



## VALUE BEYOND COVERAGE

### COPIC's Current Capabilities and Services

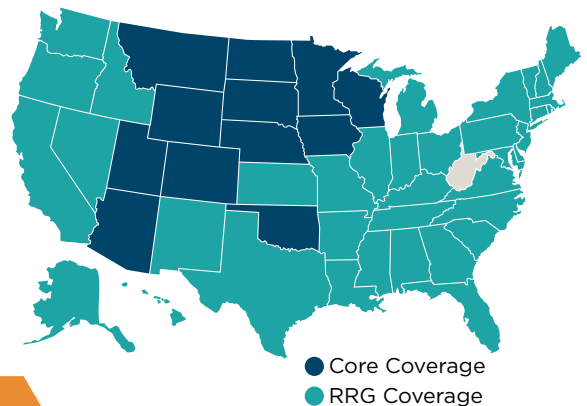


Health care continues to experience tremendous change and COPIC has evolved and grown in what we can offer and how we support our insureds. As we embark on a new year, we continue to reinforce our mission and go beyond basic coverage to provide value, stability, well-being, confidence, and much more.

#### EXPANDED COVERAGE OPTIONS

At our core, COPIC still focuses on providing trusted medical liability insurance for physicians, other practitioners, group practices, medical facilities, and hospitals.

- We are the leading carrier for the Rocky Mountain/Midwest region with an established presence in 12 key states
- In addition, our Risk Retention Group (RRG) offers flexible coverage options on a multi-state, national level to meet the ever-changing needs of insureds.
- Our new Advantage Program offers stand-alone coverage for advanced practice providers separate from existing COPIC policies.



**13,000+**

Current  
Physician  
Insureds

**233**

Current Facility  
Insureds

**99.4%**

Available  
retention  
rate

**A**

(Excellent)

A.M. Best rating  
since 1999

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COPIC'S CEO



## EMBEDDED PROTECTION

- **Cyber liability coverage** to address the rising threats of data breaches and other cyber risks that can significantly impact medical practices. This includes coverage for cyber-related events like phishing or ransomware, along with HIPAA breaches resulting from human error or inadequate policies and procedures.
- **Covered proceedings coverage** that provides support to deal with professional conduct or investigative matters such as disciplinary proceedings with a state licensing authority, governmental investigations (e.g., HIPAA, DEA, EMTALA), billing fraud and abuse investigations, and peer review proceedings.



## KEY BENEFITS INCLUDED IN YOUR COVERAGE

- **Direct access to experts who can answer your questions**—A 24/7 Risk Management Hotline staffed by physicians for urgent, after-hours situations and a Legal Helpline to help you address complex medical and regulatory issues.
- **Programs that guide you through the best course of action after an unexpected outcome**—COPIC's 3Rs Program, recognized by *The New England Journal of Medicine* and *Health Affairs*, is backed by decades of experience in addressing patients' needs and preserving patient relationships.
- **CME/CNE accredited education**—COPIC has the highest level of accreditation by the Accreditation Council for Continuing Medical Education for CME activities; we are also accredited as a provider of CNE by the American Nurses Credentialing Center Commission on Accreditation.

## ENDORSED BY THE FOLLOWING STATE MEDICAL ASSOCIATIONS



# COPIC HUMANITARIAN AWARD NOMINATIONS

Nominate a physician who has gone above and beyond their scope of practice and made a difference in his or her community.

The COPIC Humanitarian Award is presented annually to honor a physician for volunteer medical services and contributions to their community. The recipient of the award designates a \$10,000 donation from COPIC to be provided to a health care-related 501(c)(3) organization within their respective state. If you know a worthy candidate, please nominate him or her for this award.

The award is presented in Colorado, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Utah. The following nominations are open and a nomination form can be downloaded at [www.callcopic.com/about-copic/copic-humanitarian-award](http://www.callcopic.com/about-copic/copic-humanitarian-award)

### ➔ Iowa

Nominations accepted from Jan. 1–Feb. 15; presented in partnership with the Iowa Medical Society

### ➔ South Dakota

Nominations accepted from Jan. 31–March 11

### ➔ Nebraska

Nominations accepted from Feb. 1–May 13

## COPIC EXPANDS GUIDELINES USED TO IDENTIFY KEY RISKS AT MEDICAL PRACTICES

Each year, COPIC conducts Practice Quality Reviews at medical practices to help identify potential risks. We then work with practices to share best practices and implement steps to mitigate these risks. The reviews are built around Level One Guidelines, which are determined by actual incidents and focus on areas that have a significant impact on the frequency, severity, and defensibility of medical liability claims.

The Level One Guidelines cover areas such as internal tracking systems, informed consent, patient communications, advanced practice providers, and documentation. For 2022, we expanded the guidelines to include the following updated areas:

- Systems for Referral Tracking and Tracking Incidental Findings and Surgical Specimens
- Procedures for an Office-Based Emergency
- In-Office Procedures
- Telehealth
- Information Privacy and Security

In addition to Level One Guidelines, the reviews also look at guidelines that are applicable to certain medical specialties and practices. Some examples of these guidelines include unsolicited reports/test results, interpretation/translation services, peer review (professional review), and informed refusal.

The goal with our Practice Quality Reviews is to provide a comprehensive and objective perspective to help medical practices address areas of concern, prevent adverse outcomes, and improve internal processes. If you have questions about these reviews, please contact our Patient Safety and Risk Management department at (720) 858-6396.



## THE IMPORTANCE OF MULTI-FACTOR AUTHENTICATION

You might have heard of the term **multi-factor authentication (MFA)** but not know what exactly it is or how you can utilize it. A simple definition of MFA is a security process that requires a user to provide an additional verification factor, beyond just logging in with a username and password, to gain access to an account, application, or device.

Because compromised passwords are a common way that cyber criminals get access to personal data, MFA is an important, added level of protection against cyber risks. Microsoft provides a good explanation of the three key types of factors used for verification when using MFA:

- Something you know—Like a password, or a memorized PIN.
- Something you have—Like a smartphone, or a secure USB key.
- Something you are—Like a fingerprint, or facial recognition.

Microsoft notes that, **“...it’s important that the factors be different kinds of factors.** It should be a combination

of at least two of the three different kinds of factors to be secure.” In addition, **“...you won’t have to do the second step every time you sign in.** Some people worry that multifactor authentication is going to be really inconvenient, but generally it’s only used the first time you sign into an app or device, or the first time you sign in after changing your password.”

Did you know that the embedded cyber liability coverage in COPIC policies includes access to resources designed to help you proactively plan for and prevent cyber breaches? Visit **[www.callcopic.com/coverage-options/cyber-liability](http://www.callcopic.com/coverage-options/cyber-liability)** for more information.

Source: <https://support.microsoft.com/en-us/topic/what-is-multifactor-authentication-e5e39437-121c-be60-d123-eda06bddf661>



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# COPICNEWS

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Did you miss a previous edition of COPIC newsletters? Don't worry. A full archive of past newsletters can be accessed on [callcopic.com](http://callcopic.com).



## CONNECT WITH DR. Z, COPIC'S CEO

During 2022, our CEO, Dr. Gerald Zarlengo (aka Dr. Z) will be going on a roadshow, both in-person and virtually. He will host sessions throughout the year that include virtual Zoom sessions and in-person meetings with COPIC policyholders and insureds. These sessions will be forums for us to hear about the challenges on people's minds, learn how we can better support your needs, and share details about COPIC services and programs. If you are interested in participating in one of these "Connecting with Dr. Z" sessions or would like more information, please contact Andrea Jones at [ajones@copic.com](mailto:ajones@copic.com).

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CONTACT US:

### COPIC Insurance Company

**Switchboard**  
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877/263-6665

**24/7 Risk Mgmt. Hotline**  
(for urgent, after hours inquiries)  
866/274-7511

**To Make an Incident Report**  
720/858-6395

**Legal Helpline**  
720/858-6030

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**Patient Safety & Risk Management Department**  
720/858-6396  
720/858-6003 (fax)

**Sales Department**  
720/858-6199

**Customer Support**  
720/858-6160

**Underwriting**  
720/858-6176

**Credentialing**  
720/858-6160

### COPIC Financial Service Group, Ltd.

720/858-6280

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720/858-6281

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720/858-6060

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Connect with COPIC  



## THE LEGISLATIVE LANDSCAPE

### PREPARING FOR THE YEAR AHEAD

As we usher in the new year, our focus moves to the 2022 legislative session. COPIC has long believed that taking an active role in advocating on legislative issues is an important way to allow the health care community to devote its resources to quality improvement and patient care. By working closely with our partners, COPIC tracks legislation using the lens of stabilizing the tort environment, promoting learning in health care, ensuring the delivery of safe, quality care, and protecting the communications between patients and physicians.

### POLICY AREAS WE ARE MONITORING IN 2022

The Second Regular Session of the 73rd Colorado Legislature convened on Wednesday, January 12, 2022, and is expected to adjourn on Thursday, May 12, 2022. Below is a list of introduced bills and a list of anticipated policy measures we are monitoring this session. Introduced bills we are monitoring:

**Senate Bill 27—Prescription Drug Monitoring Program.** This bill adopts a series of DORA recommendations stemming from a state audit report conducted in 2021. The recommendations include stricter querying requirements on benzodiazepines, clarifying registration requirements, and enhancing enforcement for health care providers.

**House Bill 1095—Physician Assistant (PA) Collaboration Requirements.** This is a return of last year's House Bill 1184 which sought to reduce the hours of supervision for newly graduated PAs or PAs entering a new specialty and replace further supervision relationships with a collaborative agreement. The bill would also eliminate the on-sight supervisory requirements which currently exist between a physician and PA.

**House Bill 1115—Prescription Drug Monitoring Program (PDMP).** This bill, similar to Senate Bill 27, requires prescribers to query the PDMP for every fill of an opioid or benzodiazepine, maintain an active user account within the PDMP, and creates reimbursement payments for the integration of the PDMP into electronic medical record systems.

### ANTICIPATED POLICY MEASURES YET TO BE INTRODUCED

**Colorado Statute 27-65: Mental Health Holds and Certifications.** This draft bill seeks to reform the emergency mental health hold (M-1 hold) and certification process by placing requirements on all emergency medical service facilities and staff to perform the evaluation, treatment, and discharge planning in the emergency department that is currently done in designated mental health facilities. COPIC is engaged in these discussions to reduce the

considerable burden this would place on emergency departments.

**Colorado Premises Liability Act.** This bill seeks to clarify the definition of "foreseeability" as it relates to a facility's ability to anticipate an act of violence on its premises. The issue of foreseeability is a product of the *Wagner v. Planned Parenthood* Supreme Court ruling. COPIC is a part of the coalition supporting this measure.

COPIC works closely with the Colorado Medical Society and Colorado Hospital Association to monitor legislative activity and develop education on how these policies will impact your practice. If you have any questions, please contact COPIC's Manager of Public Affairs, Logan Dunning, at [ldunning@copic.com](mailto:ldunning@copic.com).

For information on legislation or to find your elected officials, visit us at [www.callcopic.com](http://www.callcopic.com) and go to the Legislative Action Center link under the Resource Center section.



## SUPPORT FOR INSUREDS IMPACTED BY THE MARSHALL FIRE

Our hearts are with the medical community members and all residents who have been impacted by the Marshall Fire. COPIC has contributed \$5,000 to the Boulder County Wildfire Fund to help assist those in need.

We have also earmarked \$75,000 for direct support of our policyholders and insureds who need assistance in connection with their ability to provide patient care. The program will reimburse eligible expenses up to \$3,000 per practice/policyholder and up to \$1,500 per provider. The support is offered regardless of if there are other means of recovery and our hope is that this can ease any

immediate burdens our insureds may be facing related to the impact of the Marshall Fire. Additional information is available via a link on the top of the homepage of our website at [www.callcopic.com](http://www.callcopic.com).

If patient care has been reduced or temporarily suspended, COPIC can also assist by offering a part-time credit, suspension of coverage, and/or deferral your medical liability

premium due date. We can also consider COPIC points relief for 2021. Please contact your underwriter to discuss coverage options or email us at [customersupport@copic.com](mailto:customersupport@copic.com).

We hope that this support helps aid in the recovery of the community and your ability to provide exceptional patient care. We look forward to hearing from you if we can be of additional support.

## COPIC ANNOUNCES 2022 DISTRIBUTIONS FOR COLORADO PHYSICIANS

COPIC believes that when there are positive financial results, the benefits should be shared with our insureds. COPIC offers distributions, which are financial benefits in the form of premium credits for eligible insured physicians when there is favorable loss experience—meaning claims costs paid were less than anticipated.



### WHO IS ELIGIBLE TO RECEIVE DISTRIBUTIONS?

Distributions apply to individual insured physicians in Colorado. Most COPIC-insured physicians are eligible to participate in distributions; however, slot and locum tenens, volunteer physicians, and physicians insured under COPIC's Risk Retention Group or a hospital/facility policy are not eligible.

### WHAT IS THE DISTRIBUTION AMOUNT FOR 2022?

The 2022 Colorado distribution amount is 26% of the premium charged for each eligible individual physician under a COPIC policy. This provides an immediate financial benefit to our insureds. Premium invoices include

information on the amount of the distribution applied to your account, which will appear as a premium credit in equal installments according to your selected payment plan. **COPIC has provided more than \$324 million in premium credits through distributions since 1990.**

### WHY DOES COPIC PROVIDE DISTRIBUTIONS?

COPIC voluntarily offers our distributions program to ensure that policyholders receive financial benefits when there are favorable results. It connects back to our commitment to rate stability and provides direct value for insureds. Distributions also reflect the mutual dedication between COPIC and our insureds toward patient safety/risk management and improving outcomes.



## COPIC NAMED AS ONE OF THE MOST COMMUNITY-MINDED COMPANIES IN COLORADO FOR 3RD CONSECUTIVE YEAR

COPIC has been named an honoree of The Civic 50 Colorado by CSR Solutions of Colorado and Points of Light, the world's largest organization dedicated to volunteer service. The award recognizes the most community-minded companies in Colorado, determined by an independently administered and scored survey. We are honored to receive this recognition and how it showcases our investment in time, skills, and resources to drive social impact in their company and communities.



## THE LEGISLATIVE LANDSCAPE

### PREPARING FOR THE YEAR AHEAD

Happy New Year to you and yours! As we usher in the new year, our focus moves to the 2022 legislative session. COPIC has long believed that taking an active role in advocating on legislative issues is an important way to allow the health care community to devote its resources to quality improvement and patient care.

COPIC continuously monitors regulation and legislation in Nebraska to ensure access is maintained to safe, quality health care delivery and new, unreasonable burdens are not placed on health care providers. By working closely with our partners, COPIC tracks legislation using the lens of stabilizing the tort environment, promoting learning in health care, ensuring the delivery of safe, quality care, and protecting the communications between patients and physicians.

### POLICY AREAS WE ARE MONITORING IN 2022

The second session of the 107th Legislature convened on January 5, 2022. This second half of the biennial session is shorter in length and senators are anticipated to work the 60-day session and adjourn on April 20, 2022.

January 20 was the “Day 10” of the Nebraska legislative session, which was the final day for senators to introduce bills for consideration. In total, nearly 600 bills were introduced this year. A large number of these bills aim to appropriate the \$1 billion in American Rescue Plan Act (ARPA) funds coming into the state from the federal government. Below is a list of introduced bills and anticipated policy measures we are monitoring this session.

#### Introduced and carry-over bills we are monitoring:

- **LB 160**—This is a carry-over bill from the 2021 session that changes provisions of the Nebraska Hospital-Medical Liability Act. The bill increases the existing medical liability caps and the underlying Fund limits.
- **LB 314**—This is a carry-over bill from the 2021 session that changes provisions related to insurance coverage of telehealth services (provides for telehealth payment parity).
- **LB 392**—This bill adopts the Prescribing Psychologist Practice Act. This is a carry-over bill from the 2021 session that significantly expands the scope of practice for prescribing psychologists.

#### ARPA funding bills:

- **LB 959**—This bill appropriates ARPA funds to the Department of Health and Human Services (DHHS) for the statewide designated health information exchange.
- **LB 1055**—This bill appropriates ARPA funds to DHHS for premium pay to front-line nurses.
- **LB 1066**—This bill appropriates ARPA funds to DHHS and the University of Nebraska for behavioral health care services.
- **LB 1075**—This bill appropriates ARPA funds to DHHS for technology that will support statewide pediatric mental health services.
- **LB 1089**—This bill appropriates ARPA funds to DHHS for licensed and Medicaid-certified nursing facilities.

COPIC works closely with the Nebraska Medical Association to monitor legislative activity and develop education on how these policies will impact your practice. If you have any questions, please contact COPIC’s Manager of Public Affairs, Logan Dunning, at [ldunning@copic.com](mailto:ldunning@copic.com). For information on legislation or to find your elected officials, visit us at [www.callcopic.com](http://www.callcopic.com) and go to the Legislative Action Center link under the Resource Center section.



## UPDATE ON 2022 NEBRASKA DISTRIBUTIONS

When market conditions and loss experience are favorable—meaning claims costs paid were less than anticipated—COPIC is in a position to provide premium credits in the form of distributions to eligible insured physicians.

Our annual review of medical liability claims trends for Nebraska showed an increase in the frequency and severity of claims as well as higher associated costs to defend these claims. Based on this, COPIC will not be declaring a distribution for Nebraska policyholders in 2022.

Please keep in mind that most Nebraska physicians saw no changes or minor increases (due to increased limits of

liability) in their premiums, and any premium percentage changes reflect base level adjustments before policy discounts are applied to develop the actual premium amount.

As always, COPIC is committed to working with our Nebraska insureds to address areas of risk and improve outcomes with the goal of maintaining rate stability over the long-term.

## SAVE THE DATE 2022 SYMPOSIUM



This year's Symposium will be held on April 28–29.

### WHERE WILL IT TAKE PLACE?

As in previous years, the Symposium will be held at the Embassy Suites in Lincoln, Nebraska.

### WHAT TOPICS WILL BE COVERED?

The agenda is still being finalized, but this year's event will address topics such as cyber security, disclosure, top legal questions/concerns, peer review, a risk management 101 roundtable, and more. Updated details will be posted at [www.callcopic.com/symposium](http://www.callcopic.com/symposium).

### WHO CAN ATTEND?

COPIC-insured physicians, practice and office administrators, managers, advanced practice providers, and other appropriate staff. There is no cost for COPIC insureds to attend.

### HOW DO I REGISTER?

Please contact Stephanie Heronema at [sheronema@copic.com](mailto:sheronema@copic.com) or (800) 421-1834, ext. 6129.



## HAVE YOU LISTENED TO COPIC'S PODCAST YET?

Within Normal Limits is our podcast that offers valuable insight through conversations with COPIC's team of experts and recognized physician leaders.

Each episode tackles a timely topic with a focus on case study reviews, in-depth discussions, and practical guidance about avoiding common risks and best practices to improve patient care. There are now more than 30 episodes and some recent highlights include:

- The Delicate Process of Terminating a Patient
- Getting to the Heart of Health Care: Perspectives from an Esteemed Cardiologist
- Handling Unsolicited Diagnostic Tests
- When a Patient Disagrees with Your Care Recommendations: Using Informed Refusal as a Tool

Within Normal Limits is available on popular platforms such as Apple Podcasts, Google Podcasts, Spotify, and Amazon. You can also go to [www.callcopic.com/wnlpodcast](http://www.callcopic.com/wnlpodcast) for more information. New episodes will be posted throughout the year, so we encourage you to subscribe and hope you enjoy the podcast.





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### POLICY AREAS WE ARE MONITORING IN 2022

The Iowa Legislature convened on January 10, 2022. Governor Kim Reynolds, in her Condition of the State address, announced that tort reform will be one of her legislative priorities this session. The Governor stated that a reasonable cap on non-economic damages will be a major part of her agenda, breathing new life into the health care communities' efforts made last year. COPIC will continue to work with our partners at the Iowa Medical Society to see this priority become law. Below is a list of introduced and carry-over bills we are monitoring this session:



- **House File 592**—This is a carry-over bill from the 2021 session that relates to non-economic damage awards against health care providers.
- **House File 764**—This is a carry-over bill from the 2021 session that relates to disciplinary hearings conducted by professional licensing boards.
- **House File 803**—This is a carry-over bill from the 2021 session that relates to duties performed by physician assistants.
- **Senate File 557**—The Senate companion bill to House File 592 above. A carry-over bill relating to non-economic damage awards against health care providers.

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COPIC recently established a formal partnership with Assured Partners, the endorsed agency for the Iowa Hospital Association (IHA)/ServiceShare that works to address the needs of IHA members. Through this partnership, we are working closely to offer a better option for medical liability coverage for hospitals and medical facilities in Iowa. More details about this partnership will be released in upcoming IHA e-newsletters. For more information, please contact Ford Singbush at [ford.singbush@assuredpartners.com](mailto:ford.singbush@assuredpartners.com) or Anne MacFarland at [anne.macfarland@assuredpartners.com](mailto:anne.macfarland@assuredpartners.com).

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