\*\*No vocab words this chapter

**Negotiating Claims – Styles of Negotiation**

1. Win-win
2. Win-lose
3. Lose-win
4. Lose-lose

**Important Qualities in Negotiation**

-Thorough knowledge of the claim file

-Persistence

-Firmness, coupled with fairness

-Thorough evaluation of the claim

\*These qualities contribute to rapport in a claim negotiation:

-good listening skills, humor, empathy, friendliness

**Claim Negotiation Process**

1. Prepare
2. Develop and evaluate alternative outcomes

BATNA:

1. Identify and evaluate each party’s interests
2. Make concessions and create appropriate resolutions

**Claim Negotiation Variables**

Claimants’ Negotiation Variables:

1. Negotiation Phase
2. Crisis phase
3. Motivation phase
4. Bargaining phase
5. Financial needs
6. Time pressures
7. Emotional reaction
8. Experience with or knowledge of insurance claims
9. Personality

Claims Representatives’ Negotiation Variables:

1. Knowledge of the claim
2. Authority level
3. Number of alternations available for a satisfactory claim settlement
4. Time factors
5. Claim negotiation settings
6. In-person
7. Telephone
8. Online
9. Personality

**Overview of Claim Negotiation Techniques**

Negotiation Techniques Common to All Parties

1. Principle of Yes:
2. Choicing:

Negotiation Techniques for Use with Unrepresented Claimants

1. Collecting and using extraneous info
2. Using sales techniques
3. Using needs analysis
4. Making the first offer

Negotiation Techniques for Use with Claimants’ Representatives

1. Using info obtained from the evaluation
2. Establishing strengths and weaknesses
3. Using timing in negotiations
4. The initial offer
5. Making concessions-should only be for specific reasons
   1. New info affects claim value.
   2. The other party makes a concession.
   3. A concession by the rep would allow the claim to be settled that day.

Negotiation Techniques Used by Claimants’ Reps (attorneys, PAs, other reps)

1. Limited authority negotiations
2. Timing in negotiations

**Claim Negotiation Techniques to be Avoided**

1. Using a first and final offer (Boulwarism)
2. Using decreasing or limited offers

**Common Pitfalls in Claim Negotiation**

1. Allowing personalities to influence the settlement
2. Trading dollars
3. Bidding against oneself
4. Conceding as deadlines approach