



GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF RISK MANAGEMENT



Jed Ross
Chief Risk Officer

February 15, 2016

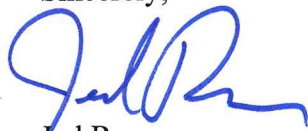
Councilmember Elissa Silverman, At-Large
Chair, Committee on Labor and Workforce Development
Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 115
Washington, DC 20004

Dear Councilmember Silverman:

I am writing in response to your letter of February 3, 2017, in which you requested responses to questions in preparation for the Committee on Labor and Workforce Development oversight hearing on the Fiscal Year 2016 and Fiscal Year 2017 to date performance of the Office of the Risk Management.

I hope that the attached answers are fully responsive to your questions. If you need any additional information, please do not hesitate to contact me.

Sincerely,



Jed Ross
Chief Risk Officer

Attachment



GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF RISK MANAGEMENT



Jed Ross
Chief Risk Officer

February 24, 2017

Technical Revisions:

Page 1 Letter – Updated letter included

Page 17 / Question 19 – Attachment is included under tab 16

Page 31 / Question 44 - Attachment is included under tab 15

Page 39 / Question 55 – Updated answer



GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF RISK MANAGEMENT



Jed Ross
Chief Risk Officer



I. Agency Organization

1. Please provide a complete, up-to-date organizational chart for each division within the agency including and, either attached or separately, an explanation of the roles and responsibilities for each division and subdivision.
 - Please include a list of the employees (name and title) for each subdivision and the number of vacant positions; and
 - Please provide a narrative explanation of any organizational changes made during the previous year.

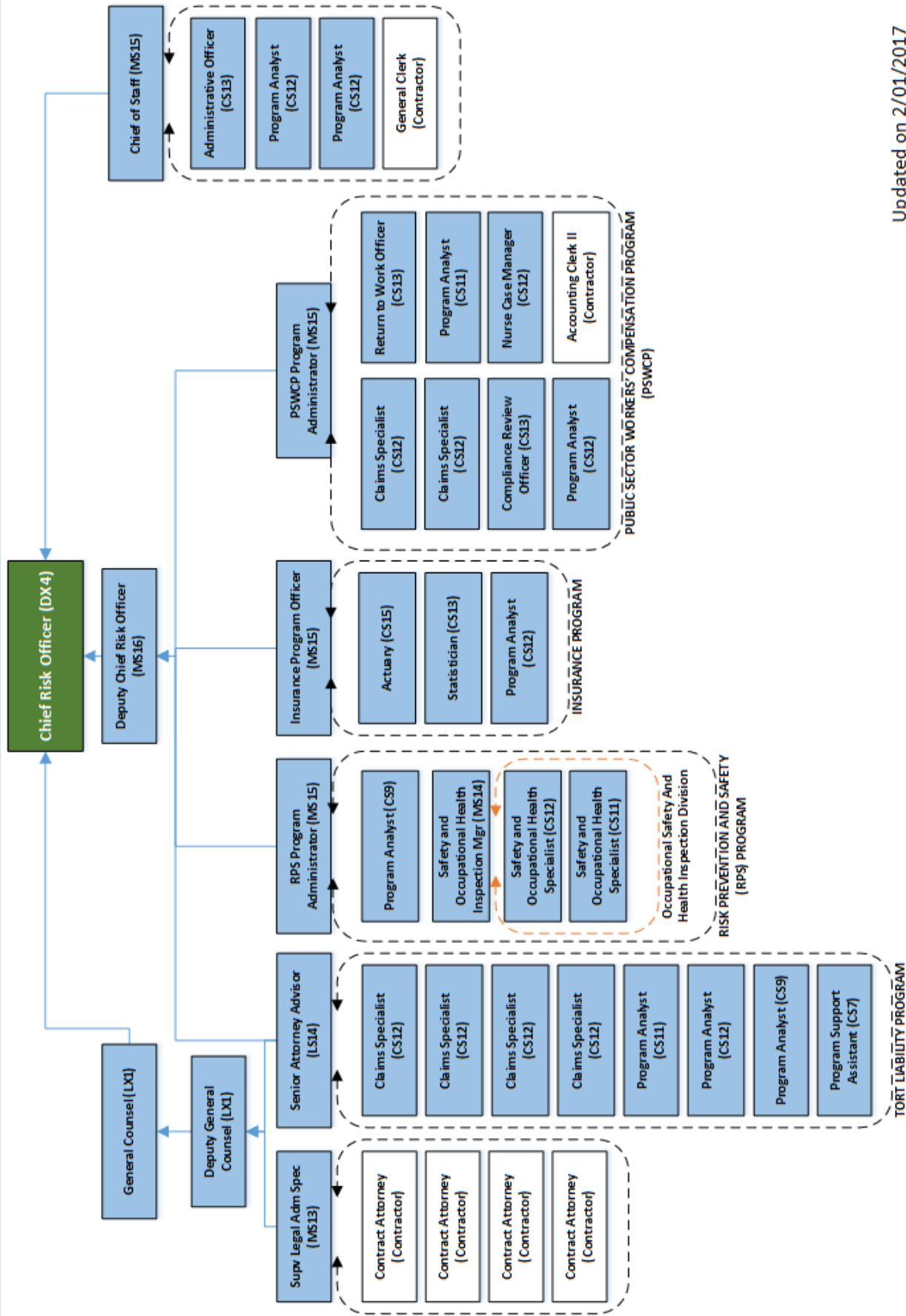
AGENCY RESPONSE

A copy of the Office of Risk Management's (ORM) organizational chart, along with a description of the roles and responsibilities of each division are provided on the following pages. Changes to the current organizational structure include the addition of several positions: Insurance Program Officer, Safety and Occupational Health Manager, (3) three Program Analysts, an Actuary, a Statistician and a Nurse Case Manager. The addition of these positions within various agency programs will enhance the operational efficiency through additional management expertise and support. A listing of employees for each subdivision and the number of vacant positions is provided under the response to the Committee's Question No. 2.



OFFICE OF RISK MANAGEMENT

(Organization Chart)



ORGANIZATIONAL DIVISIONS AND RESPONSIBILITIES

Division/Program	Description of Responsibilities
Agency Management	Provides operational management, legal support and administrative support to the agency for operational effectiveness to achieve positive operational and programmatic results.
Risk Prevention and Safety (RPS)	Coordinates the work of the Agency Risk Management Representative (ARMRs) who systematically identify, measure and analyze and document the District Government's exposure to risk. The program also reviews and guides the activities of agency Risk Assessment Control Committees (RACC) relative to risk management plans. The purpose of the RACC is to maintain, in cooperation with ORM, a proactive and comprehensive program of risk assessment and control for agencies that minimizes the frequency, severity and probability of losses to which agencies are exposed. It also provides training to increase District employee's knowledge of risk prevention, including the creation of Emergency Response Plans (ERPs). ERPs include agency evacuation plans and responses to various hazards, including the threat of terrorism.
Insurance	Administers the Captive Insurance Agency, which provides medical malpractice insurance to non-profit community health clinics in the Districts, as well as property insurance for risks to District government real property assets for various hazards. In addition, it works closely with the Office of Contracting and Procurement (OCP) to ensure that contracts over \$100,000 have the appropriate insurance requirements. The Insurance program also serves as a general resource to all District agencies wishing to obtain policy and other guidance on protecting the District through insurance and other contractual risk management techniques.
Public Sector Workers' Compensation	<p>Responds to workplace injuries with the best, most appropriate medical care at a responsible cost and to return employees back to work as soon as medically possible. Workers' Compensation is a system of benefits provided by law for workers who have job-related injuries or illnesses.</p> <p>The Office of Risk Management oversees the management of the Public Sector Workers' Compensation Program (PSWCP) through a third-party administrator. Benefits include medical services, vocational</p>

	<p>rehabilitation and compensation for permanent loss of use of a body part or function and death benefits for beneficiaries. Employees are eligible for benefits when an injury or illness arises out of and in the course and scope of his or her employment. The program also oversees a Return-to-Work initiative, which helps employees get back to work as soon as possible after a job-related injury or illness. Return-to-Work is successful when there is communication between the injured worker and his or her agency, a key factor in his or her recovery.</p>
Tort Liability	<p>Investigates and resolves tort liability claims filed against the District of Columbia. Effective January 20, 2004, the Mayor delegated to the Office of Risk Management the authority to accept notice of claim letter under D.C. Official Code §12-309. As such, individuals can file claims against the District of Columbia for loss, damage or injury. An action may not be maintained against the District of Columbia for unliquidated damages to person or property unless, within six months after the injury or damage was sustained, the claimant, his agent or attorney has given notice in writing to the Mayor of the District of Columbia of the approximate time, place, cause and circumstances of the injury or damage. Under certain circumstances, reports of the Metropolitan Police Department may also satisfy the notice requirement provided that they contain all of the information required by the statute. The Tort Liability program also pursues subrogation claims against third parties whose acts of negligence have resulted in damage to District government property.</p>

2. Please provide a complete, up-to-date position listing for your agency, which includes the following information:
 - Title of position;
 - Name of employee or statement that the position is vacant, unfunded, or proposed;
 - Date employee began in position;
 - Salary and fringe benefits, including the specific grade, series, and step of position; and
 - Job status (continuing/term/temporary/contract).

Please list this information by program and activity

AGENCY RESPONSE

For an up-to-date position listing for ORM please see **Attachment 1**.

3. Does the agency conduct annual performance evaluations of all its employees? Who conducts such evaluations? What steps are taken to ensure that all agency employees are meeting individual job requirements? Has all of your staff participated in ethics training?

AGENCY RESPONSE

ORM conducts annual performance evaluation of its employees; FY16 goals for completing performance evaluations have been met. In FY17, ORM supervisors will meet with their employees to set expectations and goals to meet job requirements. Each week, supervisors will continue to meet with their staff to discuss work related issues and topics. Individual employee performance counseling will be conducted as needed.

In addition to conducting performance evaluations, the agency ensures all employees have attended the District's ethics training. Currently, all employees, with the exception of seven recent hires, have completed ethics training. Six employees are registered to attend on February 14, 2017 and one is registered for April 11, 2017.

II. Personnel

4. Please list all employees detailed to or from your agency, if any. Please provide the reason for the detail, the detailed employee’s date of detail, and the detailed employee’s projected date of return.

AGENCY RESPONSE

ORM does not have any employees detailed to or from the agency.

5. Please provide the Committee with:
- A list of all employees who receive cellphones, personal digital assistants, or similar communications devices at agency expense;
 - A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned;
 - A list of employee bonuses or special award pay granted in FY16 and FY17 (to date)
 - A list of travel expenses, arranged by employee; and
 - A list of the total overtime and workman’s compensation payments paid in FY16 and FY17 (to date).

AGENCY RESPONSE

The following chart provides a list of ORM employees with government-issued telecommunication devices:

Name	Device Type
Jed Ross	LG V20, Surface Book
Sam Yeung	LG V20, Surface Book
Michael Krainak	Galaxy s5, Surface Pro 3
Valerie Evans	Galaxy s4, Dell Latitude E7470 Laptop
Kim Nimmo	Galaxy s5, Surface Pro 4
Soriya Chhe	Galaxy s4, Surface Pro 3
Thomas Herbert	iPhone 5, Galaxy Tab 4 (8.0)
Samantha Emminizer	iPhone 6, Galaxy Tab 4 (8.0)
Peter Clark	iPhone 6, Surface Pro 3
Patrick Healy	iPhone 6, Galaxy Tab 4 (8.0)
Nicole Rice	Surface Pro 4
Jane Waters,	iPhone 6, Dell Latitude E7470 Laptop
Robert Preston	iPhone 6

The following chart lists the vehicles used by the agency:

Vehicle	Owned, leased, etc.	Assigned
2015 Dodge Caravan	Owned, purchased by agency	The vehicles are assigned to the RPS department primarily for use by the safety inspectors. It is occasionally used by other staff that are
2011 Dodge	Owned, obtained through	

Caravan	DPW Fleet share	authorized to drive the vehicle.
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At the end of FY 16, no special pay or bonuses were granted. In FY 17 (to date) the following employees were awarded employee appreciation/incentive award gift cards in the amount of \$50 each:

Augustina Ammah	Charles Barbera
Robert Carter	Soriya Chhe
Brian Cook	Peter Clark
Lana Craven	Kurt Davis
Samantha Emminizer	Valerie Evans
Charlotte Fisher	Tammy Hagin
Thomas Herbert	Michael Krainak
Kim Nimmo	Marcia Pezoa
Donia Pope	Robert Preston
Jocelia Rancy	Nicole Rice
Janice Stokes	Susana Suarez
Adnan Suleman	LaShonda Wright
Jane Waters	Sam Yeung

In FY 16 and FY 17, travel expenses for ORM employee has occurred as follows to date:

Employee Name	Description	Fiscal Year 2016	Fiscal Year 2017
Jed Ross	Flight for risk management training	N/A	\$116.20
Jed Ross	Flight for property insurance symposium		\$179.14
Jane Waters/Peter Clark/Robert Preston	Train travel for risk management training		*\$230.00
Totals		0.00	\$525.34

*Costs for travel are estimated as plans are not fully finalized.

In FY16, no overtime or workers' compensation payments were paid to ORM employees.

In FY17, \$1,675.00 has been paid in overtime (in conjunction with the Presidential Inauguration) and no workers' compensation has been paid, to date.

III. Budget

6. Please provide a chart showing your agency’s approved budget and actual spending, by division, for FY16 and FY17 (to date). In addition, please describe any variance between fiscal year appropriations and actual expenditures.

AGENCY RESPONSE

Please see the chart below and **Attachment 2** showing the agency’s approved budget and actual spending, by division for FY16 and FY17, to date.

Fiscal Year	Division/Program and Activity	Approved Budget	Actual Spending	Variance	Variance Explanation
2016	(1100)/Settlements and Judgment Fund	\$33,292,448	\$32,953,224	\$339,224	Settlements and Judgments tend to fluctuate each year. The year to year variance is attributed to cases that were not settled or settled less than the projected amount.
2017	(1100)/Settlements and Judgment Fund	\$21,292,448	\$6,884,384	\$14,408,064	Settlements and Judgments tend to fluctuate each year. The reported budget and spending is reported as of month 4 of FY 17. The year to year variance is attributed to pending cases to be settled.

7. Please list any reprogramming, in or out, which occurred in FY16 or FY17 (to date). For each reprogramming, please list the total amount of the reprogramming, the original purposes for which the funds were dedicated, and the reprogrammed use of funds.

AGENCY RESPONSE

Please see the charts for reprogramming, in or out, which occurred in FY16 or FY17, to date.

Employees' Compensation Fund (BG0)	
<u>FY16 Itemized Reprogrammings:</u>	Comments
\$734,633.23	Funding Reprogrammed from DO0 - Return to Work to cover projected BG0 budget deficit.
<u>FY17 Itemized Reprogrammings:</u>	Comments
-	N/A

Captive Insurance Agency (RJ0)	
<u>FY16 Itemized Reprogrammings:</u>	Comments
\$66,825.00	Reprogrammed O-TYPE NPS funding to O-TYPE PS to cover the Insurance Manager position.
<u>FY17 Itemized Reprogrammings:</u>	Comments
-	N/A

Office of Risk Management (RK0)	
<u>FY16 Itemized Reprogrammings:</u>	Comments
\$498,775.00	PS surplus reprogrammed to CSG 20, 40, 31 & 70 to cover RK0's projected NPS costs.
\$489,187.77	Funding reprogrammed from DO0 to support admin costs associated with RK0's approved 11 temporary FTEs.
\$ 113,000.00	RK0 Local PS & NPS year-end surplus funding reprogrammed to RJ0; Funding used to support the FY17 admin costs associated with RJ0's plan to hire temporary FTEs in FY17.
<u>FY17 Itemized Reprogrammings:</u>	Comments
-	N/A

8. Please provide a complete accounting for all intra-District transfers received by or transferred from the agency during FY16 or FY17 (to date).

AGENCY RESPONSE

OFFICE OF RISK MANAGEMENT (RK0) FY 16 MOUs								
No.	Buyer/Seller	Seller Agency	Service Description	Service Period	Fund	PS Amount	NPS Amount	Total Amount
1	Buyer	AA0	Telecommunications, Transportation, & Courier Services	10/01/15-09/30/16	0100	-	\$6,000	\$6,000
2	Buyer	BE0	DCHR Services	10/01/15-09/30/16	0100	-	\$60,000	\$60,000
3	Buyer	AM0	DGS - Office Renovation Services	10/01/15-09/30/16	0100	-	\$250,000	\$250,000
4	Buyer	TO0	Citywide MOU - Website Accessibility Reviews	8/12/16-09/30/16	0100	-	\$2,000	\$2,000

5	Buyer	BE0	DCHR Services- Background Checks	10/01/15- 09/30/16	0100	-	\$804	\$804
Total FY 16 MOU Services								\$318,804

OFFICE OF RISK MANAGEMENT (RK0) FY 17 MOUs								
No.	Buyer/ Seller	Seller Agency	Service Description	Service Period	Fund	PS Amount	NPS Amount	Total Amount
1	Seller	RK0	DDOT- Vision Zero Defensive Driver Training Program	10/01/16- 09/30/17	0100	-	\$130,000	\$130,000
Total FY 17 MOU Services								\$130,000

Employees' Compensation Fund (BG0) FY 17 MOUs								
No	Buyer/ Seller	Seller Agency	Service Description	Service Period	Fund	PS Amount	NPS Amount	Total Amount
1	Buyer	CB0	OAG legal services to DRES	10/01/16- 09/30/17	0100	-	\$50,000	\$50,000
Total FY 17 MOU Services								\$50,000

9. Please provide a complete breakdown of each expenditure for FY16 and FY17 (to date) within the Employers Compensation Fund and Medical Liability Captive Insurance Fund. Please provide this information broken down by fund and year.

AGENCY RESPONSE

Disability Compensation Fund (BG0)						
Fund Detail		CSG	FY16 Revised Budget	FY16 Expenditures	FY17 Revised Budget	FY17 Expenditures
0100	Local Fund 0100	20 - Supplies	\$1,264,720.00	\$1,261,985.14	\$1,510,002.00	\$98,174.31
0100		40 - Other Services & Charges	\$8,366,056.90	\$8,332,192.16	\$7,857,261.16	\$2,679,122.03
0100		50 - Subsidies & Transfers	\$14,033,197.30	\$12,952,535.74	\$13,271,000.00	\$2,924,822.23
			\$23,663,974.20	\$22,546,713.04	\$22,638,263.16	\$5,702,118.57
1734	Contingency FUND	20 - Supplies	\$500,000.00	\$500,000.00	-	-
1734		40 - Other Services & Charges	\$1,200,000.00	\$1,200,000.00	-	-
1734		50 - Subsidies & Transfers	\$1,200,000.00	\$1,034,385.70	-	-
			\$2,900,000.00	\$2,734,385.70	-	-
	TOTAL FUND:		\$26,563,974.20	\$25,281,098.74	\$22,638,263.16	\$5,702,118.57

Captive Insurance Agency (RJ0)						
Fund Detail		CSG	FY16 Revised Budget	FY16 Expenditures	FY17 Revised Budget	FY17 Expenditures
LOCAL:						
0100		20 - Supplies	\$30,792.21	\$5,588.05	\$154,204.16	\$6,000.00
0100		40- Other Services & Charges	\$6,451,528.73	\$2,001,824.14	\$6,392,237.59	\$1,731,793.81
			\$6,482,320.94	\$2,007,412.19	\$6,546,441.75	\$1,737,793.81
OTYPE:						
0600		11- Full Time	\$60,750.00	\$8,586.18	\$135,000.00	\$35,983.57
0600		14- Fringe Benefits	\$6,075.00	\$1,268.34	\$31,590.00	\$7,329.85
0600		40- Other Services & Charges	\$175.16	-	\$70,000.00	-
			\$67,000.16	\$9,854.52	\$236,590.00	\$43,313.42
			6,549,321.10	2,017,266.71	6,783,031.75	1,781,107.23

10. Please identify any special purpose revenue accounts maintained by, used by, or available for use by your agency during FY16 or FY17 (to date). For each account, please list the following:
- The revenue source name and code;
 - The source of funding;
 - A description of the program that generates the funds;
 - The amount of funds generated by each source or program in FY16 and FY17 (to date); and
 - Expenditures of funds, including the purpose of each expenditure, for FY16 and FY17 (to date).

AGENCY RESPONSE

The agency maintained and used the Captive Insurance Fund during FY16 and FY17, to date. The Captive Insurance Agency provides highly subsidized medical malpractice insurance to non-profit community health clinics, which provide care to the underserved people in the District. It also selects and purchases property insurance for the District's government real property assets. See the following chart below.

Captive Insurance Agency (RJ0)						
FUND	Revenue Source Name	Description	FY16 Revenue	FY16 Expenditures	FY17 Revenue	FY17 Expenditures
1240	CAPTIVE INSURANCE FUND	Medical Captive is created to provide malpractice	\$105,993.95	\$9,854.52	\$75,460.00	\$43,313.42

		liability coverage for non-profit community health centers in the District of Columbia.				
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11. Please provide a complete accounting of all federal grants received for FY16 and FY17 (to date).

AGENCY RESPONSE

ORM did not receive federal grants during FY16 and FY17 (to date).

12. Please identify any legislative requirements that the agency lacks sufficient resources to properly implement.

AGENCY RESPONSE

The agency will work with the Office of the City Administrator to ensure the agency is able to properly administer any requirements it must meet.

IV. *Programs and Policies*

13. Please list all regulations for which the agency is responsible for oversight or implementation. Please list by chapter and subject heading, including the date of the most recent revision.

AGENCY RESPONSE

- Public Sector Workers' Compensation Program Regulations: Title 7, Chapter 1. These regulations were the subject of a comprehensive revision in FY 2012. The final version was published in July 2012.
- Workers' Compensation Emergency Regulations: Title 7, Chapter 33. The emergency rules were adopted on November 17, 2016 and became effective on November 30, 2016. They will remain in effect for a period of one hundred twenty (120) days or until they are earlier replaced by permanent rules.
- Occupational Safety and Health Program Regulations: Title 7, Chapter 20. These regulations were published by Final Rulemaking on January 28, 1983 and became effective upon publication in the D.C. Register.

14. Please list each new program implemented by the agency during FY16 and FY17 (to date). For each initiative please provide:
- a. A description of the initiative;
 - b. The funding required to implement to the initiative;
 - c. Any documented results of the initiative; and
 - d. The number of FTE's assigned to the initiative.

AGENCY RESPONSE

Vision Zero

- a. A defensive driver safety program to reduce risk and keep people safer on the road. Similar programs have proven to be an effective solution, which controls costs associated with work-related vehicle crashes, reducing fleet repair bills, reducing motor vehicle incident rates, decreasing workers' compensation claims, improve productivity by keeping employees safe, and protecting employees, residents and city visitors. The program will be developed as a District Government-wide, defensive driving program, tailored to District drivers utilizing general fleet vehicles and the use of non-specialized vehicles. Vision Zero will also highlight standard driving operating procedures and behind-the-wheel training for high risk vehicles and drivers. **See Attachment 3**
- b. \$130,000
- c. N/A
- d. 1 FTE

Enterprise Risk Management System Phase One and Phase Two

- a. ORM's Public Sector Workers' Compensation Program (PSWCP) is currently administrated by CorVel, a third party administrator

(TPA). ORM has significant risk as it is dependent on the TPA for making indemnity payments to injured workers. ORM intends to create an Enterprise Risk Management System (ERMS) to support its business needs for all its divisions – Workers Compensation, Tort, Insurance and Risk Prevention and Safety.

The initial phase of implementation includes using PeopleSoft to make Indemnity Payments to injured workers. The ORM team is working closely with Office of Pay and Retirement Services (OPRS), Department of Human Resources (DCHR), Office of the Chief Financial Officer (OCFO), Office of the Chief Technology Officer (OCTO) to make this project a success. The system is currently in testing phase with a tentative go-live on February 20, 2017.

Concurrently, ORM has issued the Request for Proposal (RFP) for ERMS. The RFP responses are expected by February 10, 2017. The goal of the new ERMS is to provide risk management direction, guidance and support to District Government Agencies so that they can minimize the total cost of risk, resulting in improved government operations and enhance service delivery. In addition, ORM needs to minimize the probability, occurrence and impact of accidental losses in the District government and to support the effect and efficient achievement of the District government's strategic risk management objectives.

Key functions of the ERMS will include -

- Identify, manage, track and analyze the District's overall risks and liabilities
- Streamline ORM business processes through increased automation
- Develop dashboards, metrics, and reports to proactively track and manage risk
- Be flexible to respond to changing DC Government rules and regulations
- Integrate with the District's HR and Payroll system (PeopleSoft) to make payments to injured workers
- Integrate with other DC Government systems to access necessary information

- b. TBD
- c. N/A
- d. 2 FTEs

Insurance Training Curriculum

- a. Is offered to each agency engaged in contracting for services with outside firms, vendors, etc. These vendors must provide proper insurance coverages naming the District as an additional insured to reduce the probability, occurrence and impact of losses for the District. Specifically, exposure identification, description of coverages, certificates of insurance and the process for assistance are all

reviewed. Thus far 17 agencies have been trained. There is better communication and improved rapport between ORM and these agencies, after face-to face meetings and discussions.

- b. No additional funding required
- c. See **Attachment 4**
- d. 2 FTEs

Pursuit of a Fine Arts Insurance Policy

- a. In an effort to transfer the risk of loss for the District's fine art and special collections, ORM is pursuing fine arts insurance. As part of that effort, the ORM insurance team has met with the insurance broker to determine the requirements for such coverage. In addition, ORM has begun soliciting detailed listings of fine art and historical documents.
- b. No additional funding required at this time, but there will be a cost to secure the coverage, based on the value of our schedule, which we do not yet have.
- c. N/A
- d. 2 FTEs

Subrogation Task Force

- a. The Subrogation Task Force was formed to meet with agency representatives on a monthly basis to discuss the Tort Divisions efforts and responsibilities regarding the collection of subrogation monies owed to the District. The Tort Division continues to have weekly dialogues with agency representatives and creating greater lines of communication.
- b. No funding required
- c. See **Attachment 5**
- d. 1.5 FTEs

15. Please provide a list of all studies, research papers, and analyses (“studies”) the agency requested, prepared, or contracted for during FY16 and FY17 (to date). Please state the status and purpose of each study.

AGENCY RESPONSE

National Academy of Social Insurance

ORM requested consulting services to perform nationwide market research and to conduct a comparative analysis of public sector workers' compensation programs in similarly sized jurisdictions across the country. The research is being sought in an effort to conduct a thorough review of other jurisdiction's processes and how the ORM might improve the Public Sector Workers' Compensation Program. A final report has yet to be issued; NASI is in the process of finalizing the report. ORM will provide a copy of the report to the Committee after the report is completed.

Actuarial Study 2016

This report is conducted each year and examines the overall management and financial feasibility of the workers' compensation and tort liability programs.

DC Captive Insurance Agency Financial and Annual Statements and Reserve Report

A Captive Report and Captive Financial Statement are prepared annually and submitted to the Department of Insurance, Securities and Banking (DISB) for financial analyses to ensure that the Captive remains financially solvent and operates within the approved plan of operation. For Report please see **Attachment 6**.

16. Please explain the impact on your agency of any legislation passed at the federal level during FY16 and FY17 (to date) that significantly affect agency operations.

AGENCY RESPONSE

To our direct knowledge, no legislation passed at the federal level during FY16 and FY17, significantly affects agency operations. However, pending Federal legislation may have influence on ORM's programs.

17. Please provide a list of all MOU's in place currently in place, all MOU's entered into during FY16 and FY17 (to date), and any MOU's planned for the coming year.

AGENCY RESPONSE

Please see Question No. 8 for a list of all MOU's currently in place and all MOU's entered into with the last year to date.

Other MOUs contemplated for the upcoming year include:

- Office of the Attorney General re: Litigation costs for workers' compensation cases

18. Please list each contract, procurement, lease, and grant ("contract") awarded, entered into, extended and option years exercised, by your agency during FY16 and FY17 (to date). For each contract, please provide the following information, where applicable:
- a. The name of the contracting party;
 - b. The nature of the contract, including the end product or service;
 - c. The dollar amount of the contract, including budgeted amount and actually spent;
 - d. The term of the contract;
 - e. Whether the contract was competitively bid or not;
 - f. The name of the agency's contract monitor and the results of any monitoring activity;
 - g. The funding source; and
 - h. Whether the contractor is a CBE.

AGENCY RESPONSE

Please see **Attachment 7** for list of contracts awarded, entered into, extended and option years exercised by ORM during FY16 and FY 17, to date.

19. Please list and describe any ongoing investigations, audits, or reports on your agency or any employee of your agency, or any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed during FY16 or FY17 (to date).

AGENCY RESPONSE

In January 2017, ORM received the results of its annual actuarial study as part of the District-wide CAFR. The report is entitled “Actuarial Study of the Self-Insured Workers’ Compensation, General Liability and Automobile Liability Programs as of September 30, 2016.” The study, performed by PRM Consulting, Inc., is a financial audit of the workers’ compensation and tort liability programs. Report under **Attachment 16**.

20. Please identify all recommendations identified by the Office of the Inspector General, D.C. Auditor, or other federal or local oversight entities during the previous 3 years. Please provide an update on what actions have been taken to address these recommendations.

AGENCY RESPONSE

In April 2015, the Office of the Inspector General (OIG) released the DC Fiscal Year 2014 Management Letter Report, prepared by KPMG LLP. One of the findings in that report was related to the ORM Tort Division, stating that during FY14, the program sometimes did not properly enter information into the American Technical System (ATS) database, which is the District’s third-party claims administration system. The result of this finding was that without adequate internal controls over the reporting process, reports submitted to the actuary for the calculation of the liability may not be properly prepared or reviewed to detect and correct errors in a timely manner.

ORM implemented an internal control program in 2015 and this matter was fully addressed. Management met with claims examiners and discussed the importance of completely and accurately entering claims data into the ATS system. To measure performance, the Tort Division manager routinely performs random claims reviews on a monthly basis to ensure that proper protocols are followed.

In October 2016, OIG published its report on the audit of the District of Columbia Public Sector Workers’ Compensation Program. In the report, three recommendations were made regarding the administration of workers’ compensation claims and contract oversight of the Third Party Administrator. ORM viewed it had corrected the deficiencies identified, prior to the issuance of the report. A copy of the agency’s response is included in **Attachment 8**.

21. Please identify all electronic databases maintained by your agency, including the following:
- a. A detailed description of the information tracked within each system;
 - b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and
 - c. Whether the public can be granted access to all or part of each system.

AGENCY RESPONSE

The agency maintains two electronic databases. The first database is the audit recommendation tracking database created in Quickbase and implemented in FY14. The audit recommendations database tracks how agencies are responding to outstanding audit recommendations throughout the government. Though the audit tracking database is not made public at this time, the public may still review the audits from the DC Auditor or the Office of the Inspector General websites.

The second database maintained by ORM is the American Technical Services, Inc (ATS) data system. ORM's Tort Liability Program utilizes ATS to track tort claims filed against the District. When a new claim is received, all relevant information (i.e claimant's name, incident date/location, claim reserve amount and claim type) is entered into the system. The claim is then updated in the system as ORM receives more information. ATS has been in use by ORM since 2008. Due to personal and potentially sensitive nature of claimant information that may be housed in the system, the public does not have access to the system.

22. What has the agency done in the past year to make the activities of the agency more transparent to the public? In addition, please identify ways in which the activities of the agency and information retained by the agency could be made more transparent.

AGENCY RESPONSE

- Enterprise Risk Management System
ORM's Public Sector Workers Compensation Program (PSWCP) is currently administrated by CorVel, a third party administrator (TPA). ORM has significant risk as it is dependent on the TPA for making payments to injured workers.

ORM is moving to implement an Enterprise Risk Management System. Phase 1 includes using PeopleSoft to make Indemnity Payments to injured workers. In addition, the system will enable the claims adjusters to get access to the entire pay history and time and labor for the injured workers so as to use the best information for calculating indemnity payments. Eventually, it is a goal that injured workers will get access to manage their Benefits and view paystubs online.

- Published Rule Making
ORM published a Notice of Proposed Rulemaking to repeal and replace the existing workers' compensation regulations. Concurrent with the proposed rulemaking, ORM adopted several sections of the proposed rules by emergency to (1) facilitate timely transfer of jurisdiction to the Office of Administrative Hearings pursuant to the MOU between the Office and Administrative Hearings (OAH) and Department of Employment Services (DOES) and (2) to provide a transparent and uniform process for calculating workers' compensation indemnity benefits in preparation for the Program's transition to PeopleSoft as the new PSWCP benefits payment platform. The rulemaking comment period expired on January 30, 2017 and ORM is currently in the process of responding to comments. ORM is also working to publish a Public Sector Workers'

Compensation Manual, which is intended to provide regulatory guidance and create standard operating procedures for the implementation of the PSWCP. These initiatives are intended to bring uniformity and transparency to the administration of the PSWCP.

The proposed regulations improve transparency by creating a uniform process for how claims are filed and set objective standards for how medical evidence is evaluated, how and when notices are issued, and how benefits are calculated. The proposed regulations also set a medical fee schedule and expressly lay out the responsibilities and obligations of medical providers who provide service to injured workers. The existing regulations provide for only a general administrative framework and are prone to inconsistent implementation. The proposed regulations combat this problem by setting clear guidance and standards consistent with the authorizing statutes. The objective standards laid out in the proposed regulations make the PSWCP more transparent and benefit injured workers. Injured workers will know exactly what the Program's obligations are and can more readily hold it accountable when it deviates from those standards by way of an appeal to the OAH or Chief Risk Officer, followed by review of the CRB/Court of Appeals or D.C. Superior Court, respectively. Beyond this, the proposed rules also create a standard to hold compensation benefits recipients to account for their continued entitlement to indemnity benefits through medical evidence. The Program's data shows that its medical to indemnity expense ratio greatly deviates from a 1:1 national average, with approximately 90 % of all payments being made for indemnity wage replacement, and only 10 % towards medical expenses. The data shows that the existing regulations fail to properly implement an efficient process to manage compensation claims. The changes in the proposed rulemaking will bring the administration of claims more in line with best practices elsewhere in the country and ensure that deserving injured workers obtain the care they need based on medical evidence.

The agency's activities, as it relates to the PSWCP, will also be made more transparent through publication of the Public Sector Worker's Compensation Manual. The manual will prescribe the policies, procedures, and responsibilities that apply when processing, adjudicating, maintaining and managing workers' compensation claims. The manual will expand upon the regulatory framework by essentially creating a standard operating procedure and bring transparency to the Program's daily operations. To date, there has never existed a manual outlining the administration of public sector workers' compensation claims.

23. Please identify any statutory or regulatory impediments to your agency's operations.

AGENCY RESPONSE

ORM continuously reviews its statutory and regulatory frameworks. ORM will be working with the Office of Policy and Legislative Affairs and the Committee to address any legislative concerns which may need to be addressed. As indicated in the response to question No. 22, the existing PSWCP regulations have been identified as an impediment to the transparent, fair and efficient administration of the Program.

24. How does the agency solicit feedback from customers? Please describe:
- What has the agency learned from this feedback; and
 - How has the agency changed its practices as a result of such feedback?

AGENCY RESPONSE

ORM has multiple avenues for claimants to submit feedback. In addition to the two traditional web based communications including the Ask the Director and Mayor’s Correspondence, the Public Sector Worker’s Compensation Program also obtains feedback from claimants through surveys regarding the quality of service they receive from the TPA and the agency. The program solicits and receives feedback from claimants at bi-monthly orientation sessions and from employment agency personnel.

- ORM has learned that overall we receive positive feedback but there is always room for improvement.
- Through ORM’s creation of an Enterprise Risk Management System we are working to further improve the response rates for complainants and the efficiency of overall agency performance.

25. Please describe the Office’s efforts to minimize waste, fraud and abuse within your office.

AGENCY RESPONSE

ORM has been working to systematically address fraud, waste, and abuse. ORM continues to have discussions with CorVel in order to implement processes and controls for investigating cases where fraud and abuse may be occurring. Moreover, ORM staff continued reviewing cases to prevent instances of fraud and abuse. Finally, the proposed regulations will ensure that indemnity payments are justified by medical evidence, thereby reducing waste and deterring fraud.

26. Please provide a list of any contractors or consultants performing work within your office, including job description, salary, and length of contract.

AGENCY RESPONSE

The following is a list of contractors or consultants (not including the Third Party Administrator employees) performing work contracted by the agency.

Name	Job Description	Staffing Firm Costs	Length of Contract	DC Residency
Anica Lawrence	Contract Attorney - The attorneys provide review and analysis of claimant files in litigation for a civil class action suit under ORM's Public Sector Workers' Compensation Program.	\$103,875.20	FY17	No
Adrienne Lawrence		\$103,875.20	FY17	Yes
Kwenta Anderson		\$103,875.20	FY17	No
Morgan Dowe		\$103,875.20	FY17	Yes

Name	Job Description	Staffing Firm Costs	Length of Contract	DC Residency
Tierra Greene	General Clerk II - provides front desk clerical support. Logs mail, answers telephone and provide assistance to visitors and other clerical functions.	\$49,275.20	FY17	No
Alesha Breedlove	Accounting Clerk II - creates benefits reports and ensures that health benefits are paid correctly to each health provider.	\$54,808.00	FY17	No
*Sanjay Hirani	Enterprise Architect - responsible for the building and implementation of the Enterprise Risk Management System (ERMS) structure and all related components.	\$210,000.00	FY17	No

**OCTO contractor*

27. Please provide a copy of the Office's FY16 and FY17 Performance Accountability Report.

AGENCY RESPONSE

See **Attachment 9**

V. *Risk Identification, Analysis and Control Division*

28. How does the Risk Identification, Analysis and Control Division identify, analyze, and control risk?

AGENCY RESPONSE

- The Risk Prevention and Safety Program (RPS), formerly the Risk Identification, Analysis and Control Program, conducts risk management safety assessments of District facilities and operations by conducting building inspections, identifying gaps in risk management practices, and providing risk management guidance on a wide variety of topics. RPS issues safety recommendations and oversees the implementation recommendations on identified risk issues. In addition, the Program manages the cost of risk analysis, trains employees on a wide variety of safety issues, and oversees the formulation of agency Emergency response Plans.
- ORM's safety inspectors conduct annual environmental health and safety inspections of District government buildings to ensure the safety and health of District employees in the workplace and to ensure that agencies adhere to occupational, safety and health administration guidelines. ORM also investigates occupational accidents, illnesses, injuries and fatalities to identify potential and existing risks, determine causes of injury/loss and to investigate reports of unsafe work environments. Additionally, RPS ensures that each Mayoral agency is provided with the guidance necessary to implement an effective occupational safety and health program within the agency, and informs the ORM Director on the progress being made through evaluations, reports and studies of agencies' occupational safety and health programs.
- RPS works with Agency Risk Management Representatives (ARMRs) on emergency evacuation planning in cooperation with the DC Fire and Emergency Services Department (FEMS). Every District government office is required to have an updated Emergency Response Plan in place, which is submitted to ORM and FEMS for approval. ORM works with DGS to implement and update building emergency response plans.
- RPS obtains and analyzes the risk costs incurred by the District in various areas and will assess the areas in which the District is paying the most to mitigate risks. ORM has created a Cost of Risk report that will provide an analysis and overview of agency workers compensation and tort liability losses and total cost of risk expenses. RPS also recommends preventative measures to reduce the incidence and cost of these injuries.
- RPS oversees the "How Am I Driving?" program which is designed to promote a safe driving culture for District government employees through reporting instances of safe and unsafe driving practices, and mitigating exposures of risk, while ensuring the safety of motorists and District government employees. ORM tracks the number of complaints and compliments, and communicates the results to District agencies for recommendations on defensive driving training and necessary disciplinary actions. ORM also works with agencies to ensure that they enforce the District's vehicle accountability policy.
- In an effort to identify and control risk, and share risk information between government agencies and officials, the Chief Risk Officer, with the support of RPS, chairs the Risk

Management Council, which is comprised of ARMRS for each subordinate agency, and which meets bi-monthly to discuss risk and safety issues that concern the government. Agency Risk Management Representatives and ORM share information and develop strategies to address all types of risks.

- The audit recommendation database developed in Quickbase, was implemented in FY14. The database assists ORM to track of how agencies are responding to outstanding audit recommendations.

29. Does the Office maintain a District risk assessment or risk control plan? If yes, please provide. If not, please explain.

AGENCY RESPONSE

Prior to the establishment of ORM, the District in 2002 retained the services of Aon Corporation, a risk consulting and risk management services organization, to provide professional assistance with conducting a comprehensive risk assessment and analysis of all District agencies. The outcome of this project was a District-wide and agency-specific risk maps that provided a summary graphic view of risk exposures identified on a prioritized basis. After the establishment of ORM, it appears that agency officials decided that it was cost effective to utilize ORM's statutory scheme and agency risk management representative structure to require agencies, with the assistance of ORM staff, to develop specific agency Risk Management Plans and Emergency Response Plans, which provide the same type of information, or more detailed information, than what was contained in the 2002 District report.

30. Please provide a copy of the District's most recent trend analysis.

AGENCY RESPONSE

A copy of the Tort Trend Analysis, FY16 is provided in **Attachment 10**.

31. How many risk management assessments were conducted in FY16 and FY17 (to date)? Please list each assessment conducted and the date of completion.

AGENCY RESPONSE

In FY 16, ORM conducted 615 Occupational Safety and Health (OSH) inspections of government buildings and responded to 27 agency occupational safety and health complaints at government sites. In FY 17, ORM has conducted 99 OSH inspections and responded to 6 agency complaints to date. For a list of the inspections, please see **Attachment 11**.

32. Please identify all training provided in FY16 and FY17 (to date), including attendance at each training event.

AGENCY RESPONSE

ORM sponsored several training events at its Risk Management Council meetings in FY16 on a wide range of subjects. A list of those training is provided below:

Date	# of Attendees	RPS Training Event
11/19/2015	39	Emergency Response Planning Overview
		Continuity of Operations Planning Overview
		Emergency Preparedness- Table top Exercises
2/17/2016	36	"Understanding the Zika Virus" Presentation
		Incident Reporting
		ORM Insurance
4/21/2016	44	Risk Manager Deliverable Overview to DCORM
		Current Threat Picture & Personnel in the Public Sector
		Planning for Environmental Emergencies
5/4/2016	5	New ARMR Deliverable Overview
		PSWCP Overview
		Tort Liability Division Overview
7/28/2016	42	The District of Columbia Incident Command Structure
		Planning for Environmental Emergencies
		Fire Prevention & Safety Training
9/8/2016	12	Cost of Risk Deliverable Orientation
9/28/2016	27	Risk Manager Deliverable Overview to DCORM
		The District of Columbia Incident Command Structure Part 2
		Enterprise Risk Management

VI. *Risk Insurance Division*

33. Which Agencies received advice from the Office on risk and insurance policies and practices?

AGENCY RESPONSE

Nearly every government agency receives advice on risk and insurance policies. Agencies consult with ORM for contracts over \$100,000 to determine insurance sufficiency. ORM advises every Mayoral agency and some independent agencies on workplace safety, workers' compensation and special events planning. All agencies must request self-insurance letters from ORM, which requires risk advice and risk assessments. Risk assessments are done prior to issuance of self-insurance letters. Recommendations were generally given and followed in order to receive self-insurance letters.

We have had multiple meetings with the following agencies:

- Arts and Humanities Commission (DCarts)
- Asian and Pacific Islander Affairs (APIA)
- Office of the Attorney General (OAG)
- Office of the Chief Financial Officer (OCFO)
- Office of the Chief Technology Officer (OCTO)
- Child and Family Services Agency (CFSA)
- Department of Consumer and Regulatory Affairs (DCRA)
- Office of Contracting and Procurement (OCP)
- Department of Corrections (DOC)
- Fire and EMS Department (FEMS)
- Department of General Services (DGS)
- Department of Health Care Finance (DHCF)
- Department of Human Services (DHS)
- Office of Unified Communications (OUC)
- Department of Insurance, Securities and Banking (DISB)
- Lottery and Charitable Games Control Board (DCLB)
- Metropolitan Police Department (MPD)
- Motion Picture and Television Development (film)
- Department of Motor Vehicles (DMV)
- Department of Parks and Recreation (DPR)
- Office of the Deputy Mayor for Planning and Economic Development (DMPED)
- Department of Public Works (DPW)
- Office of State Superintendent of Education (OSSE)
- District of Columbia Public Schools (DCPS)
- Office of Tax and Revenue (OTR)
- District Department of Transportation (DDOT)
- Veterans Affairs
- Office of Victim Services and Justice Grants
- Mayor's Office on Women's Policy and Initiatives (OWPI)
- Department of Youth Rehabilitation Services (DYRS)
- Department of Employment Services (DOES)
- Department of Energy & Environment (DOEE)

- Department of Behavioral Health (DBH)
- Office of Victim Services and Justice Grants (OVSJG)
- University of the District of Columbia (UDC)
- Department of Small and Local Business Development (DSLBD)
- Department of For-Hire Vehicles (DFHV)
- DC Public Library (DCPL)
- DC State Athletic Association (DCSAA)

a. Were each of the recommendations implemented? Please explain.

The advice included specific training on understanding and determining the appropriate insurance requirements and / or responding to the insurance provision section of vendor contracts. Yes the advice was openly received.

34. How many assessments of insurance requirements for District contracts were provided in FY16 and FY17 (to date)?

AGENCY RESPONSE

FY 16 = 562

FY17 to date = 180

35. Has the Office developed a trend analysis of worker's compensation claims?

AGENCY RESPONSE

Yes. The TPA is responsible for providing ORM detailed charts with statistical information regarding frequency of injuries and total amount paid to date. Please see **Attachment 12** for a copy of the trend analysis of worker's compensation claims. Based on the data collected to date, ORM is reviewing the information that is impacting the top agencies with occurrences, as well as the severity of the cases in order to reduce their exposure. ORM is also reviewing the severity of cases to provide a Cost of Risk report that will detail the cost analysis and trend data for the workers' compensation program.

36. Has the Office provided contract vendor loss information to OCP to assist in monitoring vendor performance.

AGENCY RESPONSE

ORM does not monitor vendor performance nor collect vendor loss information. ORM's responsibility under OCP Policy 3002.00 is to review the insurance clauses in contracts to ensure that they are consistent with the policy. ORM does not have access to vendor loss or performance information. ORM reviews contracts for insurance legal sufficiency.

VII. MLCIA

37. Has the Office established procedures for the administration of the Medical Liability Captive Insurance Agency?
- a. If so, please provide a copy of all guidance documents for this program.

AGENCY RESPONSE

The Medical Liability Captive Insurance Agency (now known as the “District of Columbia Captive Insurance Agency”¹) or the “Captive” established a *Plan of Operation of the DC Medical Liability Captive Insurance and a procurement, policies and procedures guide*. For copies of both please see **Attachment 13**.

38. Does the Office have any recommendations for improving the administration of the Medical Liability Captive Insurance Agency?

AGENCY RESPONSE

ORM constantly reviews the Captive program to identify opportunities for improvement. We recently visited all four medical clinics and met with management to discuss operating practices and procedures and specifically reviewed their procedures for vetting doctors. We also verified the medical licenses of all medical practitioners at each clinic. A written site assessment was also completed for each clinic. We have recently released a solicitation for brokerage services with respect to the Captive, to assure that we have the proper administration of the Captive.

39. What conclusions has the Office reached on the use of reinsurance for the Medical Liability Captive Insurance Agency?

AGENCY RESPONSE

ORM researched and investigated whether the Captive should purchase reinsurance in 2011 and 2012. The research revealed that reinsurance companies charge a premium to *indemnify* another insurance company making it a contract of indemnity – meaning that it becomes effective only when the insurance company has made payment on behalf of the policyholder. In the event the Captive purchased reinsurance, it would not only have to pay an upfront premium, it would also have to pay up-front, any losses and then submit to the reinsurer for re-imbusement. The reinsurer would have the right to scrutinize the loss to determine whether the loss is payable. The structure of the Captive has not changed since the 2010 and 2011 inquiry and currently there are only four clinics that remain in the Captive. Consequently, ORM maintains the position that reinsurance is not structured in a way that would be beneficial to the District or the Captive, and would be cost prohibitive due to our small exposure (four clinics) and the minimum premiums that would be applicable.

¹ Subtitle D of Bill 20-0199 (the Fiscal Year 2014 Budget Support Act of 2013), approved by the Council on June 26, 2013, changed the name of the Medical Liability Captive Insurance Agency to the “District of Columbia Captive Insurance Agency.”

40. Has the Office developed risk standards to which Medical Liability Captive Insurance Agency health clinics must adhere? Please explain.

AGENCY RESPONSE

Assessments were completed on all four clinics during December, 2016 – January, 2017, each scoring 90% or better. All outstanding recommendations have since been complied with.

These assessments focused on a review of the internal operations at each health center with an emphasis on those policies, procedures, practices, guidelines, and protocols that can identify, prevent or mitigate medical professional liability risks. The results of the risk assessment were utilized as a basis for risk control program enhancements. As well, “best practices” were identified so that they may be shared with other clinics with the hope that the clinics would consider adopting these practices to enhance quality care while minimizing the potential for loss.

ORM also reviews claims history and claims types to assure that the clinics are compliant and focused on risk prevention and mitigation.

VIII. Tort Liability Division

41. What steps did the Office take in FY16 and FY17 (to date), to limit tort liability for the District?

AGENCY RESPONSE

The Tort Liability Program has been working to limit the District's tort liability by improving its data collection, efficiency and analysis as well as sharing process, in addition to performing its core function of claims management.

Consistent with past practices, at the end of each fiscal year, ORM's Tort Liability Program drafts a trend report which tracks the amount the agency spent settling claims against the District and analyzes the agencies and claim types that have subjected the District to the most liability and costs. For FY17, the Tort Liability Program has expanded the data collected for future trend reports to track all claims that are filed against the District, regardless of whether the claims settled. The Program achieved this by implementing new procedures on data collection in ATS as well as creating new claim type fields to more accurately track data. Capturing data will allow ORM to track the trends of actual and potential liability the District faces. Under the administration of the Chief Risk Officer, the Tort Liability Program began generating weekly and monthly dashboards to capture real time claim trends by agency. Dashboard information has been shared with agencies that account for higher volumes of claims handled by ORM, including DDOT and DPW.

The Tort Liability Program limits the District tort liability through its core function of claims management. Specifically, when the Program receives a new claim, it contacts the relevant District agency regarding the incident. More importantly, general counsels or risk managers at the agencies may be directly contacted on a case by case basis regarding more significant claims to assess exposure. This puts the agency on notice of potential defective conditions or negligent employee action that may expose the District to liability. Providing claim information allows agencies to take corrective measures to limit the District's exposure to tort liability arising out of known defective conditions or negligent employee conduct.

The Tort Liability Program has continued to identify District drivers whose negligent driving exposes the District to liability and cost. The Tort Liability Program also tracks claims involving extreme and outrageous conduct by District employees that expose the District to liability and costs. Upon identifying these claims, the Tort Liability Program consults with RPS and immediately contacts the relevant agency's director and advises them of the employees' actions and recommends corrective action.

For FY17, the Tort Liability Manager met with and educated Agency Risk Managers and Human Resources representatives from various agencies to discuss the importance of having complete and accurate accident/incident reporting for ORM. The Tort Liability Manager is working to develop an online incident reporting form that agencies may use to report accidents/incidents to ORM. The form will be designed to capture key information that the Tort Liability Program can use to assess the merits of incoming claims against the District and pursue subrogation claims on behalf of the District.

ORM's Tort Liability Program Manager regularly receives and responds to telephone calls and emails from various District agency General Counsels, Attorney Advisors, ARMRS and HR personnel regarding risk assessment for their respective agencies. ORM's Tort Liability Program Manager, General Counsel and Director convene monthly with the D.C. Office of the Attorney General's Senior Staff, to discuss and analyze potential high exposure claims/lawsuit against the District in an effort to develop law strategies for their defense.

Lastly, ORM is working on implementing new procedures on data entry to allow for the generation of a risk map through use of a GIS mapping software. This will allow the Tort Liability Program to map the District's risk exposure to identify potential liabilities and develop a plan of action to address such liabilities.

42. Please provide a report from the Tort Liability ATS system to highlight claims filed, types, timing, and disposition.

AGENCY RESPONSE

Please see **Attachment 14** for a report from the Tort Liability ATS system highlighting loss descriptions, types, and timing.

IX. Public Sector Workers Compensation Program

43. How does the agency solicit feedback from customers of the Public Sector Workers Compensation Program? Please describe:
- What has the agency learned from this feedback?
 - How has the agency changed its practices as a result of such feedback?

AGENCY RESPONSE

The Program solicits and receives feedback from claimants at orientation sessions and also from employment agency personnel. In 2016, the feedback from 142 respondents of the customer service surveys collected revealed the following: in the category of claims service, 50% of the claimants surveyed indicated that they are satisfied with the overall TPA service and 73% are satisfied with their treating physician. Approximately 65% of the claimants were satisfied with the claim representative's professionalism. Moreover, of the 142 respondents, approximately 56% were satisfied with the TPA and ORM responsiveness to phone calls. Overall, 49% of respondents were satisfied with the service provided by the Program.

Also, ORM analyzed the feedback from the customer services surveys collected in FY 2017 to date. Overall, 71% of the respondents were satisfied with the Program. 79% of the respondents agree the service they receive from their treating physician and 65% of claimants were highly satisfied or satisfied with ORM and TPA responsiveness to calls. According to claimants, the Program was also successful in terms of overall satisfaction with the claim representative professionalism. 68% of the respondents gave an affirmative response. According to responses from the 61 claimants surveyed in FY 2017, the Program should continue to address improvements in areas in the timeliness of benefits and issuing a decision within thirty (30) days. Based on the feedback, ORM's priorities for improvement are in the areas of the timeliness of decisions and timeliness of payments for benefits. ORM provides ongoing management oversight counseling and training to PSWCP TPA employees on both of these issues.

44. Please describe the performance of the District's current third party administrator (TPA). Please provide a copy of the contract between the District and the current TPA.
- Does the agency perform regular performance audits of the TPA? Please explain this process and provide the results of the most recent review;
 - How does the agency track employee satisfaction of the performance of the TPA; and
 - Please provide any manuals or guidance provided by the TPA in administering the DCP.

AGENCY RESPONSE

As part of the District's oversight over the TPA (CorVel), the office performs a quarterly audit of the TPA. The audit is performed by two Claims Specialists who are District of Columbia Government employees. Each quarter, five (5%) of the total number of opened claims are randomly selected for review. The TPA is audited on investigation, claims management, medical management, litigation, reserves and supervision. According to the existing contract, the TPA is required to achieve a score of 85% in order to pass the audit. Of the four audits conducted for fiscal year 2016, the TPA has averaged a score of

68.46%. Please see **Attachment 15** for a copy of the contract between the District and the current TPA.

ORM conducts a bi-monthly Workers Compensation Orientation for employees that have sustained a new injury. The goal of the orientation is to provide information to the employee and obtain feedback from the employee. The employee is also requested to complete a customer service evaluation survey during the orientation. The survey, as described in answer 43. The TPA is also required to follow the PSWCP's statute and regulations (including emergency regulations) and the contract they entered into with the District.

45. The agency has changed third-party administrators several times over the past decade, often due to performance issues. Please explain:
- What those performance issues were;
 - Whether there would be administrative efficiencies to bringing the claims review process back in-house; and
 - If so, what timeline would be feasible for accomplishing that?

AGENCY RESPONSE

Historically, the agency has experienced multiple third-party administrators (TPAs) over the past decade. Since the current Chief Risk Officer began in June of 2015, the current TPA has begun investing more resources and recently made additional efforts to improve the Program. While the TPA's efforts are appreciated, we are continuing to review performance regularly and believe the TPA has a lot of work to accomplish to get to a normal baseline. The performance issues have been abundant and have included many issues from customer service to claims management by the TPA.

The performances of the TPAs have been less than stellar and have impacted the agency's ability to reach annual goals. ORM is reviewing options to resolve the concerns outlined and is seeking collaboration with other agencies to address the setbacks that have resulted from this and prior TPA's performance. ORM is looking at a multi-year timeline to accomplish changes needed to derive a new method of delivery with a better focus on customer service.

46. How does the Office monitor the adequacy and effectiveness of medical services in accordance with §1-623.02b (9) of the D.C. Code.

AGENCY RESPONSE

DC Official Code §1-623.02b(9) requires ORM to “[m]onitor the adequacy and effectiveness of medical services under this section, and development guidelines for the determination of disabilities and professional fees.” ORM PSWCP staff fulfills this requirement by regularly reviewing medical reports and services provided for each claim and by charting the medical progress of each injured worker. The TPA manages the claim by scheduling the appointment at the most appropriate location to the injured worker, sending confirmation letters of the scheduled appointment to all involved parties

and confirming the service was provided. Once the service has been completed the associated reports are obtained, generally within 24 – 48 hours.

The staff often consults with program medical personnel to ascertain whether the treatment is given to an injured worker comports with medical guidelines. If staff questions the need for medical treatment, the question about the need for medical treatment can be submitted to utilization review (See DC Official Code §1-623.23 and 7 DCMR 126). As part of the utilization review process, a panel of healthcare professionals assesses the need for the treatment and either approves it, denies it or recommends alternative treatment. ORM can also request that the injured worker submit to an Additional Medical Examination so that an independent doctor can review the record and examine the patient to assess whether the employee's treatment is appropriate, as well as whether the employee can return to work (See 7 DCMR 124).

Also, via the TPA two registered nurses are on-site at ORM to provide advice and guidance to all staff. Moreover, ORM is in the process of bringing on a nurse case manager to help support staff in their assessment of medical services.

47. How does the Office review open claims to ensure all rules are being followed? When was the last full review of open claims to identify cases where additional case management efforts could return employees to work or otherwise remove them from the PSWCP?

AGENCY RESPONSE

Claims are assigned to claims adjusters by Agency to ensure that each District agency has one or two claims adjusters as contacts for the administration of workers' compensation claims. Each adjuster is assigned a claims supervisor who reports to the Claims Manager, and ultimately report to the District Vice President of Operations, providing a system of checks and balances to ensure that the tasks assigned to each person's role are performed accordingly.

Once an adjuster is assigned to a claim, the adjuster conducts an initial investigation of the claim and sets up a diary (i.e. a task reminder and future review date) for ongoing reviews of the claim file to ensure that action plans are implemented. CorVel's claims database (CareMC) performs system-generated diaries to serve as task reminders to staff so that appropriate time-sensitive action is taken on a file, and is equipped with flexible features to allow adjusting staff to create diaries to adhere to specific time-sensitive demands of a given customer.

Additionally, the TPA, under ORM's contract, is required to have each supervisor perform a review of the adjuster's work every thirty days, including monitoring claim activity to ensure it complies with legislative and Program requirements. CorVel also performs independent audits of its own claim files to ensure that each CorVel office honors both client and CorVel standards. The CorVel audit reviews a sampling of all claims (open and closed) to verify that all time-sensitive tasks are performed, including but not limited to: (i) frequent claimant contact, (ii) form receipt and/or filing, (iii) timely and accurate issuance of payments, and (iv) the prompt issuance of determinations.

Moreover, the adjusters and their supervisors are required to timely process any incoming medical records to assess whether an injured worker's treating physician has released the injured worker to return to work in either a modified or full-duty capacity. The Program may then return the employee back to work in a light duty capacity to reintegrate them back into the workplace. The Program also provides the injured worker with an array of work reintegration resources such as vocational training and work hardening programs, whenever warranted.

48. Please describe in detail the performance of the "Return to Work Program."
- Provide the number of participants currently in the program;
 - Provide the number of participants in the program in FY16 and FY17 (to date); and
 - What percentage of eligible workers in the "Return to Work Program" was successfully returned to work in FY16 and FY17 (to date)?

AGENCY RESPONSE

The Return to Work (RTW) Program continues to expand partnerships with other District agencies to provide opportunities to injured workers and increase their likelihood of returning to work in a limited, modified or full duty capacity, after their workplace injury. From FY 2017 to date, the Program has 68 active participants that are aiming to return back to the workforce. Within that same period, the Program has successfully returned 66 claimants back to work. For FY 2016, the Program returned a total of 235 participants back to the workforce. The percentage of eligible employees with the RTW program that have successfully returned to work for FY 2016 and FY 2017 is 82%.

49. What steps has the Office taken to increase the number of participants in the "Return to Work Program." How does the Office ensure that modified work assignments are available for those claimants able to perform such work?

AGENCY RESPONSE

Every employee who is able to work in a modified duty capacity is part of the Program's RTW effort. The RTW officer receives referrals from the claims adjusters and nurse case managers and also reviews open claims to determine if permanent restrictions exist that warrant a referral for vocational rehabilitation. The RTW officer contacts the assigned agencies to determine whether modified work assignments are available. Agencies are also encouraged to modify or create positions within the claimants' restrictions. Assignments are requested from other agencies if the assigned agency cannot accommodate modified assignments.

The Program continues to focus on file reviews, vocational rehabilitation, and collaboration with various agencies and organizations for resources that are beneficial to the return to work process. The file reviews focus, primarily, on claims that have exceeded the two year restoration period. Additional Medical Evaluations (AME) are routinely conducted to determine medical necessity, maximum medical improvement, and work ability status. When medical evidence indicates the injured worker is at maximum medical improvement (MMI) and are able to work in a full duty capacity,

Notices of Determinations (NOD) terminating workers' compensation benefits are issued for those claims with full duty/MMI status.

To increase the number of participants in the RTW Program and to ensure compliance amongst agencies in making modified work assignments available, the Program has solicited each agency to designate a Return to Work Coordinator.

50. Has ORM worked with any other District agencies to coordinate efforts to return participants to work?
- If so, what agencies have participated;
 - Have these efforts been formally established? If so, for how long; and
 - Is there a mechanism in place to evaluate effectiveness of this joint effort? If so, please provide any supporting documentation evaluating the effectiveness of intra-agency coordination in returning WCP participants to work.

AGENCY RESPONSE

ORM has conducted meetings with many of the agencies that have a high population of worker's compensation claims and/or challenging populations, such as the Department of Public Works (DPW), the Department of Youth and Rehabilitation Services (DYRS), the Office of the Superintendent for State Education (OSSE), and the Department of Transportation (DDOT). ORM has also hosted a "meet and greet" with most of the agencies. The meetings are designed to discuss return to work strategies and how to overcome budgetary issues in order to aid employees to return back into the workplace. As a result of these meetings, ORM has received requests from District of Columbia Office of Aging (DCOA) to assist with filling the eight positions they are creating. The Department of Health (DOH) also expressed interest in creating five positions. The meetings have proven to provide a clear understanding of the RTW process as well as the mutual benefits for all engaged entities.

The RTW program has partnered with District of Columbia Human Resources (DCHR), Department of Employment Services (DOES) and DCOA to provide training and employment opportunities. The RTW participants are enrolled in DCHR Center for Learning and Development (CLD). The CLD conducts free classes every other Thursday that provide employment readiness training. The classes consist of concept of a resume, interview skills and new job science. The new job science project teaches the individuals about today's technology and how to maneuver through the DCHR website. These classes guide individuals regarding preparation for re-entry into the workforce. The RTW Officer has collaborated with DCHR to provide training. Upon the completion of the 90 day training, DCHR will explore the possibility of hiring these employees.

The injured workers are also enrolled in most of the services at DOES. The injured workers are required to complete the DOES Orientation which provides an overview of the American Job Centers (AJC). The injured workers are then registered for the Microsoft digital alliance. The computer courses are four week intervals. This class is essential to the employment process as most of the employers are requiring basic knowledge of Microsoft Office. DOES provides monthly updates to ensure compliance with the RTW program. ORM has collaborated with DOES who also solicits employers

for the RTW Job Fair. The collaboration consists of DOES staff attending the RTW Orientation to provide an overview of DOES services, registering injured workers at the AJC, assigning facilitators for the different programs. The facilitators provide a monthly update to the RTW officer regarding attendance and class participation. This information is provided for compliance purposes.

The Program has partnered with DCOA for volunteer and internship opportunities in order to benefit from of DCOA collaborations with various agencies and organizations. Based on the resources provided by DCOA, the RTW program has enrolled injured workers into the volunteer initiatives which could lead to permanent employment within the District and outside of the District.

In FY 2016, the RTW program gained new partnerships, with the University of the District of Columbia-Community College (UDC-CC) to continually increase the marketability and productivity of injured workers. The programs include educational and professional certification trainings that appeal to a wide variety of employers.

51. Please describe in detail what the “Vocational Rehabilitation Program” entails:
- a. Provide the number of participants currently in the program; and
 - b. Provide the number of participants in the program in FY16 and FY17 (to date)?

AGENCY RESPONSE

Vocational Rehabilitation is a process which enables persons with functional, psychological, developmental, cognitive and emotional impairments or health disabilities to overcome barriers to accessing, maintaining or returning to employment or other useful occupation. The current TPA (CorVel) refers files indicating permanent restrictions and the RTW Officer reviews the files for vocational rehabilitation referral. The injured workers are referred to vocational rehabilitation once permanent restrictions are indicated and the two year retention period to return to their pre-injury position has expired. The injured workers meet once a week with a vocational rehabilitation counselor. CorVel has integrated vocational rehabilitation in their services, whereby two vocational rehabilitation counselors are designated to the District of Columbia who will provide the following services:

- Vocational Assessment
- Job Analysis
- Job Placement

A weekly update is provided to the Return to Work Officer to track progress and compliance.

There are currently twenty-four (24) participants in the Vocational Rehab Program and sixty eight (68) referrals for FY16– FY17.

52. What percentage of eligible workers in the “Vocational Rehabilitation Program” was successfully returned to work in FY16 and FY17 (to date)?

- a. Please provide a list of participants' original District government positions and the positions they were returned to as a result of the return to work program in FY16 and FY17 (to date).

AGENCY RESPONSE

The participants in the Vocational Rehabilitation Program are injured workers that have been released with permanent restrictions and have been out of work for more than two years. In FY16 - FY17 to date, there were seven (7) listed eligible injured workers in the Vocational Rehabilitation Program that were referred to the TPA for job placement. All participants were placed by the Return to Work Officer. The challenge with vocational rehabilitation is due partly to non-compliance by the injured workers, educational barriers and the type of limitations/restrictions given by their physician. The Program is currently reviewing additional methods for vocational rehabilitation based on the mentioned status.

A list of the Vocational Rehabilitation Program participants is provided is provided in the chart below:

Original Agency	Original Position	Return to Work Agency	Return to Work Position
DYRS	Youth Representative	DBH	Mental Health Specialist
CFSA	Social Worker	DBH	Compliance Specialist
FEMS	EMS	OCME	Administrative Specialist
DBH	Nurse	OCME	Staff Assistant
OSSE	Bus Driver	OCME	Support Services Specialist
DCPS	Administrative Asst.	ODR	Staff Assistant
DCRA	Compliance Specialist	ODR	Compliance Assistant

53. Please complete the following chart:

AGENCY RESPONSE

Public Sector Workers Compensation Program Statistics

	FY2016	FY2017 (to date)
Number of Injuries Noticed ^[1]	1567	479
Number of Claims for Continuation of Pay	119	20
Continuation of Pay Claims Approved	450	155
Continuation of Pay Claims Disapproved	285	83
Number of Claims for Benefits	1227	350
Claims for Benefits Approved	450	155

^[1] Note: Due to a policy change, the number of injuries noticed has increased. The total includes claims reported for record only, as well as claims pursued for benefits.

Claims for Benefits Disapproved	285	83
Number of Requests for Hearing	56	31
Number of Determinations Affirmed	5	5
Number of Determinations Modified	0	0
Number of Determinations Reversed	0	0
Number of Determinations Remanded	3	0
Number of Orders for Physical Examination Made by PSWCP	11	1
Orders for Claimants Seeking Compensation	9	4
Orders for Claimants Awarded Compensation	8	2
Total Cost of Examinations ^[2]	\$2,506,190.44	\$472,377.74
Number of Requests for Review of Reward Made to PSWCP (Reconsideration)		
By the Office of the Attorney General	0	0
By the Program	0	0
By the Claimant	22	3
Results of Reconsideration		
Orders Increasing Award	0	0
Orders Decreasing Award	0	0
Orders Upholding the Award without Adjustment	0	0
Orders Suspending or Forfeiting Award	1	0

54. How are PSWCP participants notified of appointments, doctor’s visits, or other requirements mandated by the program?

AGENCY RESPONSE

At the onset of an injury, a PSWCP claimant may seek treatment with a physician of his or her choosing and/or a local emergency room. Upon reporting the claim to CorVel, the nurse triage provides an assessment and recommendation for a physician. The TPA manages the claim by scheduling the appointment at the most appropriate location to the injured worker, sending confirmation letters of the scheduled appointment to all involved parties, and confirming that the service was provided. Once the service has been completed, the associated reports are obtained, generally within 24 to 48 hours.

When required, CorVel schedules Additional Medical Exams (“AMEs”) to ensure appropriate medical action is taken in the course of an injured worker’s treatment. In these scenarios, an injured worker is sent an “AME letter” advising them of the date and time of their AME appointment well in advance of the scheduled event. Additionally, CorVel has two onsite Telephonic Case Nurses (as well as Field Case Nurses by request) to help coordinate medical care and provide on the spot medical guidance.

Additionally, in the last year, CorVel has retained a Nurse Care Coordinator who bears the specific responsibility of coordinating care for injured workers by reaching out to both the injured worker in advance of any appointments and the panel provider’s office in order to ensure that each treating physician has the requisite paperwork in order to properly treat the injured worker. The creation of the Nurse Care Coordinator position

^[2] Includes All Medical Cost

has also served to ensure that each claims adjuster is provided with complete findings from each treating physician so that the proper course of action can be taken for each claim stemming from each appointment.

Moreover, it is always the expectation that claims adjusters reach out to injured workers via phone and email to provide injured workers with status updates on their claims and to follow through on requests for additional information, wherever warranted.

55. When was the last time the Office performed verification checks of PSWCP recipients by reviewing Office of Pay and Retirement Services payroll records? What were the results of the most recent review?

AGENCY RESPONSE

The Office of Risk Management (ORM) receives bi-weekly reports from the Office of Pay and Retirement Services (OPRS) that identifies DC government employees who receives pay through their agency and receives wage replacement resulting from a compensable workplace injury for the same pay period(s). For the FY16 comprehensive review and analysis of the OPRS reports and of the workers' compensation payment history (including file documentation relative to the employees medical and work status for the pay periods identified), twenty-one (21) employees were found to potentially have received contemporaneous payroll and wage replacement payments for one or more pay periods. Further review and analysis of the data found no evidence of overlapping payments for seven (7) employees. Those employees received pay from both entities within a single pay period because their wage replacement eligibility date fell within the pay period or they received continuation of pay (COP) within the pay period; therefore, the employee was entitled to partial pay from the agency and partial wage replacement pay. Two (2) of the remaining twelve (12) employees were charged annual or sick leave by their agency on dates for which the employee was eligible for, and received, wage replacement. Two (2) employees are ten-month DCPS employees and received summer pay while receiving workers' compensation benefits. Ten (10) employees were found to have received regular pay from their agency concurrent with wage replacement pay because they failed to notify the Program of their return to work; three (3) of which are actively making repayment on a monthly repayment agreement. The determination regarding the remaining seven (7) is in review.

In cases where the employee fails to remit repayment, appropriate actions will be taken to recoup monies owed to the District where an overpayment of funds has occurred.

56. How does the Office track the timeliness of claim resolution, including all statutory or regulatory requirements? What has the Office determined?
- a. How does the office track the timeliness of responses for payments, hearings, decisions, etc.

AGENCY RESPONSE

CorVel's claims system provides a claims diary management system to effectively manage, review, and update claims statuses at regular intervals. Following an initial

claim review, the claims adjuster develops a diary based on the investigation, facts of the claim, disability, prognosis, and probable outcome. The diary system reminds claims adjusters and supervisors to review claims at various intervals but for no longer than 30 days from the initial review.

The claim system allows all supporting documentation to be stored electronically, and is readily accessible to all involved parties. Reports can be run by management to track responsiveness. ORM also maintains a log of scheduled hearings that tracks the date of the hearing, the issue being litigated, the assigned attorney, the decision of the ALJ, the status of ORM's compliance with any orders, and the status of appeals. Also, ORM reviews the status of claims through quarterly audits. CorVel recently provided on-site training for all adjusters and supervisors to assist in their understanding of the system functionality, and reinforce the need for full utilization going forward.

Additionally, CorVel is continually updating the functionality of its claim system, in order to better support claims analysis. CareMC, is equipped with a "Litigation Tab" that reveals the following on a given claim: (i) whether an injured worker is represented; (ii) when a hearing is scheduled and/or pending; (iii) the findings revealed in a decision; and (iv) ruling trends among Administrative Law Judges. This feature allows an adjuster or litigation support staff to populate the database with findings from a particular decision and to set diaries to cue action based on a court's ruling, such as the reinstatement of benefits.

57. What is the Office's process when instances of improperly receiving dual payments are found? Are cases referred to the Office of the Inspector General and the Office of the Attorney General? How many cases were referred to each of these offices in FY16 and FY17 (to date)?

AGENCY RESPONSE

In cases where the employee received pay through use of leave which eligible for workers' compensation benefits, the leave buy back process will be exercised. For employees found to have received workers' compensation benefits after returning to work and there is evidence that the program was notified timely, the payments will be deemed an overpayment due to TPA error and ORM will recoup the overpayment from the TPA in accordance with contract provision C.5.15.1.7.1. Employees found to have received workers' compensation benefits after returning to work and they failed to notify the program a notice of overpayment will be issued to allowing the employee the opportunity to voluntarily repay the program in accordance with regulation 142. If the employee does not establish an acceptable repayment plan but continue to receive wage replacement compensation, the program will reduce their biweekly compensation to recover the overpayment. If the employee is no longer receiving wage replacement compensation, a referral will be made to the Office of the Attorney General for legal intervention. If there is compelling evidence that the employee willfully and intentionally committed fraud, the matter will be referred to the Office of the Inspector General.

During FY16 ORM, the TPA and OCTO successfully identified and implemented data feed processes that generated a payroll contrast report to identify potential dual payments. ORM routinely reviews and audit the findings to identify whether or not the data is accurate or that there is a justified reason for the dual payments issued. To date, ORM has not made any referrals to the Office of the Attorney General or Office of the Inspector General during FY16; however, ORM's review of the current data may result in referrals once the pay audits have been completed.

58. How does the Office calculate the liability for and determine the need allotment to the PSWCP and the Disability Compensation Fund?

AGENCY RESPONSE

ORM contracts with a consulting/actuarial firm on an annual basis to determine an actuarial estimate of the loss and loss expense reserve for the workers compensation, general (non-auto) liability, and automobile liability programs. The estimated reserves developed by the actuarial study are required to be included in the District's CAFR. ORM determines the needed allotment of funds for the Employment Compensation Fund by reviewing past expenditures and budgets and in concert with the OCFO and Mayor's budget office.

59. Is the Disability Compensation Fund adequately funded?

AGENCY RESPONSE

The Disability Compensation Fund program expenditures are volatile and fluctuate based on the claimant population. If the current burn rate remains steady, ORM will work with the Mayor's Office of Budget and Finance to ensure the agency meets its obligations.

60. Please list any pending claims against the District in the administration of PSWCP in Superior Court or U.S. District Court.

AGENCY RESPONSE

At this time, the Agency is unaware of any claims pending before U.S. District Court or D.C. Superior Court.

61. Please provide the number of claims in administrative litigation before the Department of Employment Services' Administrative Hearings Division in FY16 and FY17 (to date) and before the Office of Administrative Hearings in FY16 and FY17 (to date).

AGENCY RESPONSE

The number of claims in administrative litigation before the Department of Employment Services' Administrative Hearings Division in FY16 was 56. The number of claims in administrative litigation before the Department of Employment Services' Administrative Hearings Division as of FY17 and to date is/was 31.

The number of claims in administrative litigation before the Office of Administrative Hearings in FY16 was 0. The number of claims in administrative litigation before the Office of Administrative Hearings as of FY17 to date is 9.

62. How many cases in FY16 and FY17 (to date) has the Office of Risk Management requested an order to stay enforcement of a decision by a Department of Employment Services or Office of Administrative Hearings Administrative Law Judge? In how many of those cases was a stay granted by the ALJ or the Compensation Review Board?

AGENCY RESPONSE

In discussion with OAG, it is our understanding for FY16; there were two (2) cases that the District requested a stay for a Compensation Order decision by the Department of Employment Services, Administrative Hearings Division and both stays were granted. For FY17, there were two (2) cases that the District requested a stay of a Compensation Order decision by the Department of Employment Services, Administrative Hearings Division. Of these two stays, one was granted and the other was granted only in part with respect to the interest owed to a claimant. In both FY16 and FY17, no motions for a stay were filed with the Office of Administrative Hearings.

63. What has the Office learned from claim requests regarding safety issues for District employees?

AGENCY RESPONSE

In FY16 and FY17 to date, ORM did a regular analysis of the PSWCP claims data and determined that the most common work place injuries that resulted in the year were slip, fall or trip injuries, as well as injuries caused by a fellow worker or patient. Through recurrent inspections of agencies conducted by RPS personnel, ARMR trainings and Risk Prevention and Safety Council meetings, ORM is able to identify trends in order to proactively address safety concerns which in turn will minimize the exposure of claims. For a copy of the analysis please see **Attachment 12**.

64. With respect to the Utilization Review Accreditation Commission:
- a. Please identify the current members;
 - b. Please identify all certified utilization review organizations or individuals; and
 - c. Please identify the number of reviews undertaken by the Commission in FY16 and FY17 (to date) and the results of those reviews.

AGENCY RESPONSE

CorVel is URAC certified for Utilization Review. URAC is an independent, nonprofit organization that strives to promote continuous improvement in the quality and efficiency of health care management through processes of accreditation, education, and measurement.

CorVel has six (6) UR URAC accredited hubs. Each hub handles a number of assigned states. Likewise, each hub is responsible for ensuring that Utilization Review

Organization certification is obtained and maintained in accordance with the particular jurisdictional requirements of a given customer.

The number of reviews for FY16 was 121. The number of review for FY17 to date is 41. The results of those reviews are provided in the chart below:

Total Reviews Received in FY16 and FY17 to Date: 162					
	Outcome				
	Certified	Partially-Certified (Modified)	Non-Certified	Requests that were withdrawn/canceled	Grand Total
FY 2016	61	5	50	5	121
FY 2017	21	1	18	1	41
Grand Total	82	6	68	6	162

65. How many claimants who are listed as temporarily disabled have held that status for more than a year? What steps are being taken to properly identify those among them who should be labeled permanently disabled?

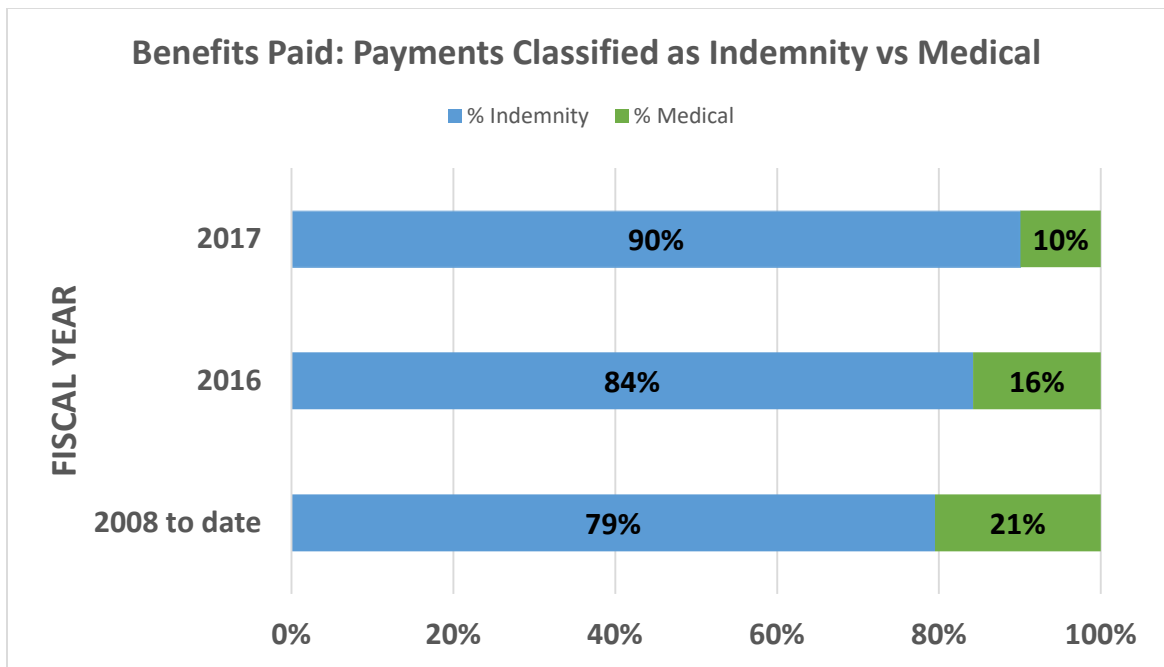
AGENCY RESPONSE

In the last year, CorVel has retained a team of four Claims Administrative staff who, among their wide range of responsibilities, are responsible for ensuring that all claims are properly coded in the CorVel system. When a Claims Adjuster finds that an injured worker who may have had a temporary disability is rendered permanently disabled, the adjuster communicates that classification to the Claims Administrative staff to ensure that the claim is accurately coded in the system to reflect an individual’s permanent disability status. Additionally, as part of the adjusting staff’s proactive effort to review files assigned to them, each adjuster is expected to reclassify the disability status of an injured worker in the system if they identify a need for that adjustment.

66. What fraction of payments from ORM are indemnity payments and what fraction are medical payments? What about for claims filed in FY16 and FY17 (to date)?

AGENCY RESPONSE

After a review of the payment data for medical and indemnity payments made since FY08, 79% of payments represent indemnity payments compared to 21% of payments for medical payments. For FY16, 84% of payments represent indemnity payments compared to 16% of payments for medical payments. For FY17 to date, 90% of payments represent indemnity payments compared to 10% of payments for medical payments. On an average cost per claim basis, historically the ratio of indemnity to medical costs is 9 to 1.



67. In cases where ORM was ordered to pay attorney’s fees, what was the average amount paid out (total amount and hours worked) in FY16 and FY17 (to date)? How does this compare to FY15?

AGENCY RESPONSE

	FY 2015	FY 2016	FY 2017
Attorney Fees (Sum)	\$30,056.29	\$274,127.69	\$25,488.82

68. How many private attorneys took more than three public sector worker’s compensation cases on behalf of claimants in FY16 and FY17 (to date)?

AGENCY RESPONSE

In FY16, there were five attorneys who handled three or more public sector worker’s compensation cases on behalf of claimants, Harold Levi, Esq., Krista DeSmyter, Esq., Michael Kitzman, David Snyder, Esq., and Johnnie Johnson III, Esq. Thus far in FY17, four attorneys have handled three or more public sector worker’s compensation cases on behalf of claimants, Harold Levi, Esq., Johnnie Johnson III, Esq., Richard Link, Esq., and David Snyder, Esq.

69. Please list the claim date, hearing date, and order date (if applicable) for each claim for which a hearing has been held at the Department of Employment Services Administrative Hearings Division or the Office of Administrative Hearings in FY16 and FY17 (to date)?

AGENCY RESPONSE

For the purposes of being duly responsive to this request, the Agency interprets "...for which a hearing has been held at the Department of Employment Services Administrative Hearings Division or the Office of Administrative Hearings" to regard in-person hearings held for the purpose of ruling on the substantive merits of a claim regarding a final Agency determination made.

Therefore, the Agency responds as follows for FY16:

COURT	CLAIM	CLAIM DATE	HEARING DATE	ORDER DATE
DOES Administrative Hearings Division	0468-WC-13-0501291	02/02/2013	09/22/2016	11/21/2016
DOES Administrative Hearings Division	0468-WC-09-0500224	01/14/2009	04/28/2016	05/26/2016
DOES Administrative Hearings Division	0468-WC-14-0001333	09/07/2014	05/05/2016 & 05/24/2016	07/21/2016
DOES Administrative Hearings Division	0468-WC-15-0001316	08/11/2015	06/27/2016	09/12/2016
DOES Administrative Hearings Division	0468-WC-13-0500715	08/19/2013	11/15/2015	12/17/2015
DOES Administrative Hearings Division	0468-WC-84-0500015	05/16/1984	09/15/2016	10/04/2016
DOES Administrative Hearings Division	0468-WC-84-0500015	05/16/1984	02/11/2016	06/17/2016
DOES Administrative Hearings Division	0468-WC-12-0500038	05/12/2012	12/10/2015	01/28/2016
DOES Administrative Hearings Division	0468-WC-15-0000307	12/15/2014	06/21/2016	08/17/2016
DOES Administrative Hearings Division	0468-WC-09-0501243	08/21/2009	06/22/2016	09/09/2016
DOES Administrative Hearings Division	0468-WC-99-0500035	09/02/1999	04/19/2016	05/13/2016
DOES Administrative Hearings Division	0468-WC-15-0000037	10/15/2014	09/14/2016	11/16/2016
DOES Administrative Hearings Division	0468-WC-15-0000742	12/17/2014	07/18/2016	09/26/2016
DOES Administrative	0468-WC-14-0001182	08/15/2014	07/14/2016	08/16/2016

Hearings Division				
DOES Administrative Hearings Division	0468-WC-09-0501490	11/18/2008	02/04/2016	03/03/2016
DOES Administrative Hearings Division	0468-WC-15-0001070	06/16/2015	10/03/2016	10/31/2016
DOES Administrative Hearings Division	0468-WC-15-0000248	11/28/2014	11/18/2015	12/01/2015
DOES Administrative Hearings Division	0468-WC-15-0000983	05/11/2015	03/17/2016	04/11/2016
DOES Administrative Hearings Division	0468-WC-14-0000069	11/13/2013	05/03/2016	07/06/2016

Further, the Agency responds as follows for FY17:

COURT	CLAIM	CLAIM DATE	HEARING DATE	ORDER DATE
DOES Administrative Hearings Division	0468-WC-06-0500235	07/25/2006	01/19/2017	Not received
DOES Administrative Hearings Division	0468-WC-13-0500759	09/01/2013	01/12/2017	Not received
DOES Administrative Hearings Division	0468-WC-09-0500539	03/28/2009	11/30/2016	01/10/2017
DOES Administrative Hearings Division	0468-WC-16-0000683	12/17/2015	12/20/2016	01/12/2017

70. When will the National Academy of Social Insurance study be released?

AGENCY RESPONSE

National Academy of Social Insurance is in the process of finalizing its report; we expect to receive it in the near future.

71. Please provide any addition information, feedback, or requests to the Committee that ORM deems necessary.

AGENCY RESPONSE

At this time, ORM believes the above questions have outlined most all information which may be helpful to the Committee.

Attachment 1

OFFICE OF RISK MANAGEMENT

Agency Employee Listing Sheet

<i>Name of Employee or Vacancy</i>	<i>Title of Position</i>	<i>Position Start Date</i>	<i>Salary</i>	<i>Fringe</i>	<i>Grade, Series and Step of Position</i>	<i>Job Status (continuing/term/temporary)</i>
Agency Management						
Jed I. Ross	Chief Risk Officer	6/10/2015	\$170,805.00	\$39,968.37	E4, Step 0	Continuing
Sing (Sam) Yeung	Deputy Chief Risk Officer	8/16/2015	\$141,634.00	\$33,142.36	MS16, Step 0	Continuing
Michael Krainak	General Counsel	8/31/2015	\$149,886.00	\$35,073.22	LX 1 , Step 0	Continuing
**Charlie Barbera	Deputy General Counsel	10/17/2016	\$115,000.00	\$26,910.00	LX 1 , Step 0	Continuing
Vacant	Chief of Staff	N/A	\$132,745.00	\$31,062.33	MS 15, Step 0	Continuing
Valerie Evans	Administrative Officer	6/8/2008	\$94,035.00	\$22,004.19	CS 13, Step 7	Continuing
Susana Suarez	Program Analyst	11/16/2003	\$90,254.00	\$21,119.44	CS 12, Step 7	Continuing
**Monica Swintz	Program Analyst	1/9/2017	\$76,894.00	\$17,993.20	CS 12, Step 4	Term
Captive Insurance Agency						
Jane Waters	Insurance Program Manager	9/6/2016	\$132,472.00	\$30,998.45	MS 15, Step 0	Continuing
*Robert Preston	Program Analyst	8/8/2016	\$83,433.00	\$19,523.32	CS 12, Step 7	Term
***Vacant	Statistician	N/A	\$81,050.00	\$19,965.70	CS 13, Step1	Term
***Vacant	Actuary	N/A	\$122,563.00	\$28,679.74	CS 15, Step 0	Term

OFFICE OF RISK MANAGEMENT

Agency Employee Listing Sheet

<i>Name of Employee or Vacancy</i>	<i>Title of Position</i>	<i>Position Start Date</i>	<i>Salary</i>	<i>Fringe</i>	<i>Grade, Series and Step of Position</i>	<i>Job Status (continuing/term/temporary)</i>
****Vacant	Program Analyst	N/A	\$81,050.00	\$18,965.70	CS 13, Step 1	Term
<i>Public Sector Workers' Compensation</i>						
Augustina Ammah	Claims Specialist	12/7/2009	\$87,892.00	\$20,566.73	CS 12, Step 6	Continuing
Kurt Davis	Claims Specialist	10/11/2011	\$94,978.00	\$22,224.85	CS 12, Step 9	Continuing
Tammy L. Hagin	Compliance Review Officer	5/7/2012	\$94,035.00	\$22,004.19	CS 13, Step 6	Continuing
Nicole Rice	Program Analyst	8/16/2015	\$72,528.00	\$16,971.55	CS 12, Step 2	Term
Jocelia Rancy	Return To Work Coordinator	9/8/2014	\$86,244.00	\$20,181.10	CS 13, Step 3	Term
****Cara Pearson	Program Administrator (Public Sector Workers' Compensation)	6/19/2011	\$115,000.00	\$26,910.00	MS 13, Step 0	Continuing
*Malcolm Lumpkins	Program Analyst	8/22/2016	\$62,333.00	\$14,918.92	CS 11, Step 4	Term
***Vacant	Nurse Case Manager	N/A	\$70,345.00	\$16,460.73	CS 12, Step 1	Term
<i>Risk Prevention and Safety</i>						
Brian Cook	Program Analyst	12/7/2015	\$52,699.00	\$12,331.57	CS 9, Step 2	Term
Kim Nimmo	Program Administrator (Risk Prevention and Safety)	2/24/2014	\$115,000.00	\$26,910.00	MS 15 Step 0	Continuing
Thomas Herbert	Safety and Occupational Health Spec	9/29/2008	\$85,530.00	\$20,014.02	CS 12, Step 5	Continuing
Samantha Emminizer	Safety and Occupational Health Spec.	6/13/2016	\$61,491.00	\$14,388.89	CS 11, Step 1	Term

OFFICE OF RISK MANAGEMENT

Agency Employee Listing Sheet

<i>Name of Employee or Vacancy</i>	<i>Title of Position</i>	<i>Position Start Date</i>	<i>Salary</i>	<i>Fringe</i>	<i>Grade, Series and Step of Position</i>	<i>Job Status (continuing/term/temporary)</i>
**Patrick Healy	Safety and Occupational Health Manager	1/23/2017	\$102,000.00	\$23,868.00	MS 14 , Step 0	Continuing
<i>Tort Liability</i>						
Robert Carter	Claims Specialist	10/31/2005	\$90,254.00	\$21,119.44	CS 12, Step 7	Continuing
Charlotte Fisher	Claims Specialist	3/6/2006	\$90,254.00	\$21,119.44	CS 12, Step 7	Continuing
LaShonda Wright	Claims Specialist	11/20/2011	\$90,254.00	\$21,119.44	CS 12, Step 7	Continuing
Janice Stokes	Claims Specialist	9/9/2013	\$83,168.00	\$19,461.31	CS 12, Step 4	Term
Lana Craven	Program Analyst	10/2/2005	\$75,323.00	\$17,625.58	CS 11, Step 8	Continuing
*Adnan Suleman	Program Analyst	5/2/2016	\$70,345.00	\$16,460.73	CS 12, Step 1	Continuing
Soriya Chhe	Supv. Legal Adm. Spec (Tort Claims)	7/31/2015	\$112,455.00	\$26,314.47	MS 13, Step 0	Continuing
Marcia Pezoa	Program Analyst	10/1/2007	\$51,039.00	\$11,943.13	CS 9, Step 1	Continuing
**Donia Pope	Program Support Assistant (OA)	11/28/2016	\$42,250.00	\$9,886.50	CS 7, Step 1	Term
Peter Clark	Attorney Advisor	6/13/2016	\$101,241.00	\$23,690.39	13, 3	Continuing

**New FTE hired in FY 16.*

***New FTE hired in FY 17*

****New FTE. ORM is currently reviewing applicants for this position*

*****New FTE. ORM is currently advertising for this position*

*****Employee's last day of employment with ORM was 2/10/17. Agency is currently advertising this position.*

Attachment 2

Employees' Compensation Fund (BG0)

Program	Program Name	FY16 Revised Budget	FY16 Expenditures	FY17 Revised Budget	FY17 Expenditures (YTD)	Variances	Explanation
1000	Disability Compensation Fund	23,663,974.20	22,546,713.04	22,638,263.16	5,702,118.57	16,936,144.59	BG0's FY16 Budget vs Actual variance was rolled over to FY17, as the fund is a non-lapsing fund. The FY17 \$5.7 million YTD expenditures consists of all payments related to the DC prepay expenses (20-Medical supplies, 50-Indemnity payments, 40-professional medical/hospital services); Health/Life benefit payments; TPA & Actuarial Study costs. The Employees' Compensation fund was granted \$2.9m in the Mayor's Contingency funding for FY16 yearend Gap closing purposes. In addition, the agency accrued \$1.4m in outstanding liabilities related to the third party administrator, Corvel; These liabilities are currently being litigated.
1100	Disability Compensation Fund (1734)	2,900,000.00	2,734,385.70	-	-	-	
TOTALS							
:		26,563,974.20	25,281,098.74	22,638,263.16	5,702,118.57	16,936,144.59	

Captive Insurance Agency (RJ0)

Program	Program Name	FY16 Revised Budget	FY16 Expenditures	FY17 Revised Budget	FY17 Expenditures (YTD)	Variances	Explanation
2001	Oversight	6,482,320.94	2,007,412.19	6,546,441.75	1,737,793.81	4,808,647.94	RJ0's FY16 Budget vs Actual variance was rolled over to FY17, as the fund is a non-lapsing fund. RJ0 is also projected to end FY17 within budget. The FY17 YTD expenses consists of pcard expenses & payments to Aon for the District's Property Insurance. RJ0's Otype budget is a formulated projection of expected revenue that will be generated within a Fiscal Year. The FY16 & FY17 expenditures are related to the salary and benefit costs associated with the Insurance manager FTE; all unused revenue will remain in RJ0's Otype fund balance until it is expended.
2002	Growth & Income Strategy & Mgt.	67,000.16	9,854.52	236,590.00	43,313.42	193,276.58	
TOTALS:		6,549,321.10	2,017,266.71	6,783,031.75	1,781,107.23	5,001,924.52	

Office of Risk Management (RK0)

Program	Program Name	FY16 Revised Budget	FY16 Expenditures	FY17 Revised Budget	FY17 Expenditures (YTD)	Variances	Explanation
1010	Personnel	111,655.14	109,446.67	116,995.12	30,463.30	86,531.82	The Office of Risk Management ended FY16 with a \$78K surplus. The FY16 surplus is attributed to vacancy savings and the remaining funding from NPS program initiatives. We are currently one quarter into FY17, & RK0 is projected to complete the fiscal year with an estimated surplus of \$270K due to recent vacancy savings.
1055	Risk Management	623,775.00	456,038.98	343,237.89	98,367.84	244,870.05	
1085	CUSTOMER SERVICE	55,396.13	67,333.24	57,570.85	36,840.33	20,730.52	
1090	Performance Management	702,067.74	715,607.62	676,084.25	146,324.59	529,759.66	
2110	Risk Inspections and Coordination of ARMRS	131,921.41	155,212.13	296,068.86	48,928.74	247,140.12	
2120	Risk Analysis	129,748.07	120,425.96	230,235.43	34,789.26	195,446.17	
3110	Insurance Analysis	175,810.11	145,612.53	310,642.33	43,179.48	267,462.85	
4110	Claims Examination & MGT	438,789.90	445,160.39	461,087.83	127,965.37	333,122.46	
4120	Return to Work	356,493.44	305,061.18	498,906.85	86,329.59	412,577.26	
6110	Claims Examination	573,829.83	701,098.87	982,565.59	259,897.02	722,668.57	
Totals:		3,299,486.77	3,220,997.57	3,973,395.00	913,085.52	3,060,309.48	

Attachment 3



District Department of Transportation

FY 2017 Vision Zero



Vision Zero FY2017 Grant Application

District Department of Transportation
Office of Policy & Governmental Affairs, Office of the Director
55 M St, SE, 7th Floor, Washington, DC 20003
PHONE 202.741.5960

SECTION 1—APPLICATION FORM

APPLICANT INFORMATION:			
Name of Agency or Organization: District of Columbia Office of Risk Management (DCORM), Risk Prevention and Safety Program (RPS)			Date Submitted: 10/3/2016
Mailing Address: 441 4th Street NW 800 S	City Washington	State DC	ZIP Code 20001
Project Title: Defensive Driving Program for drivers of District of Columbia vehicles	Primary Vision Zero Theme(s): Education		
Vision Zero Strategy(ies) Employed: Create Safe Streets Protect Vulnerable Users			
Brief Project Description: Motor vehicle collisions are one of the leading causes of injury in the workplace. A defensive driver safety program can reduce risk and keep people safer on the road. Defensive Driving Safety Training has proven to be an effective solution to control costs associated with work-related vehicle crashes, reduce fleet repair bills, reduce motor vehicle incident rates, decrease workers' compensation claims, improve productivity by keeping employees safe, and protect District employees, residents and visitors by improving public perception of District employee's driving practices. The project will design, develop and implement a District-wide defensive driving program to include: 1. Online training module tailored to District drivers utilizing general fleet vehicles and the use of non-specialized vehicles, 2. Develop standard driving operating procedures, and 3. Behind-the-wheel training for high risk vehicles and drivers.			Total Estimated Budget: \$150,000

APPLICANT OR AUTHORIZED OFFICER OF THE APPLICANT ORGANIZATION:		
NAME/TITLE:	SIGNATURE	
TELEPHONE:	EMAIL:	DATE:

DESIGNATED PROJECT DIRECTOR (may be the same as the applicant or authorized officer):		
NAME/TITLE:	SIGNATURE	
TELEPHONE:	EMAIL:	DATE:

Do Not Complete – For DDOT Use Only

DDOT OFFICE APPROVAL		
DDOT Vision Zero Grant Application Received by:		Date Received:
Applicant Selected as Grant Recipient? (Y/N)	Total Amount Requested:	Award Date:
Vision Zero Grant Coordinator: Jonathan M. Rogers	Tel: (202) 741-5960	Signature:



SECTION 2—KEY ELEMENTS

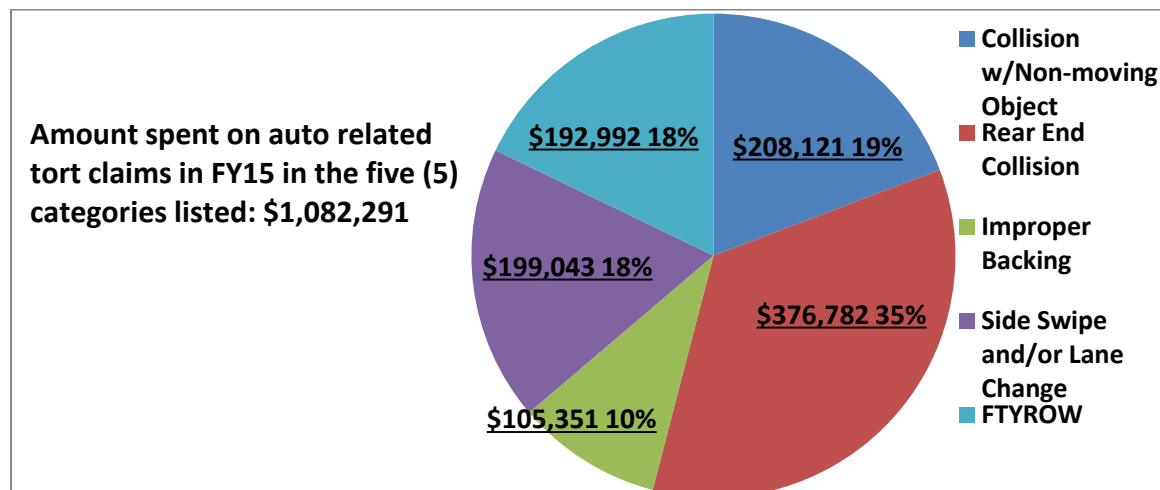
1 .Project Time Period: October 1, 2016 to September 30, 2017

2. Problem Statement/Identification

Washington D.C. has unique driving challenges. Most large cities experience traffic challenges, but few, if any, encounter the myriad of challenges facing the streets of the nation's Capital. Tight spaces, heavy traffic at all hours of the day, federal and local emergency vehicles, tourists, special events requiring nearly daily road closures, major sporting events, along with nearly 6,000 District of Columbia government vehicles, help create one of the most challenging traffic patterns in the country. Driving in today's demanding roadway environment requires considerable knowledge and skill that take many years to develop. Defensive driver training provides a structured approach to the learning process which can presumably facilitate and accelerate the acquisition of the needed skills. Simply put, driver training is seen as a sensible alternative to "trial and error" learning, especially given that errors can have such profoundly negative consequences.

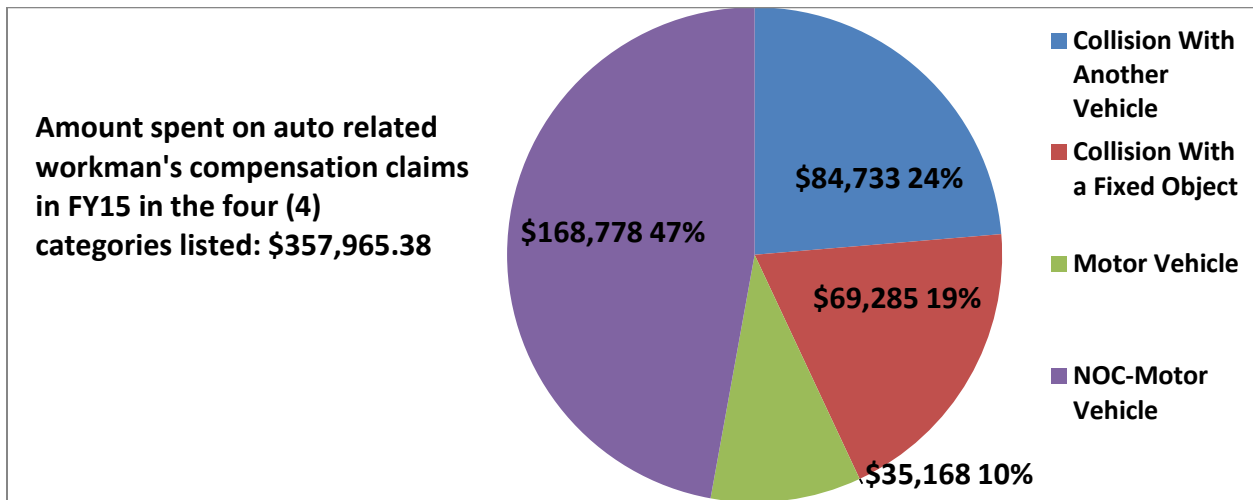
DCORM's trend analysis reveals that motor vehicle claims have consistently been the most costly claims for the District. As shown in the charts below, motor vehicle accidents involving District vehicles account for a vast majority of the tort pre-litigated claims paid by the District in settlements. Notably, in FY15, the District paid just over \$208,000 in settlements for claims involving District drivers failing to yield the right-of-way and injuring third parties and/or damaging their property. Of this total amount, the Department of Public Works (DPW) accounted for \$119,929, Metropolitan Police Department (MPD) for \$69,027 paid, and District of Columbia Public Schools (DCPS) accounted for \$12,348 paid. Claims settled in which District drivers rear-ended the vehicles of private citizens totaled \$469,912. Of this amount, MPD accounted for (\$143,589), Department of Transportation (DDOT) (\$118,042) and Office of the State Superintendent (OSSE) (\$144,262).

Claims settled in which District drivers had a collision w/non-moving objects totaled \$234,487. Of this amount, MPD accounted for (\$48,914), DDOT (\$20,156) and DPW (\$112,098). Settlements of claims in which District drivers side swiped another vehicle totaled \$307,002. Of this amount, Fire and Emergency Medical Services (FEMS) accounted for (\$74,886), Department of General Services (DGS) (\$56,213) and DPW (\$45,328).



FY 2015 Tort Liability vehicle-related claims

The Public Sectors Workers' Compensation Program (PSWCP) analysis reveals that motor vehicle associated claims have also been very costly for the District. As shown in the charts below, motor vehicle accidents involving District vehicles account for \$357,965 of the PSWCP claims paid by the District in settlements. Notably, in FY 15, the District paid \$84,733 for 60 settlements involving District driver's side swiping other vehicles. The District paid \$69,285 four (4) PSWCP claims that resulted from employees striking fixed (non-moving) objects. Costs associated with ongoing claims related to past vehicle incidents continue to have a financial impact on the District.



FY 2015 Workers' Compensation vehicle-related claims

3. Project Objectives & Goals

The District of Columbia government does not currently have a District-wide defensive driver training program for employees. A few District agencies, such as District of Columbia Public Libraries (DCPL) and DPW, have contracted with outside defensive driver training organizations, such as the National Safety Council and Smith System, to implement a defensive driving program for their staff.

This rigorous program will implement a mandatory standardized defensive driver training for employees who operate government vehicles. This education will dramatically reduce the risks associated with the District's auto liability, auto physical damage and workers compensation exposures, and most importantly make DC a safer place for all – to live, work and play.

The objective of this program is to create a safer driving environment for the citizens of the District of Columbia, and for its employees. Motor vehicle accidents can be, and often are, devastating. There are no minor accidents. Someone may have just backed into a utility pole, and did very little damage to the vehicle, and no damage to the utility pole, but it's still not a "minor accident." It is our objective to teach every driver using a District fleet vehicle what to be aware of, avoid, and to practice good defensive driving habits.

4. Project Activities/Action Plan

Creating Safer Streets

The Government of the District of Columbia has nearly 5,000 licensed drivers operating vehicles on a daily basis on behalf of the government as part of their employment, including, among others, school bus drivers, waste management trucks, emergency response vehicles including the Metropolitan Police Department, Fire and EMS, Chief Medical Officers, Homeland Security, Department of Corrections, Department of Environment and Energy, and many more. The defensive driver training program will provide District agencies with a standardized vehicle operator training program for eligible employees in accordance with the Department of Motor Vehicles, ORM, District of Columbia Human Resources policy, regulations and law, including any changes that may occur from time to time.

The Defensive Driving Program will have 2 (two) core sections:

1. Online e-Learning courses;
2. Behind-the-wheel training and evaluation;

1. Online e-Learning. The program will provide a two (2) hour on-line defensive driving training program that focuses, at a minimum, on defensive driving with emphasis on avoiding the following:

- Aggressive driving;
- Backing incidents;
- Striking fixed objects;
- Front/rear-end collisions;
- Intersection collisions;
- Distracted driving; and
- Other high risk driving exposures.

The e-Learning program will provide an environment for the following:

- Development of a website address for RPS and learners to access the training program;
- Development a training instruction document and application within the online defensive driving training program;
- Providing a login section/page where trainees and RPS officials can logon to enter the training program;
- Compliance reports;
- Instructions on how to file a vehicle incident report with DCORM;
- Learners Help section; and
- Logout section.

The e-Learning program will provide an on-line defensive driving training program that will allow RPS officials the following management abilities:

- The ability to assign, disseminate, and remove user id's and passwords of trainees;
- The ability to view and create completion reports of trainees according to Agency name;
- The ability to print status reports for trainees individually and for agencies as a whole, or group;
- The ability for the trainees to receive a certificate of completion via e-mail following completion of the training program;
- The ability to track agency and trainee compliance;
- Annual "refresher" courses will also be mandated by the program to assure that drivers adhere to the defensive driver program; and
- Provide updates to any new initiatives, share changes in statutes, and assure continued engagement and commitment to the program.

The program will focus on being more aware of a drivers surroundings, teaching them to recognize and avoid potential trouble spots, and make better decisions when behind the wheel.

Although several District agencies have implemented their own defensive driving program, the proposed program would reinforce what they have already learned, standardize defensive driver training across the District, and would also be used as a retraining program for any employees with repeated complaints or at-fault accidents. Existing third-party defensive driver training programs will eventually be phased out and replaced by the District defensive driver training program.

2. Provide in-vehicle behind-the-wheel driver training. Fleet coordinators and instructors will be able to maximize the employee's learning time behind-the-wheel exercises and ultimately their skills by first providing a short but dynamic classroom lesson in which students hear, see and comprehend the specific technique they are about to put into practice. Behind-the-wheel training delivers faster learning comprehension; better long-term retention of the subject matter; greater confidence by learners when performing learned advanced techniques; and most importantly, mastery of these techniques so they become long-term, "hard-wired" safety skills.

Each agency will have at least one driver training instructor that will have attended and successfully completed the defensive driver training program. Trainers will be responsible for their agency's initial driver training, tracking drivers and their agency's drivers list, and any training that may be required by regular employees.

Finally, the Office of Risk Management will, as part of this initial program implementation, collaborate with District agencies and assemble an oversight committee to review the development of program content. The Office of Cable Television, Film, Music & Entertainment (OCTFME) will provide video and audio support in the development of the program. The Office of the Chief Technology Office (OCTO) will provide technical support and guidance throughout the course development.

Transparency and Responsiveness

It is our intent to develop a user friendly system that gives each agency access to their employees who have completed the training, track their progress and compliance with the program, and any incidents, accidents, or complaints that have occurred. All agencies will participate and 100% compliance is expected. Compliance will be tracked on a percentage basis and those agencies that comply with the defensive driver training program.

Training Program Development

The Office of Risk Management is proposing to develop a tailor-made, defensive driver training program that teaches Safe driving techniques and habits, explains potential driving challenges, and potential pedestrian injuries through a web-based driver training program. Each agency will have access to scenario-based training which encompasses both road obstacles and potential collision situations, other drivers reactions, and takes into account pedestrian and bicyclist potential and scope of injuries if involved in a collision.

The class will be made up of pertinent, short modules on a central website and most modules will have an attached quiz. After sets of related modules are completed, there will be a section test. Students must obtain a pass/fail rate in order to proceed on to the next module. Once a student has successfully passed all of the presented modules and their tests, an email will be sent to the agency's program administrator and DCORM. Each agency's program administrator will be responsible for checking the employee's license, and any additional drivers training needed. With regards to larger vehicles – ladder trucks, command posts, etc., it is the agency's responsibility to ensure that employees are properly trained, and that they have the appropriate level of licensure .

The course will offer high levels of interactivity using multiple animations based on District locations and vehicles using Software. The course will also be instructor-led using a Web-based training delivery using software such as Centra, Adobe Connect, or WebEx-two-way live audio with PowerPoint.

The program will be reevaluated every 6 months and compared to any data available regarding employee violations,

test questions that need to be updated, and/or training needs that need to be reevaluated, and the program will be updated to reflect those changes needed.

Project Action

FY17	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Analysis												
Determine performance metrics												
Assess available content												
Assess vendor suitability and selection												
Select SMEs												
Determine gaps												
Design												
Create SOPs												
Select learning objectives												
Identify target audience												
Create high level design												
Develop												
Create "in-car" guidance for agencies												
Curate online course content												
Develop online course materials												
Determine online course logistics												
Pilot test online course												
Implement												
Confirm logistics												
Invitation and registration of learners												
Produce materials												
Run course												
Evaluate												
Gather performance metrics												
Provide feedback to program team												
Revise materials as appropriate												



2. Applicant Qualifications

The mission of the DC Office of Risk Management (ORM) is to preserve the physical, human, and financial resources of the Government of the District of Columbia by integrating agency programs of systematically identifying and analyzing exposures to risk, selecting and implementing appropriate risk control strategies, and prudently financing anticipated and incurred losses, into a District-wide integrated risk management program, thereby minimizing the probability, occurrence, and impact of accidental losses on the Government of the District of Columbia, and supporting the effective and efficient achievement of its strategic objectives.

The Office of Risk Management is responsible for ensuring a safe driving culture for District government employees and mitigating exposures of risk to ensure the safety of motorists and District employees. DCORM's Risk Prevention and Safety Program currently has oversight of three important government driver and vehicle programs: How's My Driving; Vehicle Operator Accountability Program; and District agency traffic infraction notifications.

3. Performance Measurements & Evaluation

The program's performance will track agency and employee compliance. Learner compliance will be accomplished through a system of checks and balances to include:

- Initial scoring and evaluation of employee performance during training phase;
- Quarterly audits of agency compliance with the program;
- Quality assurance audits on test results and behind-the-wheel training;
- Course evaluation feedback

Some of the metrics may include the following data:

Completion rates by agency
of employee drivers by agency name and location
of employees who have completed program (verified quarterly)
% of employee who have successfully completed the program

Create a friendly competition amongst agencies by tracking completion % and recognizing steady engagement and completion rates. Perhaps publish and recognize names and agencies at Risk Management Council meetings, agency newsletters, and staff meetings.

Attachment 4

Office of Risk Management (ORM)

Process to Manage Insurance Requirements for Contractors and Vendors

Jane Waters - *Insurance Program Officer*
Robert Preston - *Insurance Program Analyst*
January, 2017



Agenda

- About ORM
- Insurance Program Overview
- How the Insurance Program Applies to You
- The Process & Policy of Determining the Correct Coverage
 - Understanding Risk / Exposures
 - Coverage Review
 - Application
 - Questions & Answers

Who is ORM?



ORM's Purpose is to:

- Provide risk management direction, guidance and support to District government agencies
- Minimize the total cost of risk, resulting in improved government operations and enhanced service delivery
- Reduce the probability, occurrence and impact of losses

Source: (50 DCR 6504, amended 50 DCR 7298; Effective December 15, 2003.)

Reorganization Plan of 2003: the Birth of ORM

ORM was created in 2003 and is a conglomeration of many District functions from varying Agencies:

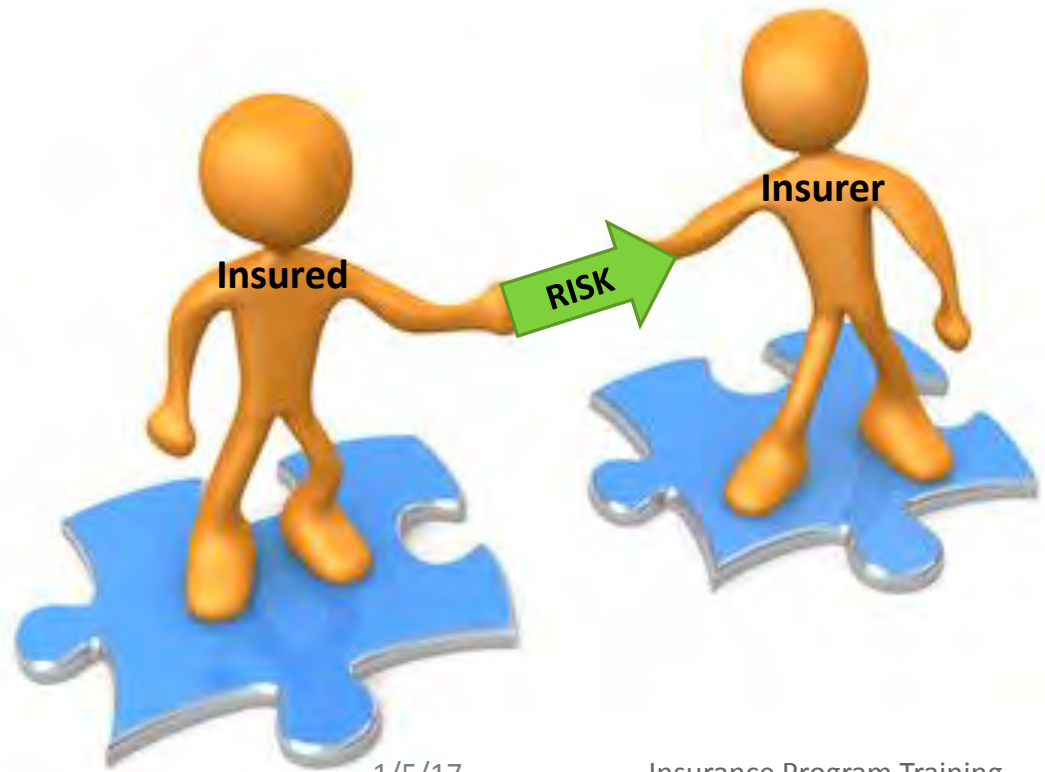
- Insurance Matters – Mayor’s Order, OCP and Medical Captive Insurance Agency Legislation
- Public Sector Workers’ Comp transferred from DOES
- Audit and District-wide Risk Policy transferred from OCA
- Tort Claims – Pre-litigation filings transferred from OAG

ORM Has Five Primary Programs

Insurance	Public Sector Worker's Compensation	Risk Identification, Assessment, and Control	Tort Liability	Agency Management/Legal
Procure Insurance	Claims Management	Safety Inspections	Un-liquidated Damages Claims Management	Agency Operations
Self-Insurance Programs	Indemnity Calculation and Payments	Risk Assessment and Agency Complaints	Investigations	General Counsel
Solicitation Review for Insurance	Medical Payments	Coordination of District Agency Risk Managers	Case Defense	Legal Sufficiency of All Program Docs
Captive Insurance Agency	Return to Work Program	Analysis of Cost of Risk Data and Risk Management Plans	Case Settlement	Settlement Reviews
Medical Malpractice Liability	Investigations	Emergency Response Plans	Subrogation	Legislation, Regulations and Policy
Property Insurance	Subrogation	Audit Tracking	Trend Analysis	Risk Management Training
Terrorism Insurance	Agency Reporting Analysis	Driving Records		
	Program Orientations	How's My Driving		
		Ticket Notification and Tracking of All DC Government Cars		

Purpose of Insurance

- Insurance transfers the risk or possibility of loss from one party (the insured) to another (the insurer).
- The insurer promises to pay on behalf of the insured, if an “insured” loss occurs.



What Constitutes the Insurance Program?



Insurance Program Has Authority To:

- Select / implement appropriate risk control strategies
- Prudently finance anticipated and incurred losses
- Procure insurance
- Utilize alternative risk financing strategies ... to compensate for large liabilities and catastrophic exposure to risk...”

○ Reorg. Plan No. 1 of 2003

Insurance Program's Functions include:

- Administer hybrid self-insurance program
 - Workers Compensation
 - General Liability
 - Auto Liability and Physical Damage
- Utilize the general insurance marketplace to purchase needed insurance coverages
 - Property
 - Quake
 - Terrorism
- Manage the Captive program
 - Provides medical malpractice liability insurance for “not for profit” health centers – staff, contractors, volunteers

Insurance Program's Functions

- Issue self-insurance letters
<http://dcforms.dc.gov/webform/request-self-insurance-letters-new>
- Review any “solicitation involving a procurement over \$100,000 to determine the appropriate amount and type of insurance to be included under a contract” prior to the solicitation being issued
- Provide consultation services regarding insurance requirements
- Assist / provide guidance on claims from a coverage / contract perspective
- **ORM should be immediately notified of any claim / incident.**

How Does the Insurance Program Apply to My Job?



Insurance Application

- Applies to all contracts for supplies, services and construction for or on behalf of the District
- Requires the vendor / contractor to be liable for any damage caused by their negligence



Why?

- To protect / minimize risk for the District of Columbia
- Assure proper insurance requirements are conveyed, received and maintained
- Assure Agencies have the info needed to make informed decisions
- Mandated by “Procurement Practices Reform Act of 2010” (PPRA)
<https://beta.code.dccouncil.us/dc/council/code/titles/2/chapters/3A/>

What Should I Look For?



Contract Insurance Requirement Policy

- Determine the applicable coverages and limits required of contractors / vendors to satisfy the insurance terms of the contract with the District of Columbia
- Expect that standard forms are used **without manuscripting** to minimize risk to the District
- Insurance requirements should be included in the RFP.
 - Contracting officers must inform vendors of the minimum insurance requirements to do business with the District at the beginning of the process.
- Contracts in XS of \$100,000, require review and approval by the Office of Risk Management Insurance Program Officer prior to release of RFP.
- <http://ocp.dc.gov/publication/contract-insurance-requirements>

Insurance Coverages – Standard Coverages

Mandatory:

- The District of Columbia named as an additional insured as respects work performed / services provided
- Vendor's / contractor's coverage will be primary and non-contributory
- Include a waiver of subrogation in favor of the District of Columbia

Standard coverages for most contracts:

- General Liability (GL)
- Auto Liability (AL)
- Workers Compensation (WC) / Employer's Liability (EL)

Insurance Coverages – General Liability (GL)

- Protects the insured's business from financial loss due to bodily injury (BI) and/or property damage (PD) arising out of premises, operations, products, completed operations, advertising and/or personal injury (PI) liability
- Damages can include medical, legal expenses, punitive damages
- **District is self insured**
- **Examples:**
 - > A customer (non – EE), while visiting your office trips on loose flooring
 - > An EE while renovating, accidentally leaves water running, causing substantial damage to a customer's home.
 - > Public trips on an uneven sidewalk

Insurance Coverages – Auto Liability (AL)

- Similar to our own personal auto coverage
- Covers the financial costs resulting from the operation, maintenance or use of a motor vehicle, if you or an employee is found at fault
- If the entity does not own any autos, hired and non-owned coverage may still be required.
- **District is Self insured**
- Example:
 - > An EE falls asleep while driving and hits an oncoming vehicle.



Insurance Coverages - Workers' Compensation - (WC)

- Employer pays / provides insurance to pay the lost wages and medical expenses of an EE who is injured on the job
- Regardless of negligence
- **District is Self-insured**
- Unlimited
- EE loses the common law right to sue
- Examples - EE trips and falls at work, EE involved in car collision while working

Insurance Coverages – Employers Liability (EL)

- Covers liability (limited) arising out of employees' work-related injuries that aren't covered by WC
- Examples:
 - 3rd Party Actions – 3rd party held liable; Injured EE sues manufacturer of machinery that caused his injury, in addition to collecting his WC benefits; the manufacturer could then sue the employer for contributory negligence due to poor maintenance, etc.
 - Loss of Consortium – filed by an injured EE's spouse for loss of the "services" of his or her spouse
 - Dual Capacity"- injured EE, against the employer who manufactures a product that caused the injury
 - Consequential Bodily Injury – filed by family member for injuries suffered as a result of EE's injury

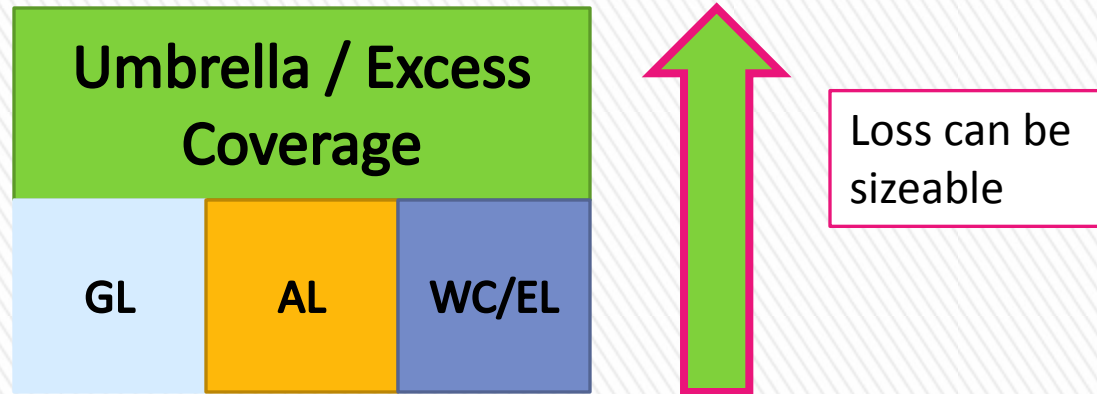
Ancillary Insurance Coverages – Based on exposures

- Umbrella Coverage
- Builders Risk
- Crime
- Cyber Liability
- Employment Practices Liability
- Environmental Liability
- Installation Floater
- Medical Malpractice Liability
- Owners & Contractors Protective
- Professional Liability
- Railroad Protective
- Sexual Abuse / Molestation
- US Longshoreman & Harbor Workers Act (USL&H)

Insurance Coverages – Umbrella Liability

- Written over liability policies to protect against catastrophic losses
- Provides excess limits when the limits of underlying liability policies are exhausted by the payment of claims
- Drops down when the underlying policy is exhausted
- Provides protection when there is no underlying, subject to a self-insured retention (SIR).
- **District is self-insured**

Insurance Coverages – Umbrella Liability



- Can be used to meet insurance requirements
- Example:
 - \$10 million auto accident. Insured has \$1M primary policy and \$11M umbrella. Umbrella comes into play after primary is exhausted.

Insurance Coverages – Based on exposures

- **Builders Risk** – covers property during the course of construction; protects the interest of the District, Contractors, Subs, Architects and property in transit on / off premises that is part of the building / project; should be equal to ultimate cost of building / project
- **Crime / Fidelity Bond** – provides Employee Dishonesty for Contractor's /Vendor's employees; Endorsed to cover "3rd party liability" to include property of the District in their "care, custody and control" – amount should be equal to contract cost



Insurance Coverages – Based on exposures

- **Cyber Liability** – covers the risk's liability for a data breach in which their customers' personal information is exposed /hacked or stolen via the firm's electronic network. Coverage may include a - notification costs, credit monitoring, costs to defend claims, fines, penalties, and loss resulting from identity theft.



Insurance Coverages – Based on exposures

- **Employment Practices Liability** - covers wrongful acts due to employment process - wrongful termination, discrimination, sexual harassment, retaliation, etc.
- **Environmental Impairment Liability** - covers liability and sometimes cleanup costs associated with pollution
- **Installation Floater** – covers personal property installed, fabricated or erected by a contractor. It covers the property until the installation work is accepted by the purchaser or when the insured's interest in the property installed ceases
- **Medical Malpractice Liability** – insures against claims of medical negligence

Insurance Coverages – Based on exposures

- **Owners & Contractors Protective** - A stand-alone policy that covers the named insured's liability for bodily injury (BI) and property damage (PD) caused, in whole or in part, by an independent contractor's work for the insured. The OCP policy also responds to liability arising out of the insured's own acts or omissions in connection with its general supervision of the contractor's operations.
- **Professional Liability / Errors & Omissions** - Covers the vendor / contractor in the event that a client holds them responsible for a service provided, or failed to provide, that did not have the expected or promised results.

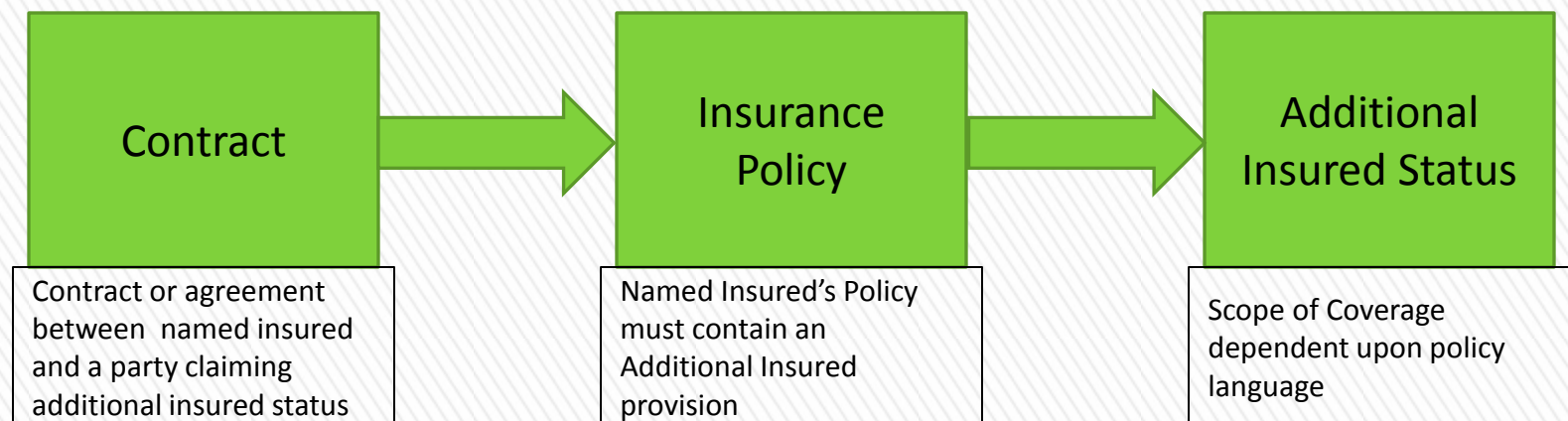
Insurance Coverages – Based on exposures

- **Railroad Protective** - is required of contractors who perform work on or around railroad tracks, railroad right-of-way or owned railroad property.
- **Sexual Abuse / Molestation** - pay damages due to “bodily injury” or emotional harm arising from "sexual abuse" by an "insured", or from "breach of duty" of an "insured" to prevent "sexual abuse“.
- **US Longshoreman & Harbor Workers Act (USL&H)** – Required if the site is near an ocean, lake, river or stream, as work around water is excluded from the WC policy.

Insurance Condition – DC As Additional Insured

The District of Columbia must be named as an additional insured.

- Gives the District direct coverage rights under the vendor's / contractor's insurance policy
- Preserves the District's own liability coverage



District Practices Subrogation

Subrogation - Transfer of rights from the insured to the insurer.

One party has the right to "step into the shoes" of another party for the purposes of bringing a claim for damages

- Prevents “double dipping”
- In the event of an insurance claim, “subrogation” refers to the process by which your insurance company collects money from the party at fault (or their insurance company) in order to recover funds you or your insurance company have already paid, including your deductible.

District Requires Waivers Subrogation

- Agreement between parties that 1 or the other, or both will not pursue subrogation.
- These clauses are intended to minimize the potential for lawsuits, cross-suits, and counter-suits arising from property loss that may occur during the project.
- An effective waiver will prevent the various insurers involved from suing the parties to the construction contracts.

Insurance Condition – Subrogation Example

- Let's say you are waiting patiently at an intersection. When the light turns green and you cross the intersection, another driver runs a red light and crashes into you, causing \$10,000 in damage. The other driver denies running the red light and disputes that he's at fault.
- Since you need your car to be fixed quickly, you file a claim under your own comprehensive insurance and pay a \$1,000 deductible. Using subrogation, your insurance company will file a claim with the at-fault driver's insurance company to recover the full \$10,000. Your insurer will keep the \$9,000 they paid out and reimburse you for the \$1,000 deductible payment you made.

Insurance Condition – Waiver of Subrogation

Example

- You rent a building to “A”.
- “A’s” personal property is in the building.
- Fire in the building.
- “A” and their insurance carrier can seek reimbursement from you, indicating that you as the building owner were responsible / at fault - faulty wiring in the building, etc.
- With a waiver of subrogation in place – they are unable to make a claim

Anti-Deficiency Act

- Prohibits an officer or employee of the United States Government or of the District of Columbia Government from:
 - making / authorizing expenditures in XS of the amount available in the appropriation /fund unless authorized by law
 - involving the government in any obligation to pay money before funds have been appropriated for that purpose, unless otherwise allowed by law.
 - accepting voluntary services for the US, or employing personal services not authorized by law, except in cases of emergency involving the safety of human life or the protection of property.

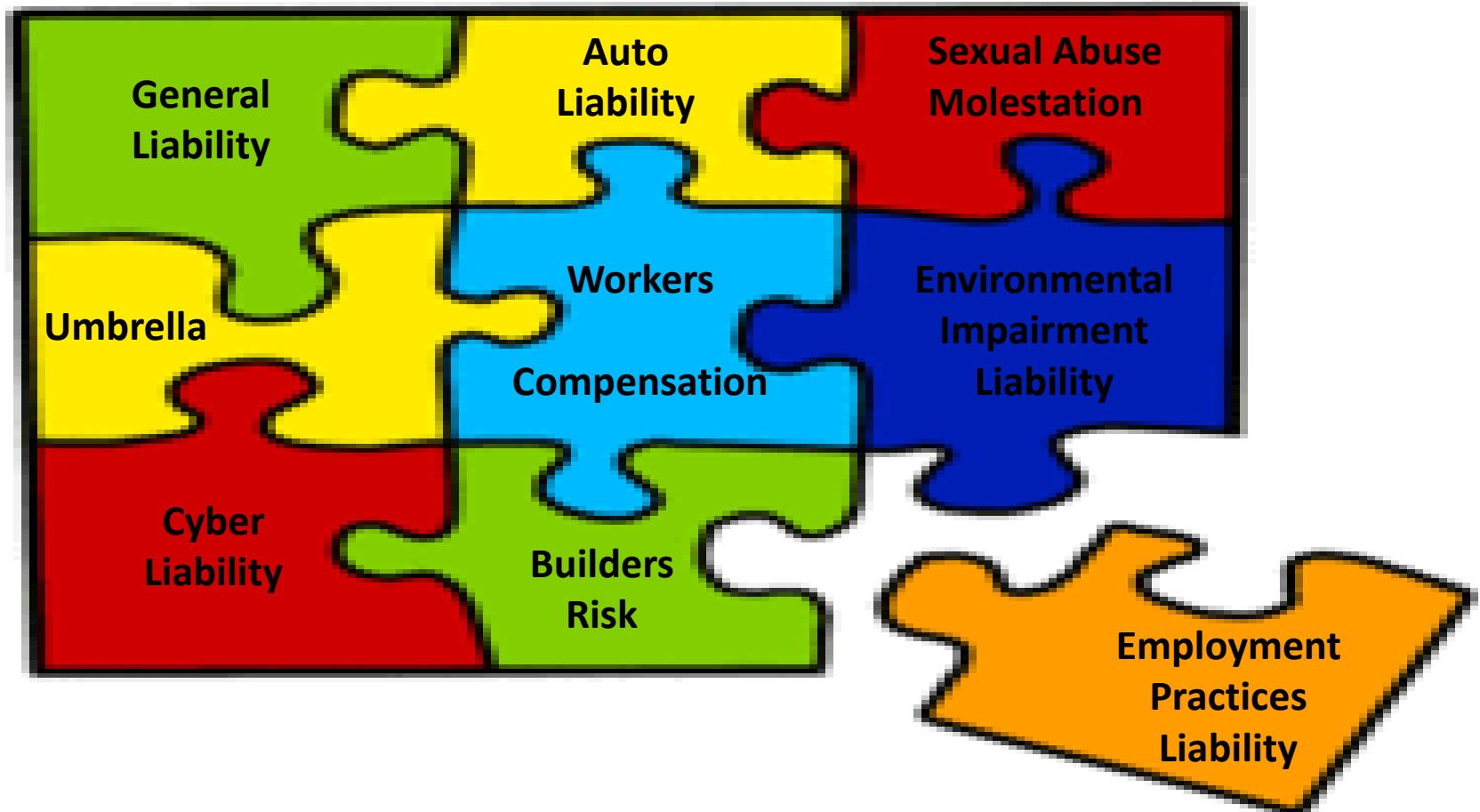
Anti-Deficiency Act - continued

- making obligations or expenditures in XS of an apportionment or reappportionment, or in XS of the amount permitted by agency regulations
- Government employees who violate the Antideficiency Act are subject to two types of sanctions:
 - Administrative - suspension from duty without pay or removal from office
 - Penal - fines, imprisonment

Our Preferred Indemnification Clause

“The Contractor shall indemnify and save and hold harmless the District of Columbia , its officers, agents and, employees and volunteers acting within the scope of their official duties against any liability, loss, damage, expense, including costs (including without limitation costs and fees of litigation) and expenses, of every nature arising out of or in connection with Contractor’s performance of work hereunder or its failure to comply with any of its obligations contained in the agreement, except such loss or damage which was caused by the sole negligence or willful misconduct of the District of Columbia.”

Fit the coverages / limits to the exposure



Exposure Evaluation is Key

- It is critical that the District's exposure to risk is minimized.
- Ability to identify the risk that the specific exposures present is key:
 - Impact on EEs
 - Impact on the public
 - Impact on seniors, children, tourism
 - Terrorism
- The insurance program must consider the exposure and then “craft” insurance parameters that mitigate and control the District's exposure.

Exposure Evaluation is Key

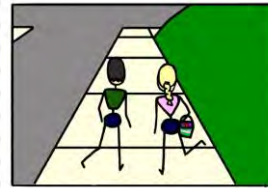
- **Who** is the contract with?
- **What** are the exposures?
- **When** – time period?
- **Where**?
- **How** is the work being performed?
- **Why** is the work being performed?



ID the exposures

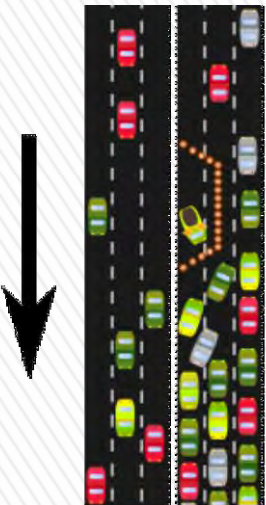
- You understand the contract better than anyone
- ID what the exposures to loss are
 - Size of contract
 - # of employees
 - Does the vendor / contractor have to hire new employees to complete the project?
 - Inexperienced?
 - Will sub contractors be involved?
 - Site management exposures
 - Is our contract a general contractor / paper contractor?
 - Do we have a history with the vendor / contractor – have we worked successfully with them in the past?

ID the exposures



○ Who will be exposed?

- Crowds?
- General public?
- District EEs
- Children – sexual abuse?
- Hospital – sexual abuse? Medical services?
- Technology – cyber?
- General contractor – builders risk? Installation floater?



1/5/17



Insurance Program Training



Risk Barometer

Risk	Low	Higher
People	Several	Crowds, health issues, schools, children, riots, sniper, terrorism
Construction	Artisan	Bridges, highways, asbestos abatement, roofers, near railroads, near water, underground
Contractors	Individual / Sub Contractor	General Contractor
Security	Unarmed	Armed
Environmental / Pollution	Innocuous	Chemicals, Medical waste,

General Contracting Exposure

- General contractors (GC's) will typically engage sub contractors to perform “specialized” functions – roofing , masonry, mechanical, etc.
- The District will have no involvement in “vetting” these “subs”, who often dramatically increase the exposure on any project.
- The GC is responsible for managing the “subs” through the completion of the project as well as assuring that the proper insurance is in place.



General Contracting Exposure

- Consideration should be given as to the amount of work to be subbed out. If it is substantial, it may make sense to work directly with the “specialists” rather than engage a GC.
- It offers direct control / management of the person performing the work.
 - Worksite
 - Contractual obligations
 - Cuts out the middle man
 - Can better control the insurance requirements

General Contracting Exposure



Why would you want your contact to be someone who does not have superior knowledge of the overall project?



Large Vs. Small general contractors



- Large GC's
 - Typically have the project management skillset and actively work their sites
 - Have subs that they work with regularly and those subs probably rely on them for the majority of their work
 - Industry experience is extensive
 - The main issue will be that they want to “drive” the project and perhaps “manuscript” multiple parts of the contract.

Large Vs. Small general contractors



- Small GC's
 - Can be problematic, especially if they are solely “paper” and really not engaged in “working any part of the project – this type of contractor should NOT be engaged.
 - Reliance on others for industry experience
 - Subs will not have steady income from smaller GC's and will be less loyal / dependable
 - Typically cash flow and finances are an issue
 - Insurance limit requirements are problematic

Multiple contractor engagement

- If you engage multiple GC's for the same project, you have basically created a management nightmare if those GC's engage multiple subs – accident waiting to happen
- Multiple and varied exposures



Insurance Template

- A. GENERAL REQUIREMENTS. The Contractor shall procure and maintain, during the entire period of performance under this contract, the types of insurance specified below. The Contractor shall have its insurance broker or insurance company submit a **Certificate of Insurance** to the CO giving evidence of the required coverage prior to commencing performance under this contract. In no event shall any work be performed until the required Certificates of Insurance signed by an authorized representative of the insurer(s) have been provided to, and accepted by, the CO. All insurance shall be written with financially responsible companies authorized to do business in the District of Columbia or in the jurisdiction where the work is to be performed and have an **A.M. Best Company rating of A-VIII or higher**. The Contractor shall require all of its subcontractors to carry the same insurance required herein.

All required liability policies shall include the Government of the District of Columbia as an **additional insured** and shall contain a **waiver of subrogation**.

If the Contractor and/or its subcontractors maintain broader coverage and/or higher limits than the minimums shown below, the District requires and shall be entitled to the broader coverage and/or the higher limits maintained by the Grantee and subcontractors. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the District.

Insurance Template (Cont'd)

1. Commercial General Liability Insurance. The Contractor shall provide evidence satisfactory to the CO with respect to the services performed that it carries \$1,000,000 per occurrence limits; \$2,000,000 aggregate; Bodily Injury and Property Damage including, but not limited to: premises-operations; broad form property damage; Products and Completed Operations; Personal and Advertising Injury; contractual liability and independent contractors. The policy coverage shall include the District of Columbia as an additional insured, shall be primary and non-contributory with any other insurance maintained by the District of Columbia.
2. Automobile Liability Insurance. The Contractor shall provide automobile liability insurance to cover all owned, hired or non-owned motor vehicles used in conjunction with the performance of this contract. The policy shall provide a \$1,000,000 per occurrence combined single limit for bodily injury and property damage.
3. Workers' Compensation Insurance. The Contractor shall provide Workers' Compensation insurance in accordance with the statutory mandates of the District of Columbia or the jurisdiction in which the contract is performed.

Employer's Liability Insurance. The Contractor shall provide employer's liability insurance as follows: \$500,000 per accident for injury; \$500,000 per employee for disease; and \$500,000 for policy disease limit.

Insurance Template (Cont'd)

[OPTIONAL ADDITIONAL INSURANCE PROVISIONS – CONSULT WITH ORM FOR SPECIFIC COVERAGE AND AMOUNTS:

Auto Physical Damage Coverage - The Contractor shall provide auto physical damage insurance to cover "loss" to a covered "auto" or its equipment:

Comprehensive - Fire, lightning or explosion; Theft; Windstorm, hail or earthquake; Flood; Mischief or vandalism; or the sinking, burning, collision or derailment of any conveyance transporting the covered "auto". Collision Coverage Caused by: The covered "auto's" collision with another object or the covered "auto's" overturn.

Crime Insurance (3rd Party Indemnity) - The Contractor shall provide a 3rd Party Crime policy to cover the dishonest acts of Contractor's employees which result in a loss to the District. The policy shall provide a limit of \$ _____ per occurrence.

Cyber Liability Insurance - The Contractor shall provide Cyber Liability Insurance, with limits not less than \$2,000,000 per occurrence or claim, \$2,000,000 aggregate. Coverage shall be sufficiently broad to respond to the duties and obligations as is undertaken by Contractor in this agreement and shall include, but not limited to, claims involving infringement of intellectual property, including but not limited to infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, alteration of electronic information, extortion and network security. The policy shall provide coverage for breach response costs as well as regulatory fines and penalties as well as credit monitoring expenses with limits sufficient to respond to these obligations.

Insurance Template (Cont'd)

Environmental Liability Insurance - The Contractor shall provide a policy to cover costs associated with bodily injury, property damage and remediation expenses associated with pollution incidents including, but not limited to, mold, asbestos or lead removal. The policy shall provide a minimum of \$ _____ in coverage per incident and \$ _____ aggregate.

Employment Practices Liability - The Contractor shall provide evidence satisfactory to the Contracting Officer with respect to the operations performed to cover the defense of employment related claims which the District of Columbia would be named as a co-defendant in claims arising from: Discrimination, Sexual Harassment, Wrongful Termination, or Workplace Torts. Policy shall include the Client Company Endorsement for Temporary Help Firms and the Independent Contractors Endorsement. The policy shall provide limits of \$ _____ for each wrongful act and \$ _____ annual aggregate for each wrongful act.

Installation-Floater Insurance - For projects not involving structures, the contractor shall provide an installation floater policy with a limit equal to the full contract value. The policy shall cover property while located at the project site, at temporary locations, or in transit; deductibles will be the sole responsibility of the contractor.]

Professional Liability Insurance (Errors & Omissions) - The Contractor shall provide Professional Liability Insurance (Errors and Omissions) to cover liability resulting from any error or omission in the performance of professional services under this Contract. The policy shall provide limits of \$ _____ per occurrence for each wrongful act and \$ _____ annual aggregate.

Insurance Template (Cont'd)

Sexual/Physical Abuse & Molestation - The Contractor shall provide evidence satisfactory to the Contracting Officer with respect to the services performed that it carries \$1,000,000 per occurrence limits; \$2,000,000 aggregate. The policy coverage shall include the District of Columbia as an additional insured. This insurance requirement will be considered met if the general liability insurance includes sexual abuse and molestation coverage for the required amounts.

Umbrella or Excess Liability Insurance - The Contractor shall provide umbrella or excess liability (which is excess over employer's liability, general liability, and automobile liability) insurance as follows: \$_____ per occurrence, including the District of Columbia as additional insured. All liability coverages must be scheduled under the umbrella.

Certificates of Insurance


- Provide proof of required insurance
 - Effective date
 - Lines of Business
 - Limits
 - Carrier
 - Additional insured
 - Waiver of subrogation
 - The government of the District of Columbia as the certificate holder

Certificates of Insurance

- Not a guarantee
 - Coverages can be mis-represented / mis-understood
 - Expire or be cancelled during the midst of a contract
 - Rarely will they sync up with the term of the contract
 - This is existing insurance that the vendor / contractor already has in place
 - If the insurance is expiring within the next 60days, immediately request an updated certificate
 - If it will expire prior to the contract end date, create a diary 60 days prior to the insurance expiration date to follow up for an updated certificate of insurance

Certificates of Insurance – Example Page 1

EXHIBIT X.J.1 ACORD CERTIFICATE OF LIABILITY



CERTIFICATE OF LIABILITY INSURANCE

DATE (MMDDYYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:		FAX:	
	PHONE:		E-MAIL:	
INSURED	ADDRESS:		INSURER(S) AFFORDING COVERAGE	
			NAIC #	
			INSURER A:	
			INSURER B:	
			INSURER C:	
			INSURER D:	

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:
-----------	---------------------	------------------

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

TYPE	TYPE OF INSURANCE	ADD'L SUBR POLICY NO.	POLICY NUMBER	POLICY EFF. (MMDDYYYY)	POLICY EXP. (MMDDYYYY)	LIMITS
<input type="checkbox"/>	GENERAL LIABILITY					EACH OCCURRENCE \$
	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED \$
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR					PERSONAL & ADV INJURY \$
						MED EXP (Any one person) \$
GEN'L AGGREGATE LIMIT APPLIES PER						GENERAL AGGREGATE \$
	<input type="checkbox"/> POLICY <input type="checkbox"/> PER <input type="checkbox"/> LOC					PRODUCTS - COMP/OP AGG \$
<input type="checkbox"/>	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT \$
	<input type="checkbox"/> ANY AUTO					BIODLY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS				BIODLY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE \$
<input type="checkbox"/>	UMBRELLA LIAB <input type="checkbox"/> OCCUR					EACH OCCURRENCE \$
<input type="checkbox"/>	EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE					AGGREGATE \$
<input type="checkbox"/>	DED. <input type="checkbox"/> RETENTION \$					\$
<input type="checkbox"/>	WORKERS COMPENSATION AND EMPLOYERS LIABILITY					INDUSTRIAL - 100%
	<input type="checkbox"/> ANY EMPLOYEES/PART-TIME/EXECUTIVE	<input type="checkbox"/> Y/R				E.L. EACH ACCIDENT \$
	<input type="checkbox"/> CONTRACTORS/EMPLOYEES (Mandatory in NY)	<input type="checkbox"/> H/A				E.L. DISEASE - EA EMPLOYEE \$
	<input type="checkbox"/> CONTRACTORS/EMPLOYEES (Mandatory in NY)					E.L. DISEASE - POLICY LIMIT \$
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)						

CERTIFICATE HOLDER	CANCELLATION
	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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ACORD 25 (2010/05)
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Insurance Program Training

Certificates of Insurance – Example Page 2

AGENCY CUSTOMER ID: [REDACTED]
LOC #: [REDACTED]

ACORD **ADDITIONAL REMARKS SCHEDULE** Page 2 of 2

AGENCY: [REDACTED]		NAMED INSURED: [REDACTED]	
POLICY NUMBER: [REDACTED]		[REDACTED]	
OWNER: [REDACTED]	NAIC CODE: [REDACTED]	EFFECTIVE DATE: [REDACTED]	

ADDITIONAL REMARKS
THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM.
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

Other details may apply per policy terms and conditions.

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Insurance Program Training

Certificates of Insurance – Checklist

Certificate of Insurance Checklist

Date _____ Contractor/Facilities User: _____

Contractor or Facility Use Dates _____ Prepared by _____

Verify the following information:

- Insurance Carrier is acceptable - check at www.ambest.com
- Insured name matches name on contract / use agreement / permit
- Liability coverages are in compliance with insurance requirements in contract / use agreement / permit
- Policy coverage dates cover contract / use agreement / permit term
- Liability coverage limits are in compliance with contract / use agreement / permit
- Vehicle coverages are in compliance with insurance requirements in contract / use agreement / permit
- Vehicle coverage dates cover contract / use agreement / permit term
- Vehicle coverage limits are in compliance with insurance requirements in contract / use agreement / permit
- Excess coverage dates cover contract / use agreement / permit term
- Excess coverage limits are in compliance with contract / use agreement / permit (if required)
- Professional liability coverage provided (if required)
- Workers' Compensation coverage dates cover contract / use agreement / permit term (if required)
- Employers Liability coverage is indicated
- Property coverages provided (if required)
- Builders Risk Coverages provided (if required)
- Pollution coverage provided (if required)
- Any other coverage required in contract or use agreement
- Certificate Holder Information is correct
- Additional Insured information is correct for Liability coverage
- Waiver of Subrogation
- Cancellation notice information is correct

1/5/17

Insurance Program Training

Just say no – drive the process



They want the contract – you are in the driver's seat.



Contact:

Jane Waters

Insurance Program Officer

Tel: 202-724-2265

E-mail: jane.waters@dc.gov

Robert Preston

Insurance Program Analyst

Tel: 202-727-4215

E-mail: robert.preston@dc.gov



Attachment 5

FY2017 Subrogation Checks

		CHECK AMOUNT	CLAIM NUMBER	AGENCY	ADJUSTER
Oct-16	1	\$970.11	1601058-000	CFSA	A. Suleman
	2	\$2,266.60	1601019-000	OSSE	J.Stokes
	3	\$854.00	1600445-000	DPR	J.Stokes
Oct Total		<u>\$4,090.71</u>			
Nov-16	1	\$5,442.00	1601040-000	OSSE	A. Suleman
	2	\$1,717.25	1601137-000	OSSE	A. Suleman
	3	\$1,833.00	1600612-000	OSSE	A. Suleman
	4	\$895.00	1601221-000	OSSE	A. Suleman
Nov Total		<u>\$9,887.25</u>			
Dec-16	1	\$375.00	1601275-000	OSSE	A. Suleman
	2	\$785.00	1601139-000	OSSE	A. Suleman
	3	\$3,849.00	1501736-000	OSSE	A. Suleman
	4	\$3,185.00	1601109-000	OSSE	A. Suleman
Dec Total		<u>\$8,194.00</u>			
Jan-17	1	\$1,396.20	1600624-000	OSSE	A. Suleman
	2	\$3,538.20	1501725-000	OSSE	A. Suleman
	3	\$4,110.83	1600447-000	DOH	A. Suleman
	4	\$2,027.00	1601376-000	OSSE	A. Suleman
	5	\$2,996.76	1601463-000	OSSE	A. Suleman
Jan Total		<u>\$14,068.99</u>			
Feb-17		\$0.00			
Feb Total		<u>\$0.00</u>			
Mar-17		\$0.00			
Mar Total		<u>\$0.00</u>			
Apr-17		\$0.00			
Apr Total		<u>\$0.00</u>			
May-17		\$0.00			
May Total		<u>\$0.00</u>			
Jun-17		\$0.00			
Jun Total		<u>\$0.00</u>			

Jul-17 \$0.00

Jul Total \$0.00

Aug-17 \$0.00

Aug Total \$0.00

Sep-17 \$0.00

Sept Total \$0.00

FY17 Total \$36,240.95

FY16 Total \$175,846.89

FY15 Total \$82,809.28

FY14 Total \$101,109.13

FY13 Total \$18,321.46

FY12 Total \$27,963.20

FY11 Total \$32,494.07

FY10 Total \$196,473.16

FY09 Total \$328,280.60

Grand Total

\$999,538.74

Attachment 6

**DISTRICT OF COLUMBIA CAPTIVE INSURANCE COMPANY
ANNUAL STATEMENT FOR THE PERIOD ENDED
September 30, 2016**

District of Columbia Captive Insurance Agency
COMPANY NAME

INCORPORATED DATE: May 29, 2008

COMMENCED BUSINESS DATE: May 29, 2008

DC HOME OFFICE ADDRESS: 1120 20th Street NW, Suite 600, Washington DC

COMPANY CONTACT: Jed Ross (202) 727-8600
NAME PHONE

CAPTIVE MANAGER: Emi Swaim (202) 862-5339
NAME PHONE

OFFICERS*

TITLE	NAME	TITLE	NAME	TITLE	NAME

DIRECTORS*

NAME	NAME	NAME
<u>Jed Ross</u>		

State of District of Columbia
County of

Jed Ross Chief Risk Officer
-
-

of the..... District of Columbia Captive Insurance Agency, being duly sworn, each for himself deposes and says that they are the above described officers of the said insurer, and that on the last day of the period presented, all of the herein described assets were the absolute property of the said insurer, free and clear from any liens or claims thereon, except as stated, and that this annual statement, together with related exhibits, schedules, and explanations therein contained, annexed or referred to are a full and true statement of all the assets and liabilities and of the condition and affairs of the said insurer as of the date presented, and of its income and deductions therefrom for the year ended on that date, according to the best of their information, knowledge and belief, respectively.

Jed Ross
Jed Ross
Chief Risk Officer

Other Executive Officer

Subscribed and sworn to before me this 18 day of Jan, 2017

Sing Chuen Yeung

**SING CHUEN YEUNG
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires November 14, 2019**

*Show full name and indicate by number sign (#) those officers and directors who did not occupy the indicated position in the previous annual statement.

**Or corresponding person having charge of the accounts of the insurer.

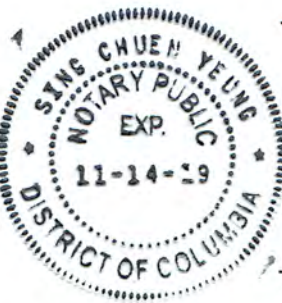


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- 11. INVESTMENT SCHEDULE
- 12. CROSS CHECK

These templates may be used for other lines of business written if necessary.

These templates may be used for other lines of business written if necessary.

District of Columbia Captive Insurance Agency

BALANCE SHEET		
ASSETS		
	9/30/16	9/30/15
1. Bonds		
2. Stocks		
3. Cash	382,563	285,737
4. Savings and Certificate of Deposit		
5. Other Invested Assets		
a) Appropriated Capital Fund	4,382,141	4,958,111
b)		
6. Subtotal, Cash and Invested Assets (lines 1 to 5)	4,764,704	5,243,848
7. Investment Income Due and Accrued		
8. Accounts and Premiums Receivable	-	38,894
9. Investments In and Advances to Affiliates		
10. Deferred Tax Asset		
11. Deferred Acquisition Costs		
12. Reins. Recoverable on Unpaid Losses & LAE		
13. Reins. Recoverable on Paid Losses & LAE		
14. Funds Held by Ceding Reinsurers		
15. Prepaid Reinsurance Premiums	-	
16. Deposits With Reinsurer		
17. Letters of Credit		
18. Other Assets		
a) Loan to Parent		
b) Accrued Interest on Loan to Parent		
c)		
19. Total Assets (lines 6 to 18)	4,764,704	5,282,742
LIABILITIES, CAPITAL AND SURPLUS		
	9/30/16	9/30/15
20. Losses	398,091	409,341
21. Loss Adjustment Expenses	398,091	409,341
22. Reins. Payable on Paid Losses & LAE		
23. Deposits Held Pursuant to Insurance Contracts		
24. Commissions, Expenses and Fees		
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28. Reinsurance Balances Payable		
29. Loans and Notes Payable		
30. Amounts Due to Affiliates		
31. Funds Held Under Reinsurance Contracts		
32. Dividends Payable		
33. Other Liabilities		
a) Accrued Expenses		
b)		
c)		
34. Total Liabilities (lines 20 to 33)	796,181	818,682
35. Capital and Surplus:		
a) Common Stock		
b) Preferred Stock		
c) Contributed Surplus	6,078,751	6,622,297
d) Unrealized Gain (Loss) on Investments		
36. Surplus (Accumulated Earnings)	(2,110,229)	(2,158,237)
37. Total Capital and Surplus (page 3, line 27)	3,968,522	4,464,060
38. Total (lines 34 and 37)	4,764,704	5,282,742

District of Columbia Captive Insurance Agency

STATEMENT OF INCOME		
	9/30/16	9/30/15
Underwriting Income:		
1. Net Premiums Written (page 5, column 6)	67,100	73,486
2. Net (Increase) Decrease In Unearned Premiums		
3. Net Premiums Earned	67,100	73,486
4. Other Insurance Income		
5. Total Income (lines 3 and 4)	67,100	73,486
Underwriting Expenses:		
6. Net Losses Incurred	(11,250)	37,500
7. Net Loss Adjustment Expenses Incurred	(11,250)	(2,500)
8. Commissions and Brokerage		
9. General and Administrative	52,188	42,499
10. Other Underwriting Expenses		
11. Total Underwriting Expenses (lines 6 to 10)	29,688	77,499
12. Underwriting Profit (Loss) (line 5 minus 11)	37,412	(4,014)
13. Investment Income - Net	10,596	2,520
14. Other Income		
15. Other Expenses		
16. Income Before Dividends and Taxes (lines 12 to 14 minus 15)	48,008	(1,494)
17. Dividends to Policyholders		
18. Taxes (Federal)		
19. Net Income (line 16 minus lines 17 and 18)	48,008	(1,494)

CAPITAL AND SURPLUS ACCOUNT		
20. Capital & Surplus, end of previous year	4,464,060	5,679,713
21. Net Income	48,008	(1,494)
22. Net Unrealized Capital Gains or Losses (including equity income (loss) on subsidiaries)		
23. Capital Changes:		
a) Paid in		
b) Transferred from Surplus (Stock Dividend)		
c) Transferred to Surplus		
24. Surplus Adjustments:		
a) Paid in		
b) Transferred to Capital (Stock Dividend)		
c) Transferred from Capital		
25. Dividends (Show as negative)		
26. Other (Show reductions in surplus as negatives) :		
a) Removal of prior year appropriation funding	(1,965,079)	(6,319,844)
b) Addition of FY15 appropriation		5,105,685
c) Addition of FY16 appropriation	1,421,533	
27. Capital & Surplus, end of current year (lines 20 to 26; page 2, line 37)	3,968,522	4,464,060

District of Columbia Captive Insurance Agency

QUESTIONNAIRE

- 1.1 What is the name of the individual(s), corporation(s), association, or other entities who directly or indirectly own or control the insurer? Please list individual owners and percentage of ownership.
The Captive is a subordinate agency of the District of Columbia

- 1.2 CAPITAL STOCK OF CAPTIVE

Class	Number Shares Authorized	Number Shares Outstanding	Par Value
Preferred			
Common			

2. What is the name and address of approved Manager (include firm name)?
Otis Tolbert - Aon Risk Services Inc of Washington DC
1120 20th Street NW, Suite 600, Washington DC 20036
3. What is the approved appointed actuary's name and the address of the actuarial firm?
Gregory Larcher - Aon Global Risk Consulting
9841 Broken Land Parkway, Suite 305 Columbia, MD 21046
4. What is the name of the approved CPA partner and the address of the independent CPA firm?
Not applicable - Captive is not required to have a separate stand-alone audit since it is already audited as part of the overall DC audit.
5. What is the name and address of resident registered agent?
Morris, Manning & Martin LLP
1401 H Street NW, Suite 760, Washington DC
6. Have all transactions of the captive of which notice was received at the home office on or before the close of business on the date shown been truthfully and accurately entered on its books?
 YES NO
7. What is the largest "net" amount insured in any one risk:
Per occurrence? 1,000,000 Aggregate? 3,000,000
8. Has the "net" aggregate increased over last year's?
If yes, by what amount? YES NO
9. Has any change been made during the year of this statement in the charter, by-laws or articles of association?
 YES NO
- 10.1. Identify the basis of accounting utilized to prepare the statement (e.g., Generally Accepted Accounting Principles (GAAP) or Statutory Accounting Principles (SAP))?
GAAP
- 10.2. If a basis other than GAAP utilized, was approval granted by the Department?
 YES NO
- 10.3. Have all assets been valued in accordance with GAAP or SAP as applicable?
 YES NO

District of Columbia Captive Insurance Agency

QUESTIONNAIRE (continued)

- 11.1 Are the officers, directors and key employees of the reporting entity subject to a code of ethics, adopted by the captive insurer, which includes, at a minimum, the following standards?
 (a) Honest and ethical conduct, including the ethical handling of actual or apparent conflicts of interest between personal and professional relationships;
 (b) Full, fair, accurate, timely and understandable disclosure in the periodic reports required to be filed by the captive with the Department;
 (c) Compliance with all applicable District laws, regulations and orders of the Commissioner;
 (d) The prompt internal reporting of violations to an appropriate person or persons identified in the code of ethics; and
 (e) Accountability for adherence to the code of ethics.
 YES NO
- 11.1(a) If the response to 11.1 is No, please explain: Not applicable
-
- 11.2 Has each director, officer and key employee certified in writing annually that he or she is in compliance with the captive's code of ethics and a record of such certification is maintained by the captive insurer for review by the Department upon request?
 YES NO
- 11.2(a) If the response to 11.2 is No, please explain: _____
-
- 11.3 Has the code of ethics been amended?
 YES NO
- 11.4 If the response to 11.3 is Yes, provide information related to amendment(s): _____
-
- 11.5 Have any provisions of the code of ethics been waived for any officers, directors and key employees?
 YES NO
- 11.6 If the response to 11.5 is Yes, provide the nature of any waivers(s)
Not applicable
-
12. Has the company changed its plan of operation during the year? If yes, please explain.
 YES NO
-
13. Have losses been discounted? YES NO
 If yes, what interest rate was used Not applicable
 What was the total amount of the discount Not applicable
-
14. Were any of the assets of the company pledged as collateral at any time during the year? (Ignore assets pledged as security for ceding insurers)
 YES NO
 If yes, attach a description of the transactions as a supplement to this filing.

-
15. Is the company writing or assuming unrelated business? YES NO
16. If answer to 15 above is yes, what is the percentage to the total business written and assumed?
Not applicable
-
17. What other services does the approved independent CPA firm provide to the Captive or Parent Corporation?
Not applicable
-
18. Did a quorum of the Board of Directors meet at least once during calendar year 2015 in the District of Columbia, in compliance with DCMR 3709.1 and 3709.2?
 YES NO

District of Columbia Captive Insurance Agency

QUESTIONNAIRE (continued)

19. Has the company changed its auditors or actuaries from the previous year?

- YES
- NO

If yes, why? Not applicable

20. Does the company have funds on deposit with the Insurance Commissioner of the District of Columbia for the protection of policyholders (Not letters of credit)?

- YES
- NO

21. Does the company issue assessable policies? YES NO

22. For fiscal year filers which have received permission to file using fiscal years other than the calendar year enter the first fiscal year end after the election was granted.

September 30, 2009

23. List the company's top five service providers and their function(s)?

Provider Aon Risk Services, Inc of Washington DC

Function(s) Insurance broker

Provider Aon Insurance Managers (USA) Inc.

Function(s) Captive manager

Provider Aon Global Risk Consultants

Function(s) Actuarial services and loss certification

Provider _____

Function(s) _____

Provider _____

Function(s) _____

24a. Has the company entered into any retroactive reinsurance or financial insurance or financial reinsurance contracts?

- YES
- NO

24b. If yes, describe the arrangement including amounts received, paid, imputed interest, and companies involved

Not applicable

REINSURANCE ASSUMED						
*NAME AND STATE OF CEDING INSURER			(1) REINSURANCE PAYABLE ON PAID & UNPAID LOSSES & LAE		(2) PREMIUM ASSUMED	(3) UNEARNED PREMIUMS
			PAID LOSSES & LAE	UNPAID LOSSES & LAE		
AFFILIATES:						
NAME	NAIC #	STATE				
NON-AFFILIATES:						
NAME	NAIC #	STATE				
TOTAL			-	-	-	-

(p.5, col.2)

REINSURANCE CEDED						
*NAME AND STATE OF REINSURER			(4) REINSURANCE RECEIVABLE ON PAID & UNPAID LOSSES & LAE		(5) PREMIUM CEDED	(6) UNEARNED PREMIUMS
			PAID LOSSES & LAE	UNPAID LOSSES & LAE		
AFFILIATES:						
NAME	NAIC #	STATE				
NON-AFFILIATES:						
NAME	NAIC #	STATE				
TOTAL			-	-	-	-

NONE

(p.2, line 12+13)

(p.5, col.4-5)

*Authorized companies or unauthorized companies with the Commissioner's prior approval.

District of Columbia Captive Insurance Agency

UNPAID LOSSES & LAE						
UNPAID LOSSES						
LINES OF BUSINESS	(1) CASE BASIS DIRECT & ASSUMED	(2) CASE BASIS REINSURANCE RECOVERABLE	(3) IBNR	(4) IBNR REINSURANCE RECOVERABLE	(5) DISCOUNT	(6) NET LOSSES UNPAID 1-2+3-4-5
1. Automobile Liability						
2. General & Product Liability						
3. Professional Liability			398,091			398,091
4. Other Liability						
5. Workers' Compensation						
6. Property Liability						
7. All Other Lines						
TOTALS			398,091			398,091

(col. 1 + 3 = p.2, line 20) (p.8, col. 5)

UNPAID LAE							
LINES OF BUSINESS	(7) CASE BASIS DIRECT & ASSUMED	(8) CASE BASIS REINSURANCE RECOVERABLE	(9) IBNR	(10) IBNR REINSURANCE RECOVERABLE	(11) DISCOUNT	(12) NET LAE UNPAID 7-8+9-10-11	(13) LOSS TO LAE DISCOUNT % 10 ÷ 5
1. Automobile Liability							
2. General & Product Liability							
3. Professional Liability			398,091			398,091	
4. Other Liability							
5. Workers' Compensation							
6. Property Liability							
7. All Other Lines							
TOTALS			398,091			398,091	

(col. 7 + 8 = p.2, line 21) (col. 2 + 4 + 8 + 9 = p.2, line 12) (p. 8, col. 13)

LOSS & LAE PAID AND INCURRED										
LOSSES										
LINES OF BUSINESS	(1) DIRECT BUSINESS	LOSSES PAID LESS SALVAGE			(5) NET LOSSES UNPAID CURRENT YEAR	(6) NET LOSSES UNPAID PRIOR YEAR	(7) NET LOSSES INCURRED 4+5-6	(8) RATIO OF LOSSES INCURRED TO PREMIUMS EARNED		
		(2) REINSURANCE ASSUMED	(3) REINSURANCE RECOVERED	(4) NET PAYMENTS 1+2-3						
1. Automobile Liability										#DIV/0!
2. General & Product Liability										#DIV/0!
3. Professional Liability				398,091	409,341	(11,250)	-16.77%			-16.77%
4. Other Liability										#DIV/0!
5. Workers' Compensation										#DIV/0!
6. Property Liability										#DIV/0!
7. All Other Lines										#DIV/0!
TOTALS				398,091	409,341	(11,250)	-16.77%			-16.77%

(p.7, col.6)

(p.3, line 6)

LAE										
LINES OF BUSINESS	(9) DIRECT BUSINESS	LOSSES PAID LESS SALVAGE			(13) NET LAE UNPAID CURRENT YEAR	(14) NET LAE UNPAID PRIOR YEAR	(15) NET LAE INCURRED 4+5-6	(16) RATIO OF LAE INCURRED TO PREMIUMS EARNED		
		(10) REINSURANCE ASSUMED	(11) REINSURANCE RECOVERED	(12) NET PAYMENTS 9+10-11						
1. Automobile Liability										#DIV/0!
2. General & Product Liability										#DIV/0!
3. Professional Liability				398,091	409,341	(11,250)	-16.77%			-16.77%
4. Other Liability										#DIV/0!
5. Workers' Compensation										#DIV/0!
6. Property Liability										#DIV/0!
7. All Other Lines										#DIV/0!
TOTALS				398,091	409,341	(11,250)	-16.77%			-16.77%

(p.7, col.12)

(p.3, line 7)

NET LOSSES & LAE SUMMARY OF ALL LINES OF BUSINESS						
YEARS IN WHICH LOSSES WERE INCURRED	PAID LOSSES AND LOSS ADJUSTMENT EXPENSES AT END OF YEAR					
	2012 & PRIOR	2013	2014	2015	2016	
2012 & PRIOR	191,569	581,319	581,319	581,319	581,319	581,319
2013						
2014				40,000	40,000	
2015						
2016						

OUTSTANDING LOSSES AND LOSS ADJUSTMENT EXPENSE AT END OF YEAR					
YEARS IN WHICH LOSSES WERE INCURRED	2012 & PRIOR	2013	2014	2015	2016
	2012 & PRIOR	-	-	-	-
2013					
2014					
2015					
2016					

IBNR LOSSES AND LOSS ADJUSTMENT EXPENSES AT END OF YEAR					
YEARS IN WHICH LOSSES WERE INCURRED	2012 & PRIOR	2013	2014	2015	2016
	2012 & PRIOR	3,237,118	858,681	478,681	358,681
2013			165,000	125,000	110,000
2014			180,000	150,000	140,000
2015				185,000	175,000
2016					125,000

AUTOMOBILE LIABILITY NET LOSSES & LAE				
YEAR IN WHICH LOSSES WERE INCURRED	PAID LOSSES AND LOSS ADJUSTMENT EXPENSES AT END OF YEAR			
	2012 & PRIOR	2013	2014	2015
2012 & PRIOR	NONE			
2013				
2014				
2015				
2016				

OUTSTANDING LOSSES AND LOSS ADJUSTMENT EXPENSE AT END OF YEAR				
YEAR IN WHICH LOSSES WERE INCURRED	2012 & PRIOR			
	2013	2014	2015	2016
2011 & PRIOR	NONE			
2013				
2014				
2015				
2016				

IBNR LOSSES AND LOSS ADJUSTMENT EXPENSES AT END OF YEAR				
YEAR IN WHICH LOSSES WERE INCURRED	2012 & PRIOR			
	2013	2014	2015	2016
2011 & PRIOR	NONE			
2013				
2014				
2015				
2016				