

# Property & Liability Outreach

Produced by Department of Administration Bureau of State Risk Management

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## 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 February\*

Auto	Auto
<u>FY20</u>	<u>FY21</u>
\$266,603.76	\$358,033.10

Property w/o Auto	Property w/o Auto
<u>FY20</u>	<u>FY21</u>
\$4,871,008.18	\$4,580,951.58

\*Does Not Include Excess Payments

## Loss Control

The Bureau of State Risk Management is in the process of putting together an extremely comprehensive Loss Control Manual. This manual will compile the various loss control measures the state currently prescribes to across the enterprise, (things like Fleet Safety and BSRM Accident Reporting for Workers Compensation and Property and Liability claims) while at the same time looking to institute enterprise-wide loss control checklist/surveys to assist agencies in understanding and identifying both common and unique risk within their agency. If you are interested in learning more about this subject matter or a specific checklist, please contact me, my information, *Brad Templin* can be found below.

## Risk Management Spotlight: Meet Katie Vohs

I recently got the opportunity to become the dedicated Property Claim Adjuster/Handler for the State of Wisconsin after Dave Brown's retirement in February. I currently live in my hometown of Beloit, WI. I attended UW-Whitewater where I obtained my bachelor's degree in Sociology and Criminal Justice and became a police officer out of college. After about 5 years of policing, I changed careers and have been working in the insurance industry for 15 years now. I began my insurance career handling large loss subrogation claims for Travelers Insurance and then became a catastrophe claim adjuster. I started with Sedgwick 3 years ago and I have really enjoyed moving into my current roll working with the State of Wisconsin. I have met many of you already and look forward to meeting all of you very soon.

## Identifying Compromised Internal & External Building Areas/Deferred Maintenance

As the snow and the winter doldrums begin to melt away, risk personnel should be coordinating with their facility contacts to inspect the interior and exterior areas of their buildings to identify compromised areas that could lead/contribute to losses (Both on the property and liability side). Identifying compromised areas will assist the agency in two ways.

1. Lessen confusion/frustration on would be property coverage denials in the future. Agencies should not wait for Insurance to fix the "problem." Per the P&L Manual ordinary wear and tear or gradual deterioration is an excluded peril. Essentially this means if your agency were to experience a loss and the area in question was compromised or due to deferred maintenance a portion of the loss or the entirety of that loss may not be covered/excluded under the self-funded property program.

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THANK YOU TO ALL THOSE WHO ASSISTED IN SENDING IN DATA FOR OUR FY22 INSURANCE RENEWAL EFFORTS!

- This process will assist in the mitigating/detering potential slips, trips and falls and other safety related hazards that lead to Workers Compensation and Third-Party Bodily Injury claims.

If not already activated or instituted, BSRM strongly encourages that risk personnel formulate a schedule along with a standardized process and procedure that works for them to identify areas of deferred maintenance and scheduled/budget for those repairs. BSRM has several facility checklists that are currently available per request and in the future will be available in the Bureau of State Risk Management Loss Control Manual.

The scope of the compromised area may be something as small as a portion of raised sidewalk or as large as the membrane of a roof. Depending on the size of the compromised area, agency risk personnel should familiarize themselves with how the area in question can be/will be repaired and who is accountable/responsible (from a budget standpoint) for the area/item to be fixed. Each agency/campus will have its own contacts/process for smaller maintenance request however for example DOA owned properties, the request can be found here: [Facilities Service Requests](#). For repairs over \$5,000 agencies will need to follow current procurement standards: *Simplified Bidding Procedure, Request for Proposal, Request for Bid, etc.* For identified projects of \$300,000 plus they will need to be approved by the State Building Commission. (See [2017 Wisconsin Act 237](#)).

### Liability Liaise

Over the last year there was a lot of discussion within the insurance industry regarding how carriers would be responding to claims submitted by their insureds for Business Interruption coverage as result of the global pandemic that was/is COVID-19. Long story short, most if not all businesses that were compromised resulting in financial losses were due to a civil authority action imposed by local and or state governments. Unfortunately for insureds, most insurance policies language either did not acknowledge the loss as a covered peril or there was exclusionary language that negated coverage. Typically, Business Interruption coverage is to help secure the insured against losses related to the closure of their business due to a covered peril (Wind, Water, Fire etc.) that resulted in physical damage of the premise compromising (interrupting) the business.

Now, one year into this global pandemic, vaccines are getting into arms, state and local governments have begun to lift restrictions resulting in businesses opening up to serve a larger # of their clientele however, the concern of liability claims being brought against the businesses is now an area of focus. Insurance companies have begun developing defense strategies and emphasizing risk mitigation to their insureds to combat what is thought to be a “Wave of Liability Claims” thought to be coming in the near future. For more information on this topic please visit the following website found here: [Covid In the Courts](#)

### Experts Corner

**Katie Vohs**

Company: **Sedgwick**

Since I have a bit of subrogation background, I wanted to remind everyone that it is very important to make sure we secure any evidence and/or loss scenes if we feel there is a potential responsible party in which we may be able to subrogate against. In many cases we can lose our ability to subrogate if evidence gets lost or thrown away. The evidence is often lost unintentionally by contractors or by facilities personnel. I just request that everyone be mindful of subrogation whenever you have a loss. Making BSRM and Sedgwick aware of new losses sooner can also help us identify subrogation potential earlier in the claim process and allow us to take the steps necessary to get the responsible parties on notice of the loss. Feel free to contact me if you have any questions regarding subrogation or if you believe there may be subrogation potential with any of your claims. There are many missed opportunities to bring money back into the state this way!

## Paid Liability Claims Through February

FY20	FY21*
\$9,435,859	\$1,773,585

\*Court cases stalled /pushed back due to COVID

## Open Claim Counts

March 2021	
Auto	General
19	24
Civil Rights	Environmental
586	0
Medical Malpractice	
45	
Professional	
24	
Employment Practices	
30	
Total	
728	

### Website:

[P&L Webpage](#)

### Contact Us

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