

Property & Liability Outreach

Produced by Department of Administration Bureau of State Risk Management

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FY22, Quarter 2

P&L Manual Link



Emergency Response Vendor List

Whenever your agency experiences a loss that involves water, fire, or smoke, it is extremely important to mitigate your damages. Above is a hyperlink of Emergency Response Contractors that can be found on the BSRM website. This list is broken down not only by location (area the company serves) but also the perils they can handle.

Self-Funded Property Claim Payments Through October*

Auto	Auto
<u>FY21</u>	<u>FY22</u>
\$135,730.50	\$178,004.13

Property w/o Auto	Property w/o Auto
<u>FY21</u>	<u>FY22</u>
\$1,082,218.19	\$719,660.11

*Does Not Include Excess Payments

Risk Mgmt. Conference Wrap Up

Thank you for all those who attended the 26th annual State Risk Management Conference, 2021 – *A Risk Odyssey*. Like last year, the conference took place virtually over 4 days earlier this month. The areas of interest that were covered/addressed were, The State of State Risk Management, Cyber Liability: The Past, Present and Future of Data Breaches, Ransomware Attacks and Insurance, Crisis Leadership and Workers Compensation Legal Updates. Attendance for all sessions was once again at an all-time high. If you are interested in receiving copies of any of these presentations or interested in being part of future Risk Management Conference planning committees, please contact Brad Templin (contact information below). Thanks again for attending!

Risk Management Spotlight: Tracie Ninedorf

I joined the Department of Military Affairs in August of 2009 as the Risk Officer. Prior to working for DMA, I worked at DHS, Mendota Mental Health and Central Wisconsin Center as a Risk Management Specialist. Prior to DHS I worked with UW – Madison in the same title.

I have over 33 years' experience working in the insurance/risk industry since 1988 and have held my insurance license in property, casualty, life, and health since 1989. My current position at DMA involves handling the property, liability, and workers compensations claims, I am the medical coordinator and handle the agencies FMLA, Occupational medical and psychological exams, as well as having an active role on the HR Team and in State Active Duty.

Things To Do to Prepare Your Facility for Winter

- Anticipate power failure and other winter related disasters and know what your action plan is.
- Perform a walk thru of the property to assure all windows and doors appear to be in good working condition.
- Check to make sure any signs that communicate potential hazards are free from defects or compromise.
- Check Water Pipes and Gas Lines.
- Assure Loss and Safety Controls are in place for those working outside in the elements.
- Assure Emergency Response and Business Continuity Plans are in place and ready to go live when and where applicable.
- Ensure Emergency Contacts and Vendors list are current and up to date.
- Check vacant buildings or spaces to ensure that heat is on, so pipes do not rupture.

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THANK YOU TO ALL THOSE WHO ASSISTED IN SENDING IN DATA SETS FOR FY22 PREMIUM DEVELOPMENT!

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- Review older structures to assure they can hold adequate/significant snow loads.
- Look for spots in which snow or icicles may accumulate or form (hanging from gutters, walkways etc.)
- Check for tree branches that are over walkways that may become compromised with heavy snow and break off potentially causing injuries.
- Check sewage drains to make sure they are not blocked to mitigate/negate potential flooding issues.
- Understand your coverage, what is covered and what is NOT covered.
- Know your claims process. Complete loss reports (Property, Liability or Workers Compensation forms) in a timely manner so losses can be addressed in an expedited fashion.
- Avoid overexertion when shoveling or plowing snow.
- Watch for signs of frostbite and hypothermia and begin treatment right away.
- Ensure Staff mitigate potential slip, trip, and fall claims by “Walking Like a Penguin”

- Point arms down at an angle and feet slightly outward
- Keep knees slightly bent
- Take slow short steps or shuffle to increase traction

Liability Liaise

The Federal OSHA Emergency Temporary Standard (ETS) for COVID was published in the [Federal Register](#) on November 5, 2021.

On November 12th, the Fifth Circuit Court of Appeals issued an [order](#) to OSHA to place the ETS **on hold** and to take no further steps in implementing or enforcing the mandate. This hold is temporary and is pending further judicial review. As a result, OSHA announced on November 16th that they have “suspended activities related to the implementation and enforcement of the ETS pending future developments in the litigation.” The hold on the ETS is temporary and this does not mean OSHA has given up or that employers should stop their plans for compliance. Several State Attorneys General and other groups have also filed lawsuits. When multiple lawsuits are filed challenging an OSHA order, the lawsuits can be consolidated before a court randomly selected by the federal judicial panel on multistate litigation. That process was put in motion, and the Sixth Circuit Court of Appeals was selected and will be authorized to uphold or overturn the Fifth Circuit’s stay. However, cautious employers may still want to move forward with developing plans for compliance while also keeping a close eye on the final decision.

Employers who are federal contractors or health care providers should not make decisions based on OSHA’s announcement and the Fifth Circuit’s order. Those employers are subject to different, although similar, federal mandates: the [Federal Contractor Mandate](#) and the [CMS Medicare Omnibus Staff Vaccine Mandate](#) Interim Final Rule (IFR). Both governmental mandates are currently being challenged, but at the moment have not been halted by any federal court action.

Paid Liability Claims Through October

<u>FY21</u>	<u>FY22</u>
\$1,330,043	\$1,026,047

Open Claim Counts

<u>November 2021</u>	
<u>Auto</u>	<u>General</u>
16	31
<u>Civil Rights</u>	<u>Environmental</u>
542	0
<u>Medical Malpractice</u>	
32	
<u>Professional</u>	
26	
<u>Employment Practices</u>	
29	
<u>Total</u>	
676	

Website:

[P&L Webpage](#)

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Please contact us with feedback and/or suggestions for future articles.

Experts Corner

Katie Vohs

Company: **Sedgwick**

I would like to bring the topic of water remediation to everyone’s attention this quarter. We came across several instances this year where water remediation was completed without the assistance of a professional remediation company. While in some cases these efforts can save money, there are many instances where improper water remediation can cause an extensive amount of unnecessary costs. While some small water losses may be able to be cleaned up internally, there are many losses where you will want to engage the assistance of a water remediation company. There are specific standards that remediation and insurance professionals are trained in through the Institute of Inspection Cleaning and Restoration Certification (IICRC) that are utilized to properly remediate water losses. Some examples of losses where a remediation company should be contacted would be if water affects more than one room, travels through walls/ceiling/floors, when insulated wall cavities are possibly affected, when water may have wicked up drywall, or if you are not 100% sure that the structure has been dried fully. The remediation companies will also come out to verify that the structure is dried properly with moisture meters for little to no cost. In closing, when in doubt, contact one of the remediation companies on the Emergency Vendor list. I would be happy to review a new loss event with you as well to determine the best response.

