

Surviving a Crisis

*Practical Strategies for
Nonprofit Organizations*



Surviving a Crisis: Practical Strategies for Nonprofit Organizations

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Please note: This booklet is designed to provide general information about surviving a crisis based on our many years of experience in handling claims and lawsuits against nonprofit organizations. This booklet is not intended to offer legal advice or counsel. The information contained in this booklet does not alter the terms of any insurance contract or the law of the jurisdiction which is the site of any potential claim or suit. It is the terms and provisions of your insurance contract which provide the scope of the applicable coverage. Because the areas of law constantly change, those using this booklet should not rely on it as a substitute for independent research.

Introduction

What's a crisis? It's any event or circumstance that threatens the ability of your nonprofit to achieve its mission. A crisis may be short-lived, or it may stress your nonprofit for months at a time. A crisis may be foreseeable (and therefore preventable) or unavoidable. Some nonprofits operate for decades without facing a true crisis, while others find themselves repeatedly embroiled in situations that threaten the organization's viability. To a large extent, your vulnerability to a crisis stems from who you are and what you do. Sometimes it may be directly related to the steps you have taken to insulate your nonprofit from avoidable emergencies.

There are two sides to managing any crisis: planning and response. Organizations that anticipate the possibility of a crisis and properly prepare are better equipped to manage such situations or possibly avoid them altogether.

This booklet is offered as a starting point on surviving a crisis. It offers suggestions for anticipating and surviving a crisis, including checklists and worksheets you can use for crisis management planning in your nonprofit. It's important to remember that the time it takes to conduct effective crisis planning activities often depends on the size and complexity of the organization. In addition, there may be other factors that play a role in determining the approach to crisis planning and crisis management activities in your nonprofit, such as the nature of the services you provide (e.g., medical versus social services), the role of the board in your nonprofit, and the scope of your facilities (e.g., single office versus headquarters with branches or facilities throughout the community).

We hope you will find the information and suggested planning steps and activities in this booklet useful as you prepare your nonprofit to survive a crisis.

Chapter 1

What Could Go Wrong?

There are many events that can throw a nonprofit into crisis: losing a key donor; experiencing an office flood; catching an employee that has been embezzling; having a client that injures another client or staff member; or receiving an allegation of improper conduct with a client are all examples of possible crises. The reality is that many nonprofit organizations are providing services where risks come with the work. Organizations working with children, the elderly, and other vulnerable populations must constantly ensure that their clients are protected. If your organization doesn't prepare for inherent risks, then the chance of a crisis occurring is increased.

Part of crisis management is preparing for things we hope will never happen. Managing risk—anything that can hinder your organization from achieving its goals—is an essential management activity for your nonprofit. Developing a risk management plan is key to ensuring that your organization is not caught off guard by unforeseen events or oversights.

Chapter 2

What Will You Do To Prevent Things From Going Wrong?

Your stakeholders expect that your organization will protect program participants, volunteers, staff and property. They expect that you will appropriately manage funds and resources. They expect the actions of the organization will uphold its reputation. Risk management planning demonstrates that your organization is proactively taking steps to meet those expectations.

Key steps in your risk management planning process:

1. ***Establish the purpose or context for risk management planning.*** Clearly state why your organization needs to focus on risk management. Perhaps there have been too many “close calls” and crises were averted due to the quick thinking of staff. A new program offering might require volunteers to drive their personal vehicle on behalf of your organization, which requires your organization to address new exposures.
2. ***Assign responsibility for risk management planning by establishing a risk management committee.*** An effective committee will include members, employees, and volunteers that are experienced in nonprofit operations and are knowledgeable about the organization’s programs, procedures, and legal structure. The committee should ensure that risk management practices are integrated across the organization.
3. ***Acknowledge and identify your organization’s risks.*** Remember, just because something hasn’t happened before, that doesn’t mean it can’t happen. No matter how improbable a risk may seem, if you can imagine it happening in/at your organization, include the risk.
4. ***Evaluate and prioritize risk.*** The goal here is to identify your organization’s major risks and their potential costs. Major risks are those with a high likelihood of occurring, that would have a major impact on governance, operations, finances, external factors (such as public opinion or relationships with funders), or compliance with laws and regulations, if these risks were to occur. Major risks can alter the way stakeholders and the public view and deal with your organization.
5. ***Determine how your organization will manage its risks.*** There are four ways to deal with risks:
 - a. *Avoidance* – Do not offer or stop providing a service or conducting an activity considered too risky.
 - b. *Modification* – Change the activity so that the chance of harm occurring and impact of potential damage are within acceptable limits.
 - c. *Retention* – Accept all or part of the risk and prepare for the consequences.
 - d. *Sharing* – Examples of risk-sharing include purchasing insurance and sharing responsibility for a risk with another service provider through a contractual arrangement.
6. ***Implement your risk management plan.*** The board should formally adopt the plan. Implementation includes updating job descriptions for staff and volunteers, including relevant risk management information in participant handbooks. In addition, the organization should provide the necessary training to ensure that staff, volunteers, and program participants understand their responsibilities and how they will be held accountable.

7. **Review and revise the plan as needed.** Introducing a new program or new regulations may require changes to the risk management plan. The plan should be reviewed at least once annually, or whenever you have a major change in operations or service offerings.

(See Appendix B for member resources related to risk management plans. Note that a risk management plan differs from a business continuity plan. You should also develop a business continuity plan in conjunction with your disaster plan.)

Chapter 3:

What Will You Do if Something Goes Wrong?

Your organization may not have had a fire, an auto collision, a social media nightmare, or the sudden loss of a key person, but that doesn't mean it can't happen. Unfortunately, despite your best efforts, some day something will likely go wrong, so it's best to be prepared for the unexpected! You don't want to be in the middle of a crisis trying to figure out what to do. Your organization could be viewed as unprepared, disorganized and maybe even poorly managed.

There are many questions to answer if a crisis hits your organization. Crisis response planning addresses the worst-case scenario and helps organizations answer these questions before a crisis occurs. During an emergency, it is imperative that those within your organization know how to communicate effectively. This includes both internal and external communications. The following checklist highlights some recommendations for developing and executing a well-rounded communications strategy before, during and after any crisis scenario.

Developing Your Communications Plan

- Establish a Crisis Management Team and designate who within that group will be responsible for communications.
- Develop and regularly update an Emergency Contact List to include phone numbers, email addresses and family contact information.
- Set-up an Alert Notification System capable of multiple means of communication to employees, stakeholders, and clients; this should be tested regularly.
- Ensure that employee, vendor, and supplier mobile voice communications are not reliant on a single network. Utilize multiple carriers and train all critical personnel on text messaging.
- Establish a separate, formal notification plan for clients' and employees' immediate families and close relatives in case an employee goes missing or loses their life. Ensure that caregivers and daycare operators upon whom employees/clients depend can receive appropriate information.
- Ensure that a formal system exists to integrate new hires, volunteers, and clients into the Crisis Communications Plan.
- Consider establishing a public hotline or a "dark" website that can be activated on short notice to provide information to everyone in the community during an emergency.
- Consider an online social networking platform for web-based crisis communications (Facebook, Twitter, LinkedIn, etc.).

- Establish a universal and easily accessible database of information about the company. This database should include company background information, critical documents, key contacts, passwords, etc.
- Consider setting up a password-protected online message board specific to your organization.
- Establish remote hosting for your corporate website and a team to manage updates to the site during a crisis.
- Develop a tactical response plan for voice/phone redirection.
- Establish processes and plans to re-establish your network connectivity (email, core processing, remote services).
- Coordinate all Crisis Communications Planning with key vendors and suppliers to ensure a seamless transition.

Developing Your Media Communications Plan

- Designate primary and secondary spokespersons.
- Ensure all employees and volunteers know the spokesperson. Non-authorized persons, including staff, volunteers and board members, should not talk to the media.
- Arrange for media to have 24-hour access to a spokesperson.
- Give designated spokespersons training in dealing with the media.
- Establish a policy for all employee/volunteer interaction with media, both on and off-site.
- Maintain trustworthy, credible relationships with the media all of the time. If you do, the media will be less suspicious and more cooperative in a crisis.
- Identify key audiences and develop a strategy for each.
- Create key messages and talking points to ensure a consistent message.
- Ensure you have a media kit ready, containing information about your organization and a list of approved contacts.
- Discuss possible problem areas and potential negative impacts.

During the Crisis

- Have all employee, volunteer, client, vendor and media contact information on hand.
- Be the first to break the news about how your organization is responding. Even if the situation is still evolving, begin with full disclosure. Nothing is “off the record.” You should always confirm the facts.
- Always respond to media requests. Communicate openly and accurately about the situation. Your communications team must know the proper, approved messages.
- Continue to communicate with all key audiences until the crisis has passed. Consistency is important.

- Continuously monitor online and offline conversations to evaluate the strengths and weaknesses of your strategy and messaging.
- During evacuation, have a central point of contact for all employees, volunteers, and on-site clients, and ensure you know where your people are located.
- During evacuation, consider your phone lines – redirection to cell phones, answering services, or third party voice services could be critical.

After the Crisis

- Following the crisis, notify all critical individuals of the next steps.
- Learn from the experience and anticipate the next crisis. Plan for likely and even unlikely scenarios based on the most recent crisis, and know the steps you will take before you have to take them.
- Debrief staff/volunteers on their experiences, praising people for what went well.
- Improve your plan as needed. Be sure to regularly review and update it, including response to lingering fallout from the most recent crisis.

(Checklist resource: AgilityRecovery)

Chapter 4:

Establishing a Crisis Management Team

Your nonprofit should form a small team to coordinate the organization's response to a crisis. This will be your action team and the group that will lead the troops so the nonprofit will survive the crisis.

The composition of an organization's crisis management team will vary based on a wide range of factors, including:

The size of the organization. The number of paid and volunteer staff working for the organization makes a difference. In an organization with more than 50 staff members, the crisis management team may include key department heads (including maintenance personnel or other structural advisors) plus the CEO. In an organization with fewer than 10 paid staff members, the crisis management team may include two board members, two staff members, and two outside professional advisors.

The nature of the services provided by the organization. Every nonprofit should consider its operations and circumstances before naming the members of the crisis management team. The composition of a crisis management team at an environmental advocacy group will differ from the team created to respond to a crisis at a daycare center. In the former, the team may include an experienced lobbyist and an environmental scientist.

In the latter, the team may include the organization's retained counsel, an expert on child abuse prevention or playground safety, and parents of enrolled children.

The likely sources/causes of crisis in the organization. The likely causes of a crisis identified in your risk management plan will be helpful in forming the team. Is the organization more likely to face a crisis stemming from allegations of client mistreatment or a crisis caused by loss of computer data? Review these risks carefully to see if they suggest areas of expertise and training that may be required during a crisis. Individuals with special talents or expertise should then be identified as necessary members of the crisis management team.

The organization's prior experience responding to a crisis. One certainty in any crisis situation is that when it's all over, one or more key lessons will have been learned.

The people whose service will be required may be among the lessons learned. The survivors of a crisis may acknowledge that emergency procedures or equipment are of little use when they haven't been tested.

Chapter 5:

Media Communications Planning

Since your crisis may attract the attention of the media, you need to create a plan to keep the media informed of developments. This keeps your nonprofit in control—to the extent possible—of the flow of information about the crisis. Deadlines drive the media. If you're dealing with two or three outlets (i.e., local radio, television, and newspaper reporters), you can call and update them on an hourly basis, or as new information becomes available. If you're dealing with more

outlets or a story of national or international import, you can hold a news conference to which you invite interested parties. You arrange for your spokesperson to present at one time to all reporters with a Q & A session to follow. Major developments can be handled in follow-up briefings. These group presentations reduce the wear and tear on your spokesperson and experts, and all media outlets receive the same information at the same time. Ideally, you will have a media contact list prepared and updated regularly.

Additional things to remember when working with the media:

- Make sure that everyone knows the identity of the designated spokesperson(s). Nonauthorized persons, including staff, volunteers and board members, should not talk to the media.
- Do not admit wrongdoing. Remember that anything said to the media by anyone in a position of authority can be used against the organization in any litigation that results. As tempting as it might be to admit liability to “get it off your chest,” this admission will greatly diminish your attorney’s ability to defend you in a lawsuit.
- Remember that “no comment” says a lot. “No comment” fills pages in the minds and imaginations of readers and viewers. What is the organization trying to hide? Isn’t there anything it can say about this dreadful event? Count on a skillful reporter finding someone to comment about the incident—including your organization’s handling of the crisis. Remember to think carefully about what you say and what you don’t say.
- Stay calm and “on message.” The key is focusing on the message you want to deliver. Advance preparation is necessary.
- Deliver a positive, truthful message about your organization. While it is important not to evade a reporter’s questions altogether, always begin your response with a positive message about your organization, which incorporates your commitment to safety. For example: “The mission of the Youth Activities Center is to promote safe recreational activities for disadvantaged children in this community. Our commitment to safety is reflected in our safety training programs for athletes, rigorous screening and training program for volunteer coaches, and provision of appropriate safety gear for all participants.”
- Do not improvise your answers. If you do not know the information asked by the reporter, admit that fact and if appropriate, pledge to find out as soon as is practical. Establish a time and place to provide information updates.
- Show concern and compassion. Compassion for victims and those who are disadvantaged by circumstance, physical disability, or economic status is at the heart of the work of many community-based nonprofits. The public expects a nonprofit spokesperson to demonstrate compassion. Never dismiss an incident where victims are involved as inconsequential.

A media kit, summary statement and a crisis Q&A fact sheet are helpful when a crisis hits. Give some thought to these documents in your crisis planning activities, and then when a crisis hits, you’ll be ready to quickly finalize these key documents.

Media Kit

A media kit provides background on your organization. Think of it as a two-minute education on the who, what, when, where, why, and how of your nonprofit’s mission, governance, funding, clientele, staff, and board members. Ideally, these materials have been written in electronic form and

updated as the information changes, so that when a crisis strikes, all you need do is print them out.

The Summary Statement

The summary statement is a valuable piece of your crisis communications strategy. It allows you to communicate what you know quickly. The statement explains what happened, describes what your nonprofit is doing, and expresses how the organization feels. Craft the statement carefully, remembering that the media may extract from it one or two phrases that could appear out-of-context in print or on a website or be incorporated into television or radio stories. Remember that it's always a good idea to review draft press releases on any topic associated with a crisis with your attorney before sending them out to your media contacts.

Q&A Fact Sheet

A question and answer format covers what happened and who is responsible, and it provides an assessment of the danger of a situation. It also describes in clear terms what the organization is doing about the situation. The information should be short and to-the-point. Avoid jargon or, if that is not possible, explain jargon in layman's terms. Update the information as the crisis unfolds and new developments occur. The fact sheet should include the kinds of questions the organization has been asked to date and ones anticipated in the future. The fact sheet will be an important guide for your spokesperson, who should review it carefully. Sticking to the information on the fact sheet is the best way to ensure that your spokesperson is prepared to respond effectively and consistently to questions. (See sample Fact Sheet in Appendix A)

Consider speaking with your attorney to find out if they have any advice concerning your proposed media contact strategy.

Chapter 6:

Document Your Crisis Management Plan

Organize all of the documents that represent your crisis management planning activities and compile them in a Crisis Management Manual. This manual functions as a checklist of what to do, when, and who to call when a crisis occurs. Your nonprofit's manual should reflect the most likely scenarios your staff and volunteers will have to face and suggest your strategy for handling those crises. We suggest you keep the format simple and easy to read; use plenty of short sentences and bulleted phrases. Consider using charts to show the flow of responsibilities and actions. This gives a visual quick reference of what the individual should do. Make certain that you identify backup locations/facilities and the service providers for those facilities in your crisis management manual.

Remember to include a list of organizations that provide peer support to your nonprofit, such as a coalition of nonprofits that offer similar or overlapping services. Staying in close touch with these peer groups during the year is important for a multitude of reasons, and their support during a crisis could be invaluable. Keep an updated list so you will know who they are and how to reach them when the need arises.

Chapter 7:

Review Your Insurance Program

Many nonprofits make the mistake of assuming losses will be covered by insurance rather than taking time to compare crisis risks with the organization's insurance program. Your nonprofit's mission and services are too important for wrongful assumptions. Instead, consider the action steps below to make certain that your insurance program and crisis management plan are compatible.

Review your crisis planning scenarios with your insurance broker. Discuss how and when your insurance coverage will respond in the event any of the scenarios materialize. Make certain you discuss business interruption/extra expense and whether your current insurance program provides coverage. With the crisis scenarios in mind, revisit the limits and deductibles for the coverage in your insurance program to determine whether any changes are desirable.

Prepare a one- to two-page summary of your insurance program that includes a concise list of coverages, brokers, carriers, and reporting requirements for all of your policies. Store at least one copy of the summary off-site, to facilitate the prompt reporting of claims if your premises are inaccessible during a crisis.

Checklist for Crisis Management Planning

| To Do | Completed | By Date |
|--|--|----------------------|
| Develop a Risk Management Plan, identifying types of crises your organization may face | Yes <input type="checkbox"/> No <input type="checkbox"/> | <input type="text"/> |
| Form a crisis response team | Yes <input type="checkbox"/> No <input type="checkbox"/> | <input type="text"/> |
| Create a comprehensive directory of the organization's staff, board and key volunteers | Yes <input type="checkbox"/> No <input type="checkbox"/> | <input type="text"/> |
| Maintain a backup of computer file server, key databases, software and financial files | Yes <input type="checkbox"/> No <input type="checkbox"/> | <input type="text"/> |
| Conduct an inventory of assets | Yes <input type="checkbox"/> No <input type="checkbox"/> | <input type="text"/> |
| Formulate a crisis communications strategy | Yes <input type="checkbox"/> No <input type="checkbox"/> | <input type="text"/> |
| Practice communicating during a crisis by drafting key crisis communications documents | Yes <input type="checkbox"/> No <input type="checkbox"/> | <input type="text"/> |
| Prepare a media kit and draft a media contact strategy | Yes <input type="checkbox"/> No <input type="checkbox"/> | <input type="text"/> |
| Review your insurance program | Yes <input type="checkbox"/> No <input type="checkbox"/> | <input type="text"/> |



Crisis Performance Checklist

Brief description of the crisis:

Was the nature or type of crisis you faced one that had been anticipated? Yes No

If no, can you identify any reasons why it was not anticipated?

Rate the effectiveness of the following communications tools and strategies with respect to the recent crisis:

| Key Personnel Contact List | Very Effective | Somewhat Effective | Ineffective (Attention Required) |
|--|--------------------------|--------------------------|----------------------------------|
| Media Documents (Summary Statement, Q&A Factsheet) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Media Contact List | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Media Contact Strategy | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Notes:

Rate the effectiveness of various aspects of the Crisis Response Team with respect to the recent crisis:

| | Very Effective | Somewhat Effective | Ineffective (Attention Required) |
|-------------------------|--------------------------|--------------------------|----------------------------------|
| Composition of team | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ability to reach/summon | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Were there any critical skills or talents missing in the composition of the team? Yes No

Describe these skills and your strategy for adding these skills to the team for the future.

| | Very Effective | Somewhat Effective | Ineffective (Attention Required) |
|--|--------------------------|--------------------------|----------------------------------|
| Rate your effectiveness in keeping clients up-to-date: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

What feedback did the nonprofit receive from clients concerning its handling of the crisis?



Sample Media Fact Sheet

ABC Nonprofit
1445 Central Avenue
Pleasantville, IL 30000

P: (333) 222-0000

Contact: Joseph E. Brown

Q: What is ABC Nonprofit?

A: ABC Nonprofit, founded in 1945, is dedicated to providing residential and outpatient counseling and treatment for children ages 12-18 who are alcohol or drug dependent.

Q: How many people does ABC Nonprofit service a year?

A: ABC Nonprofit serves 36 residents and an additional 160 children on an outpatient basis.

Q: Who funds ABC Nonprofit?

A: ABC Nonprofit's principal funding source is a contract with Pleasantville County. ABC Nonprofit also solicits and receives individual donations from members of the community.

Q: How does ABC Nonprofit ensure the safety of its clients and staff?

A: ABC Nonprofit has adopted a wide range of measures to protect the safety of its clients and staff.

Safety is the organization's number one priority. These measures range from rigorous screening, training and supervisory practices, to the use of facility safety and security equipment.

Q: How did a client in ABC Nonprofit's care suffer a serious injury?

A: On Monday, December 1st, a resident of ABC Nonprofit used a kitchen utensil that he took during the evening meal service as a weapon in an attack on another resident. A resident counselor who was conducting a regular check of the dormitories heard the attack in progress and was able to quickly remove the utensil from the resident's possession and subdue the resident. The counselor used a radio to summon help from other staff and request medical assistance for the victim. A team of staff members of ABC Nonprofit administered first aid before the county ambulance and team of paramedics arrived on site approximately 12 minutes after the attack was halted. We believe that our policy of conducting regular patrols of the dormitories, having staff with first aid training present at all times, and use of hand-held radios contributed to the ability to quickly halt the attack in progress and provide appropriate medical assistance. We are committed to providing a safe environment for our residents and outpatients as well as our staff.

Appendix B: Member Resources

BOARDnetWORK

This is a customized, web-based tool that streamlines governance activities and help boards of directors stay informed and organized. This is a free resource for members. (NOTE: 501(c)(3) organizations who are not insured with NIA can pay a nominal annual subscription fee for access to this resource.)

Booklets

Written specifically for the nonprofit reader, our booklets explore liability issues most nonprofits face.

- Arrive...Safe and Sound—Tips to Help with Your Nonprofit's Vehicle Safety Program
- Collaboration Risks: Partnering with Confidence and Success
- Directors and Officers (D&O)—Key Facts About Insurance and Legal Liability
- Managing Volunteers: Balancing Risk & Reward
- Sound Advice for Functions & Events
- Sexual Abuse Prevention for Children & Teens
- Surviving a Crisis—Practical Strategies for Nonprofit Organizations
- What Nonprofit Managers Need to Know About Lawsuits

NOTE: Non-member organizations may request a single copy of our booklets or download a PDF from our website.

Employment Issues Assistance

NIA members with a Directors and Officers (D&O) policy with employment practices liability, can take advantage of free employment-related consultations – discipline or discharge (pre-termination); discrimination/harassment; leaves of absence; ADA; wage & hour; personnel policies; etc.

Loss Control Assistance

We offer free assistance with issues such as background checks, the safe management of facilities and fleets, drafting and reviewing waivers, staff training, volunteer management, and much more. If we don't have the answer, we find it for our members through our various resources.

My Risk Management Plan

Members gain free access to a web-based interactive tool to help develop a customized risk management plan that reflects the organization's needs, priorities, and culture. (NOTE: Non-members can purchase a subscription to this resource from the Nonprofit Risk Management Center at www.myriskmanagementplan.org)

Risk Management Forms and Templates

Members can take advantage of an extensive library of downloadable forms, templates, and information available on our member portal.

Webinars

These 30-90 minute sessions are ideal for in-service training on risk-management skills, or for polishing and orienting senior management and board members to individual aspects of managing risks in nonprofit organizations. The interactive format of the live sessions permits questions from the participants and responses from the expert(s). All regular live sessions are free to our members. Members can also access a library of on-demand sessions from our member portal.

We have many free and highly discounted resources for our members. Be sure to visit our Member Portal for a current listing of all that is available.

The insurance policy, not this brochure, forms the contract between the insured and the insurer. The policy may contain limits, exclusions, and limitations that are not disclosed in this brochure. Coverages may differ by state.

Nonprofits Insurance Alliance® is the tradename for a group of insurers — NIAC, ANI, and NANI — all of whom are public-benefit 501(c)(3) nonprofits and rated A (Excellent) by AM Best. All NIA organizations are administrated by Alliance Member Services® (AMS), also a 501(c)(3) nonprofit.

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