



Michael D. Rafalko

Member

Philadelphia

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Practice Areas

- Insurance Coverage
- Bad Faith
- Insurance Corporate & Regulatory

Industry Sectors

- Insurance

Education

- University of Pittsburgh School of Law, J.D., 2005
- Yale University, B.A., 2002

Bar Admissions

- Pennsylvania
- New Jersey

Affiliations

Intercompany Long-Term Care Insurance Association

Long-Term Care International Forum

Long-Term Care Fraud Forum

LTCI Future Leaders Program

Long-Term Care Discussion Group

Long-Term Care Think Tank

Michael D. Rafalko is a nationally recognized authority on long-term care insurance issues and chair of the firm's Long-Term Care Insurance Practice. Michael has an industry-leading depth of experience advising insurers, brokers and brokerages, third-party administrators (TPAs) and other entities connected to the long-term care insurance community. He is regularly engaged as lead defense counsel and strategist in the largest and most sophisticated class actions filed in the long-term care insurance space. He is also regularly engaged in complex coverage litigation and pre-litigation disputes. He has more than a decade of experience counseling insurers on the avoidance and defense of bad faith claims and is one of the nation's leading authorities on the responsible prevention of fraud, waste, and abuse. Michael has counseled and defended insurers in litigation, pre-litigation, regulatory, and administrative disputes in more than 40 states and territories from coast-to-coast.

In addition to litigation and pre-litigation matters facing the long-term care insurance community, Michael has more than a decade of experience assisting insurers and other entities with regulatory, compliance, and general counseling engagements. He has led more than 100 discreet engagements pertaining to issues including premium rate increases, privacy, fraud, coverage, new product development and rollout, suitability, pricing, reserving, domestication, the buying and selling of insurance blocks, provider credentialing and eligibility, lapse and reinstatement, prompt pay, extraterritorial jurisdiction, choice of law, same-sex unions, claims training and audits, compliance training and audits, disputed reinsurance transactions, policy and procedure drafting, market conduct examinations, and agent/producer liability, among many others. Michael also has experience working with insurers on the development and rollout of combination products.

Michael is recognized as a leader in the long-term care insurance community. He is a member of the executive committee and former chairman of the board of directors of the Intercompany Long-Term Care Insurance Association (ILTCI). He founded and continues as co-chair of the ILTCI Future Leaders Program. He sits on the Program Committee of the Long-Term Care International Forum (LTCIF). And he is a member of the Governance Committee of the Long-Term Care Fraud Forum. Michael has been one of the most active speakers on issues facing the long-term care insurance community in the last decade.

In addition to issues facing the long-term care insurance community, Michael has more than a decade of experience representing life insurers in connection with issues involving cost of insurance disputes, Stranger-Originated Life Insurance (STOLI) transactions and the secondary market for life insurance, complex premium financing transactions, high face amount coverage disputes, bad faith, trust-owned life insurance, lapses and reinstatements, fraud detection and avoidance, fraud litigation, rescission and termination of coverage (including premium retention issues), and distribution-based liability, among many others. He also has a significant depth of experience representing insurers and other entities with issues involving annuity, health and disability (ERISA and non-ERISA), P&C, E&O, D&O and general liability insurance products. Outside the insurance context, Michael has acted as lead defense counsel in consumer class action, civil RICO, and other complex general litigation engagements.

Michael earned his J.D. from the University of Pittsburgh School of Law, where he was lead executive editor of the *Journal of Law and Commerce*. He earned his undergraduate degree from Yale University.

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When not practicing law, Michael is a devoted husband and father. He maintains close ties to the lacrosse community, having played varsity lacrosse for the Yale Bulldogs in college and coached at the collegiate level while in law school. He also enjoys skiing, SCUBA diving, and musical performance, and is actively working toward his private pilot's license. Michael was also a licensed skydiver for many years before retiring from the sport. Michael lives in Center City Philadelphia with his family.

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