

The Incident Report

...a monthly newsletter from Districts Mutual Insurance

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THE DEC PAGE [Slips, Trips and Falls]...By STEVEN STOEGER-MOORE, EXECUTIVE VP - DMI

In the November edition of The Incident Report the "Top 10" Loss Control Recommendations were featured in the Bright Ideas section. These "Recommendations" can be found on the DMI website at www.districtsmutualinsurance.com. The number one and number two Hazard Survey Recommendations directly relate to slips/trips and falls. It is no coincidence that the number one cause of loss associated with DMI claims is a slip/trip or fall exposure.

In early December a CD based **Slips, Trips and Falls** safety training program was provided to each District. I strongly urge each District to widely share this program – various departments like the Physical Plant, Maintenance, Custodial, Receiving, Book Store, Security and Safety would be a suggested audience.

Wisconsin's winter has arrived! The winter season is also the slip and fall season. The most prevalent liability exposure is associated with slips and falls. Prevention is paramount. The use of walk-off mats, wet floor signs, routine snow removal and ice control are essential components. If you receive a report of a slip and fall incident document the conditions – take a picture. Keep a log of snow removal and/or ice control work. Record keeping is a vital resource.

Thanks for your continued support.



Bright Ideas: Special Events Liability

From an insurance perspective, "special events" are activities not contemplated by the underwriting process, nor considered in the rates charged by the insurance company. Examples of "special events" could include hot air balloon rides, demolition derbies, tractor pulls, air shows, car shows, antique shows, bicycle races, swap meets, art festivals, fire department competitions, etc. These events are not held often, and therefore estimating losses arising out these high severity/low frequency exposures is difficult, if not impossible; and since the number of times they occur is low relative to usual Technical College activities, there is little or no credibility associated with the estimate. That is why many insurance companies, including DMI, exclude coverage for "special events" like the ones mentioned above.

There are two ways in which a District may be associated with a special event; the College sponsors the event, or an outside entity sponsors it and uses the Technical College facilities or premises in the process. If the Technical College is sponsoring and managing the event, the Technical College should obtain the proper insurance for the event which may include a special events policy. As the event planning occurs, contact with DMI early in the process would be beneficial. A risk assessment can be performed to evaluate the exposure and decide on the appropriate risk management technique. Note the District may be able to invoke the statutory caps on liability or use recreational immunity as a potential defense.

The District should ask a number of questions regarding the intended "special event":

- What are the potential exposures presented?
- Who will attend?
- What are the crowd control and security requirements (life safety code/egress)?
- Is the proposed venue suitable for the event?
- Are premise liability issues resolved?
- Is adequate seating capacity/occupancy limits observed?
- What inspection/documentation/record keeping is planned?

see Bright Ideas - Continued

Bright Ideas - Continued

If an outside entity is sponsoring the event and using Technical College property in the process, the outside entity should obtain insurance for the event and name the Technical College as an "additional insured". The suggested minimum limits of coverage would be \$1,000,000/occurrence \$3,000,000 aggregate.

This topic is on the agenda for the January 27, 2006 quarterly Risk Manager meeting. Any insight, comments or concerns that the Risk Manager brings from their District will greatly enhance the discussion.

To view this "memo" in its entirety please click on the following link...

www.districtsmutualinsurance.com

Reminders, News, etc...

The next DMI Presents....is scheduled for February 7, 2006 from 10:30 – 11:45 AM (on ITV)

The topic "Students in Practicum, Internships and Liability Issues". Specific Campus location information is forthcoming.

Comp Outcomes Related to Who Picks Doctor: Study [Business Insurance (11/23/05) ; Cenicerros, Roberto]

A new study by the Workers Compensation Research Institute (WCRI) finds that medical costs are typically higher and return-to-work results poorer when injured workers select the medical provider in work-injury cases instead of their employer. According to WCRI, medical payments are 10 percent to 21 percent higher when workers select their physician, income-replacement benefits are 8 percent to 15 percent higher, and time away from work is 23 percent to 32 percent longer.

Wisconsin Governor Vetoes Med-Mal Award Cap Legislation Insurance Journal (12/05/2005)

Wisconsin Gov. Jim Doyle recently vetoed legislation to cap pain and suffering damage awards in medical malpractice cases to \$450,000 for adults and \$550,000 for minors. The latest legislation came on the heels of a state Supreme Court ruling that previous damage award caps were unconstitutional. The court stipulated that the caps would create two classes of citizens, those able to receive full compensation and those more severely injured who would not be able to receive full compensation. The justices also noted that the caps violated victims' constitutional rights to trial by jury and equal protection. Doyle stated that approving the caps would have been a waste of time given that the state's Supreme Court has already stated it would strike down any caps passed by the legislature.

PERSONALLY

Stan Hollmann shares three children with his wife Beverly (from her previous marriage). Each of the three have children which affords them 11 grandchildren and 3 great grandchildren to date. They reside in Platteville which is his wife's hometown - and where she works. Previously they lived in Fennimore. Stan and his wife both have a number of other interests with a motel and apartments that he has located in Fennimore as well as his wife's farm and rental house in Platteville. They have a Shih Tzu and two fox trotter riding horses. We both have farm backgrounds so in our leisure time we enjoy horseback riding, landscaping, remodeling projects, and travel.

Stan is currently on his 35th year at Southwest Tech which certainly doesn't seem that long. - "time flies when you are having fun". Stan's career has presented numerous challenges from Finance, IT, HR, Facilities, and even Student Services. He has greatly enjoyed the variety in his career as well as the collaboration with peers. This type of teamwork and collaboration fostered the beginnings of the Insurance Trust and subsequently the creation of DMI. He is happy to dedicate the time in serving on the DMI Board of Directors as Treasurer.

Crawlin' the Web... www.districtsmutualinsurance.com

What's New on the DMI Website

1. The agendas for the upcoming Risk Manager + BOD meetings are available in the "Meetings" section (as well as in the "Corporate Calendar" section).
2. The Claims Coding from United Heartland has been updated - please download an updated copy for your location. Go to the "Forms" section and click on United Heartland - it is the "Worker's Compensation Department Coding" document.
3. The "memo" regarding Special Event Liability (see Bright Ideas) is in the "Hot Topics" section.

If you have any questions please do not hesitate to ask - we are always open to suggestions and ideas on how to make the website more useful and easy to use.

