

# Captive Insurance Tax Forum

McDermott Will & Emery LLP | Miami, FL | February 25 - 26, 2019

## Learning Objectives:

- Describe Business Reasons for Utilizing an Insurance Affiliate
- Describe the Evolution of Captive Insurance
- Explain the Tax Benefits of Captive Insurance
- Explain Onshore and Offshore Captive Tax and Regulatory Considerations
- Describe ways to achieve risk distribution
- Interpret the Federal Excise Tax Developments
- Describe the Pools and Other Third-Party Risks – What, Where, and Why
- Describe Redomiciling of Captive Arrangements
- Illustrate the Impact of the Tax Reform on Captives
- Decipher State Taxation of Captives
- Illustrate several methods of Repatriation of Captive Profits
- Interpret Sec. 831(b) Election and Consequences
- Describe Overview of Cell, Series, and Rent-a-Captives
- Define the Basics of Captive Tax Compliance

Delivery type:	Group Live
Program level:	Update
Advanced preparation:	None
Prerequisites:	1-3 years previous captive insurance experience

## Why You Should Attend

Recent financial turmoil marks the likely end of a “soft” insurance market. Meanwhile, the captive insurance industry continues to grow exponentially, with scores of new captives formed onshore and offshore last year. Concurrently, many companies are exploring more intensive use of their existing captives, whether individually or as part of a group, to contain their escalating cost of risk and to take advantage of employee benefits self-insurance opportunities. In addition, closely held businesses are creating captives to achieve tax advantaged family wealth transfer goals. This conference will provide you and your company with key tax, legal and regulatory information on structuring, implementing and operating your captive program. Both single parent and group/association captive arrangements, whether onshore or offshore, will be analyzed. Recent IRS pronouncements will be dissected. In particular, IRS federal excise tax and cell captive guidance, the validity of Rev. Rul. 2005-40, limiting insurance tax treatment in single policyholder situations, and the “event risk” IR requirement of Rev. Rul. 2007-47 will be scrutinized. Differing taxpayer and IRS interpretations of risk distribution, including the need for “fortify” and “homogeneity” will be considered. Various sessions will address the major tax and non-tax advantages, including access to more efficient reinsurance markets, enhanced control over cash flows and investments, as well as promotion of a coordinated focus on proactive risk management and loss control. The parameters of developing a well-structured captive insurance program to facilitate acceleration of premium tax deductibility from the time claim payments are made to the time premium expenses are incurred as well as other benefits will be discussed. The program will also include a discussion of the recently passed Tax Reform bill and its impact on the insurance sector, with specific details on issues facing captives.

**To report concerns with the program or with CPE:**

If you have concerns or questions about the program or CPE, contact [kelsey.turner@crowe.com](mailto:kelsey.turner@crowe.com).



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