedestrian who is struck by another motorist while on a stroll or while riding a bicycle.

Although UIM coverage used to be mandatory in Wisconsin, the law was recently changed and now only requires that insurance companies offer UIM, one time, in an amount that is woefully inadequate: \$50,000.00 per person and \$100,000.00 per accident. The problem is compounded by the fact that the amount of UIM coverage purchased and shown on the declarations page of the policy is NOT the amount of coverage you actually receive from your insurance company. That is because the law was recently changed to allow what are called "reducing clauses" to be inserted into our auto policies which allow our insurance companies to reduce the UIM limits that are shown on the declarations page by amounts received from the at fault driver. In other words, if the at fault driver carried minimum liability limits of \$25,000.00, and you purchased \$50,000.00 of UIM coverage, you would only be entitled to recover an additional \$25,000.00 from your own insurance company under the UIM provision of your policy, even though the declarations page shows that you purchased \$50,000.00 of coverage. While this is illusory and nonsensical, our current legislature believes that it is fair.

In any event, because there are so many individuals driving around with inadequate liability insurance coverage, we recommend that you purchase at least \$250,000.00 of underinsured motorist coverage to protect you and your family members. Depending upon your driving record, the number of insureds on your policy and your insurance company, this coverage usually can be obtained for a nominal amount. That is why it is imperative that you check your policy in order to confirm that you have adequate UIM coverage and, if not, discuss this with your insurance agent immediately. •





















Proud Grandfather, Ric Domnitz, and proud Father, Noah Domnitz, welcome Hersch to the family.

Introducing Hersch!

We are excited to report that the Domnitz family is expanding. Noah and Rebecca Domnitz were blessed to welcome their first child to the world. Their smiley baby boy, Hersch Zachary Domnitz, was born on May 25th, 2014. Hersch tipped the scales at 8 lbs 1 oz, measured 20 inches long and arrived with a full head of brown hair. Hersch and his mom are happy and healthy. Noah and Rebecca have been overjoyed in getting to know young Hersch and look forward to watching him grow. As is true of all babies, Hersch is a reminder of the importance of family and the best that life has to offer. Congratulations to the Domnitz family!

Nutrition Suggestions and Resources



We all know that proper diet and exercise will help us to lead happy, healthy lives. Unfortunately, many Americans are failing in either one or both of these lifestyle components. One of the reasons we fail on our diet is because so many of the foods that are available for consumption these days are highly processed foods. While the definition of what constitutes a processed food can vary slightly, it usually refers to foods that are

packaged in boxes, cans (often cans containing harmful chemicals themselves like BPA, or bisphenol A, an industrial chemical that may seep into the food and cause possible adverse health effects) and/or bags after going through complex processing steps. These foods are not found "as is" in nature and often contain harmful additives, artificial flavorings and other chemical ingredients simply to improve the taste and/or shelf life. Reading the labels on these foods can be quite daunting as their ingredient list reads like a science experiment. Unfortunately, studies have linked various health maladies to the consumption of these food products because they are lacking any significant nutritional value. There are ample resources out there that can help us make better dietary decisions for ourselves and our families, however. These resources provide a font of knowledge not only on proper diet and nutrition but also serve as a reliable source for health articles, optimal wellness products and medical news. Many of these resources also offer free monthly newsletters and/ or provide daily helpful posts if you "like" their Facebook page. Some of the pages that we recommend include: Dr. Joseph Mercola (www.mercola.com), the Food Babe (foodbabe.com) and Food Matters (www.foodmatters.tv). Do you have any good pages to recommend? If so, let us know! •

Community-Supported Agriculture, or CSA. What is it?

According to Wikipedia, Community-supported agriculture (CSA; sometimes known as community-shared agriculture) is an alternative, locally-based economic model of agriculture and food distribution. A CSA also refers to a particular network or association of individuals who have pledged to support one or more local farms, with growers and consumers sharing the risks and benefits of food production. CSA members or subscribers pay at the onset of the growing season for a share of the anticipated harvest; once harvesting begins, they receive weekly shares of vegetables and fruit, in a vegetable box scheme. Often, CSAs also include herbs, honey, eggs, dairy products and meat, in addition to conventional produce offerings. In theory, a CSA can provide any product to its members, although the majority of CSA operations tend to provide produce, fruits, and various edibles. Some CSA programs also include cut flowers and various ornamental plants as part of their weekly pickup arrangement. Some CSAs provide for contributions of labor in lieu of a portion of subscription costs.

We at Domnitz & Skemp recommend that you support your local farmers and locally grown produce; and improve your health by consuming organically grown produce at the same time, by subscribing to a community supported agriculture program. You can find Wisconsin based community supported agriculture and buying clubs at www.organicconsumers.org/state/greenbiz.cfm?state=Wl&type=csa.

2014 Important D Concussions in Youth Sports: Wisconsin Legislature Takes Action

Football is right around the corner and many parents are understandably concerned about the safety of their children while participating in what some call America's most popular sport. The media coverage of the

> ongoing NFL concussion litigation has shed light on the concussion risks that have become more prevalent not only in football but in all youth sports. While "shaking it off" or "sucking it up" used to be the norm, the size and skills of the participants in youth sports have begun to change the narrative not only toward prevention but also on the mandatory implementation of protocol for managing a youth athlete after a concussion. To this end, the Centers for Disease

Control and Prevention (CDC) teamed up with the National Collegiate Athletic Association (NCAA) and the National Federation of State High School Associations (NFSHSA) recently in order to develop programs to educate parents, coaches, athletes and trainers on the symptoms and management of a sports concussion. These protocols focus on "The Four R's": (1) Recognize; (2) Remove;

(3) Refer; and, (4) Return to play only when cleared by a licensed health care professional.

In 2012, the Wisconsin Legislature enacted a law requiring that guidelines be developed in order to educate coaches, athletes and parents about the nature and risk of concussions and head injuries in youth athletic activities.

This law also mandates that "[a]t the beginning of a season for a youth athletic activity, the person operating the youth athletic activity shall distribute a concussion and head injury information sheet to each person who will be coaching that youth athletic activity and to each person who wishes to participate in that youth athletic activity" and that "[n]o person may participate in a youth athletic activity unless the person returns the information sheet signed by the person and, if he or she is under the age of 19, by his or her parent or guardian." See Wisconsin Statutes Section 118.293 (3). Furthermore, the law now requires that a coach "shall remove a person from the youth activity if the coach, official or health care provider determines that the person exhibits signs, symptoms, or behavior consistent with a concussion or head injury or the coach, official, or health care providers suspects the person has sustained a concussion or head injury." Finally, the law asserts that a participant who has been removed from an activity cannot return to the activity until "he or she is evaluated by a health care provider and receives a written clearance to participate in the activity from the health care provider."

For more information on injury prevention and control of traumatic brain injuries, like concussions, you can find fact sheets, guizzes and much more—for parents, coaches and athletes alike—at www.cdc.gov/concussion/HeadsUp/youth.html. •

Recipe of the Month – Watermelon and Feta Salad with Arugula and Spinach

This delicious recipe is fantastic on a hot summer day! It takes only 15 to 20 minutes to prepare and goes really well with a nice Rosé. (Hey, that rhymes!) The red onion could dominate if you add too much. Sunflower seeds (roasted if you like), almonds, mint or basil also add a nice touch. (Okay, I'll stop rhyming.) Given the dressing, it does not keep well so make sure you gobble it up immediately. We recommend that you buy all organic produce. Enjoy!

3 Tablespoons extra-virgin olive oil

2 teaspoons white balsamic vinegar

1/2 teaspoon kosher salt

2 cups arugula

2 cups spinach

1 cup thinly sliced red onion

1 cup grape tomatoes, halved

1/2 cup crumbled feta cheese

2 cups bite sized watermelon chunks



August 19 **National** Aviation Day

August 21 National Senior

Citizens Day

August 26

Women's

Equality

Day



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This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

"I Must Be In The Front Row!" Win Brewers Tickets!

The Brewers are in the thick of a pennant race, neck-and-neck with our nemesis, the St. Louis Cardinals. How would you like to win two loge level front row tickets directly behind the third base dugout to a game against the Cardinals? (Prime foul ball territory; especially for lefties!) "Like" the Domnitz & Skemp Facebook page before August 24th and your name will be entered into a drawing for tickets to the Brewers/Cardinals game on Sunday, September 7th. Two lucky winners will win a pair of tickets to both the game and the Stadium Club, with one of them also winning a Gold Parking Pass. So go ahead and "Like" us, Pleeeeaaasseeee....

