



DAVID KESTER STRIKES IT RICH IN VEGAS



David Kester, Director of Human Resources & Risk Management for Harris County, Texas, has been selected as National PRIMA's Risk Manager of the Year for 2006. David is the first Texas PRIMA member to ever earn this prestigious award. He will be recognized at an awards luncheon on June 12, 2006, during the National PRIMA Conference in Las Vegas, Nevada.

David has been involved with the risk management program at Harris County since its inception in 1987. He began his career in public risk management as the Risk Management Coordinator and has held the titles of Assistant Director and Director. Under David's leadership, the Human Resources and Risk Management

departments merged in a coordinated effort to address the County's risk exposures and achieve lower costs. These coordinated efforts have allowed Harris County to integrate risk management principles into the human resources process to create safer jobs and enhance all aspects of recruitment, selection and training.

David's efforts have shown fruition in many areas. Over the past ten years the County has realized in excess of \$10,000,000 in savings for workers' compensation alone. Through his active involvement in the state legislative process, David has initiated five bills that have been signed into law. These laws have provided additional flexibility in the purchase and administration of insurance or self-insurance for counties, benefiting not only Harris County, but all counties in Texas.

Additionally, the Risk Management staff for Harris County has dealt with

major natural disasters. In 2001 Houston was hit by devastating flooding from Tropical Storm Allison. This past year, Harris County opened the single largest shelter in the history of the U.S. to assist the Hurricane Katrina evacuees.

In addition to his considerable efforts for his own entity, David has been a leader and mentor within the risk management and human resources profession. He is an Adjunct Professor at the University of Houston-Clear Lake, Graduate School of Business and Public Administration as well as being a frequent speaker at both the State and National PRIMA conferences. David is serving his second term as a Board Member of Texas Chapter PRIMA and is a past president of the State and Local Government Benefits Association (SALGBA). He was also Texas PRIMA's Risk Manager of the Year in 2000.

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May/June 2006

MARK YOUR CALENDARS NOW!



Texas PRIMA
17th Annual Conference
November 8-10, 2006
Omni Bayfront Hotel
Corpus Christi, Texas

Musings From The President...



Scott Payne

Wow... where does the time go? By the time you read this newsletter it will be May... school is almost out, the days are getting downright HOT, hurricane season is in full swing, and 2006 is almost half over already.

Time... it's a mysterious and fluid thing. Some days time just flies... unfortunately that usually occurs on the weekends, and the next thing you know, its Monday morning... again. Other days, usually Council meeting days, time grinds to a halt and it seems as if the day will never end. Fortunately or unfortunately, depending on how you look at it, I seem to have more days like the first than I do the second.

As Risk Managers it seems like we are in a constant battle with "time." Whether it's the timing of an insurance renewal in connection with what is going on in the market, or the timing of a benefit or policy change. We always seem to be grasping for more time when it comes to budgets, and RFP's, and deadlines for our Councils, Boards and Commissions, or when balancing family, work, and volunteerism. And of course, we never have enough time to do the strategic planning and long term thinking we need to do because we are so busy trying to put out the daily brush fires we so often face in our jobs.

The Texas PRIMA Board has been fighting this battle with time as well. The day-to-day details of managing the Association and all the preparation that goes into our Annual Conference seem to occupy the majority of our time at and

between Board meetings. While the conference is certainly a wonderful and beneficial event, we must do more and be more forward thinking for Texas PRIMA to continue to grow and thrive.

To that end, the PRIMA Board went through an extensive strategic planning session as part of our April Board meeting. I am very appreciative of the energy and creativity that the Board and our paid staff brought to the process. I believe some very worthwhile goals were developed and achievable action plans were created. The details of the strategic planning process are presented later in this newsletter for your review.



The Board is committed to achieving the action plans that we have set forth. We hope that we can count on the input, feedback, and involvement of the entire membership as we work to accomplish those goals outlined in our strategic plan. Your first opportunity will be the membership survey that we hope to issue by June of 2006.

As always, thank you for the trust you have placed in the Board. Please let me know if I can assist you in any way.

Scott Payne
President, Texas PRIMA
Risk Manager, City of Denton

Notes from the Board of Directors Meeting

At their meeting April 6 & 7, 2006 in Austin, the Board of Directors moved forward with the business of its members. Members present were Scott Payne, Alan Smith, Melissa Sullinger, Linda Spacek, Gary Urban, Cindy Kirk, Mark Barta, Joe DePalma, David Kester, Tina Paquet, and Regan Rychetsky.

Increasing member benefits continues to be in the forefront of the minds of the board members. The website continues to improve and plans are to launch an on-line member directory in the near future.

While the first day of the meeting was devoted to planning for the Annual Conference in November, the Board spent the second day of the meeting in a very intense strategic planning session. As a result of that meeting, action plans are being developed and everyone is excited about the outcome of this session.

Plans for "The Roaring 20's!!" are coming together, so mark your calendars now for November 8-10 and plan to be in Corpus Christi.

Safety Manager of the Year Award for 2005

Raul Vasquez, Safety Manager with the City of Corpus Christi, Risk Management Division, Human Resources Department, was selected by the National Safety Council-Texas Safety Association as the Safety Manager of the Year for 2005 during their conference in March. The award was presented by Judyann Robinson, Chair of the Public Employees Section.



Raul is a twenty-one year employee with the City of Corpus Christi and during that tenure has achieved many accomplishments. He established the City of Corpus Christi Vehicle Safety Rodeo Contest; he was instrumental in the creation of the City's first Safety Advisory Board which consists of representatives of all major City departments, and meets on a monthly basis to address City wide safety concerns. He coordinates the Automated External Defibrillator (AED) training for City staff. This program was developed in response to the federally funded purchase of 42 defibrillators to be placed in various high profile City buildings.

He also conducts City wide Ergonomic Reviews at the request of department heads, medical personnel, or employees.

Raul serves as a mentor and leader within the industry to help others develop quality safety programs. He represents the City of Corpus Christi on the Local Emergency Planning Committee, as staff assistant to the Vehicle Accident Review Board; and as a liaison between the City and the American Red Cross of the Coastal Bend. Raul served on the Texas Safety Association Board of Directors as Vice-President of the Public Employee Sector. He additionally serves on the Planning Committee of the City's Emergency Operations Center during community wide emergency situations.

Since 1985 through his employment with the City of Corpus Christi, he has involved City employees and departments in the Texas Safety Association's Annual Awards Contest. City employees and/or departments each year have been recognized in the Occupational Safety and Health, Motor Fleet, and Safe Driver categories. The City of Corpus Christi has a population of 275,000, and an annual budget of \$515,000,000. There are 3,300 employees in the City government.

The Texas Safety Association Conference held in March 2006 was its last conference under the Texas Safety Association name. At the conclusion of the conference, the Texas Safety Association merged with and was absorbed by the National Safety Council.

2006 BOARD OF DIRECTORS

Scott Payne, President

Risk Manager, City of Denton
Email: scott.payne@cityofdenton.com

Alan W. Smith, CPCU, ARM, President-Elect

Risk Manager, Garland ISD
Email: awsmith@garlandisd.net

Melissa Sullinger, Secretary

Risk Manager, City of Baytown
Email: melissa.sullinger@baytown.org

Linda Spacek, CPM, CGBA, Treasurer

Risk Manager, City of San Marcos
Email: spacek_linda@ci.san-marcos.tx.us

Gary Urban, MA, ARM, Immediate Past President

Risk Manager, City of Waco
Email: garyu@ci.waco.tx.us

Tina A. Paquet, Past President

Insurance Manager, City of Houston
Email: tina.paquet@cityofhouston.net

DIRECTORS

Mark Barta

Assistant City Manager, City of San Angelo
Email: mark.barta@sanangelotexas.us

Joseph DePalma

Training Specialist,
State Office of Risk Management
Email: joseph.depalma@sorm.state.tx.us

David E. Kester

Director, Human Resources & Risk Management
Harris County
Email: david_kester@hctx.net

Regan J. Rychetsky

HHS Enterprise Director of Risk Management,
Texas Health & Human Services Commission
Email: regan.rychetsky@hhsc.state.tx.us

DIRECTOR EMERITUS

Cindy Kirk, CGBA

Risk Management Director, City of Bryan
Email: ckirk@bryantx.gov

CHAPTER LEGAL COUNSEL

David J. LaBrec

Strasburger & Price, L.L.P.

PRIMA Board Looks to the Future with Strategic Planning Session

A strategic planning session was conducted as part of the April 2006 Board meeting. The PRIMA Board was joined by our executive services provider, our conference planner and our webmaster/graphic designer. Amy Paul, of Management Partners, Inc., facilitated the session. Amy had previously worked with the Board on strategic planning in 2002 so she was already familiar with our group and with Texas PRIMA.

Goals for 2006, and beyond, were developed and ranked prior to this meeting. The top four goals, in order of priority, are:

1. Increase and ensure the value of Texas PRIMA to its members;
2. Build depth in leadership within Texas PRIMA;
3. Grow the membership of Texas PRIMA; and
4. Build financial strength for Texas PRIMA.

The Board then broke into smaller groups to develop action plans to achieve the above goals. The entire group participated in refining the action plans. The goal and the proposed action plans are presented below:

Goal 1 - Increase and ensure the value of Texas PRIMA to its members

- Develop a member survey
- Initiate a Members Only section of the website with password protection
- Continue to hold an annual meeting with our top sponsors to solicit their suggestions and feedback
- Create a benchmarking instrument
- Develop RFP templates

The Board believes that a member survey is crucial to getting feedback to help us evaluate the needs of the membership. We hope to distribute the survey in June of 2006. We are also in the process of finalizing a Members Only section on the website that will have additional information and services for members.

Goal 2 - Build depth in leadership within Texas PRIMA

- Develop a formal mentoring program
- Develop progression of involvement and responsibility prior to Board service
- Seek new ways to recognize volunteer involvement
- Evaluate success

The key to any great organization is great people. The Board is hoping to develop ways to “mine” the talent within Texas PRIMA to identify members who have the desire to serve

in the future as Board members. Many members would like to be more involved but just need to be asked. Goal 2 is about finding the most effective way to locate and “ask” them.

Goal 3 - Grow the membership of Texas PRIMA

- Continue to use regional meetings for member recruitment
- Develop a “member-get-a-member” campaign
- Follow up with members that don’t renew memberships to find out why
- Utilize sponsor websites for conference announcements and information
- Evaluate aligning membership period with the annual conference

If the first two goals are successfully completed, then the Board hopes that Goal 3 will continue to happen. There are a multitude of public entity risk and insurance professionals, whether they have the title or not, that could benefit from their involvement in Texas PRIMA. The challenge is how to locate those individuals and present a compelling case to join PRIMA.

Goal 4 - Build Financial Strength

- Evaluate and define the roles of the Treasurer and executive services provider
- Define our fixed costs and what percentage of revenue covers fixed costs
- Determine if conference revenue covers conference expenses plus other costs not covered by membership dues or other revenue sources
- Develop depth at the Treasurer’s position
- Retain and recruit sponsors/exhibitors

Texas PRIMA has grown from a small, grass roots organization to the premier public risk management organization in Texas with nearly 500 members. With that growth comes increased financial challenges. With Goal 4 the Board hopes to better understand the financial status of the association and to establish some reasonable financial goals. With the threat of natural disasters to some of our more popular conference locations, it is not unimaginable that we could lose an annual conference. Texas PRIMA needs to be in a financial position to withstand that loss.

If you have any comments, suggestions or ideas regarding the goals and action plans that have been outlined, please feel free to contact any Board member and discuss it with them. Texas PRIMA is your organization and the goals of the Board need to reflect your concerns and ideas.

New OSHA Chief

Edwin G. Foulke Jr. received Senate confirmation as Assistant Secretary of Labor for Occupational Safety and Health. He succeeds Jonathan Snare, who headed the agency as Acting Assistant Secretary of Labor following the resignation of John L. Henshaw on December 31, 2004. Before he was nominated to fill the administrator's post, Mr. Foulke was a partner in the Greenville, S.C. office of Jackson Lewis L.L.P., a national law firm specializing in employment issues. He served as Chairman of the Occupational Safety and Health Review Commission from 1990 to 1994.

Texas Workers' Compensation Forum

Scheduled for September 13-15, 2006 at the Fairmont Hotel in Dallas, the Texas Workers' Compensation Forum promises to be an exhaustive discussion of workers' compensation in Texas. With a stellar list of speakers, including several from Texas PRIMA, this conference will address all the key workers' comp issues facing Texas employers, both public and private. For more information about this conference or to register, go to www.txwcforum.com.

2006 Chapter Sponsors

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Marsh USA, Inc.
Pharmaceutical Strategies Group
TRISTAR Risk Management
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CMI Barron Risk Management Services, Inc.
National ChoiceCare
Argus Services Corporation
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Texas Association of School Boards
TML Intergovernmental Risk Pool
Texas Association of Counties
ScriptNet, Inc.
CCS Holdings, L.P.
Willis CAPS
Wachovia Insurance Services, Inc.
Concentra Medical Centers
Scott & White Prescription Services
Dean Pappas & Associates, P.C.

Revisions to the Travel Reimbursement Rule

Effective May 2, 2006 for all travel on or after this date, the Division of Workers' Compensation (DWC) rule 134.110 covers reimbursement of injured employees for travel expenses incurred. In effect the rule says that an injured employee may request reimbursement from the insurance carrier if the injured employee has incurred travel expenses when (1) medical treatment for the compensable injury is not reasonably available within 30 miles from where the injured employee lives; and (2) the distance traveled to secure medical treatment is greater than 30 miles, one way.

Previously, the travel had to be greater than 20 miles. The change implemented by Rule 134.110 will not provide for 'grand fathering' based on the date of injury. All other provisions of this rule will remain the same.

The Safety Corner

Intervening Safely During Fights

At this time of the year, many school districts experience an escalation in student fighting, unfortunately, normal for this time of year. Unfortunately, when teachers try to break-up these fights, they are often injured severely enough that they have to seek medical attention. To help teachers and administrators avoid injury, the following guidelines have been adapted from a program called “*Scared or Prepared: Intervening Safely During Fights*”.

Patterns of Student Fights

Most student fights follow a predictable pattern of escalation and de-escalation. Student fights progress through three stages:



Stage One: Escalation

Before fighting, students (*boys in particular*) engage in the following “battle-ready” behaviors: provoking and taunting each other, name calling, taking off jacket, taking out wallet and pocket contents, and squaring off. Because *girls* do not have many role models for fighting, they tend *not* to engage in posturing and other stage-one rituals and move directly into the intense fighting stage.

Stage Two: Intense Fighting

If no one successfully intervenes during stage one, the students’ aggression will escalate to all out fighting. During this stage students engage in an intense physical altercation.

Stage Three: Lull

As students become tired and winded, the fighting will naturally subside. This is called the lull stage. Each of the three stages lasts approximately 30-60 seconds! After a lull, however, the fighting may escalate again.

Interventions to Stop a Fight

1. *Get Assistance* – send a student for help and/or call the office.
2. *Make Loud, Diverting Sounds* – whistle, bang a locker, slam down books on the floor or table.
3. *Remove the Audience* – remind students of discipline consequences.
4. *Use Short, Clear, Firm Commands* – Use students’ names if possible; “Rick! Roberto! Stop!”
5. *Look for the Victim* – The first student who looks up after being given a command is likely to be the victim and is more likely to comply with your demands.
6. *Verbally Separate the Combatants* – “Roberto, you come with me; Rick, stay there.” Move one student out of the view of the other.

Do not endanger yourself by stepping into the fight. Wait for one of the natural lulls in the fighting and call out to them again. Manage the scene and let the police intervene.

After the Fight

Provide counseling on how to resolve conflict and explain the consequences for fighting or refusing to leave the scene.

2006 Committee Assignments

There are 15 committees established this year to carry on the work of the Chapter. If you would like to volunteer for a committee, contact the Chapter President, Scott Payne, or the respective committee chair.

COMMITTEES

Executive

Chair: Scott Payne, Members: Alan Smith, Melissa Sullinger, Linda Spacek.

By-Laws & Governance

Chair: Gary Urban, Members: Scott Payne, Tina Paquet, Linda Spacek, Carol Saucedo, David J. LaBrec.

Nominations & Elections

Chair: Mark Barta, Member: David Kester.

Legislation

Chair: Martha Rider, Members: Mark Barta, David Kester, Paul Garcia.

Finance

Chair: Linda Spacek, Members: Scott Payne, Gary Urban.

Member Services

Chair: Melissa Sullinger, Members: Cindy Kirk, Regan Rychetsky, Kelly Nichols, Roxanna Kirkpatrick, Kathy Hile.

Communications

Chair: Joe DePalma, Members: Tina Paquet, Cindy Kirk, Carol Carroll, Diane Schoenert, Sam Lawrence. *Newsletter Editor*: Henry Kaplan; *Correspondents*: Committee Chairs

Professional Development

Chair: Mark Barta, Members: Alan Smith, Scott Payne, Joe DePalma, Archie Kountz.

Regional Programs/Education Committee

Chair: Regan Rychetsky, Members: Melissa Sullinger, Joe DePalma, Tracy Seiler, Shannon Morgan.

Future Conference Planning

Chair: Tina Paquet, Members: Linda Spacek, Gary Urban, Cindy Kirk, Shannon Morgan.

Conference 2006

Chair: Alan Smith, Members: Conference Related Committee Chairs.

Opening Reception Planning

Y. Etta McCutcheon, Tammy Leverett, Robert Waggoner, Tracy Seiler, Rene Carnales, Conference Planner.

Speakers & Sessions

Chair: Melissa Sullinger, Members: Regan Rychetsky – Workers' Comp, Tina Paquet – Risk Management, David Kester – Benefits, Joe DePalma – Safety; *Also*: Conference Planner, Wanda Browning, Robert Waggoner, Y. Etta McCutcheon, Karen Nicholson.

Sponsors & Exhibitors

Chair: Cindy Kirk, Members: Executive Committee, Conference Planner, Herb Harris & Pete Gomez, Johnny Fontenot & Robert Waggoner, Mark Gage, Wanda Browning & Kathy Hile, Frances Fey & Paul Saper.

2006 PRIMA Golf Tournament

Chair: Regan Rychetsky, Members: Gary Urban, Mark Barta, Mary Loza, Harris & Harris, Conference Planner.

Awards & Awards Program

Chair: David Kester, Members: Martha Rider, Conference Planner.

Occupational Diseases

An occupational disease is a health problem caused by exposure to a workplace health hazard. **Workplace health hazards can cause three kinds of reactions in the body:**

Immediate or acute reactions, like shortness of breath or nausea, may be caused by a one-time event, (e.g., a chemical spill). These reactions are not usually permanent.

Gradual reactions, like asthma or dermatitis (skin rashes), can get worse and persist when someone is exposed over days, weeks or months. These reactions tend to last for a longer time.

Delayed reactions or diseases that take a long time to develop, like lung cancer or loss of hearing, can be caused

by long-term exposure to a substance or work activity. These reactions can be noticed long after the job is over.

Workplace health hazards that may cause an occupational disease are defined by the Division of Workers Compensation (DWC) which provides the classifications for occupational diseases/cumulative injuries through the Electronic Data Interchange (EDI) requirement. This list may include, but is not limited to the following: Dust Disease NOC (All Other Pneumoconiosis), Asbestosis, Black Lung, Byssinosis (Brown Lung), Silicosis, Respiratory Disorders, Poisoning by Chemicals, Poisoning by Metal, Radiation, Loss of Hearing, Contagious Disease, and Cumulative Trauma Injuries.

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Texas PRIMA
P.O. Box 4693
Austin, TX 78765-4693
Telephone:
512-394-0719
Fax: 512-394-0720

IMPORTANT DATES

TEXAS PRIMA:

2006 Events

July 14 - 15

Board of Directors Meeting

September 14 - 15

Board of Directors Meeting

November 8 - 10

Texas PRIMA Conference & Exhibition (Corpus Christi)

NATIONAL PRIMA ANNUAL CONFERENCES:

June 11 - 14, 2006

Las Vegas, NV

June 10 - 13, 2007

Boston, MA

For information about the Chapter, visit the Texas PRIMA website at <http://www.texasprima.org>.

Communications Committee:

Henry Kaplan, ARM, ALCM

Editor, 972-494-8382,

hdkaplan@garlandisd.net

Joseph DePalma, Chair,

joseph.depalma@sorm.state.tx.us

Tina Paquet, Member

Cindy Kirk, Member

Carol Carroll, Member

Diane Schoenert, Member

Samuel Lawrence, Member

About This Newsletter

This newsletter is published quarterly for the benefit of the members of Texas PRIMA. However, the opinions expressed in the newsletter are those of the writers and do not necessarily represent the views of Texas PRIMA. The aim of this newsletter is to provide information to our members about Chapter events and risk management issues. Please send news, information, comments, etc. to the editor via email, hdkaplan@garlandisd.net.

The deadline for the next issue of this newsletter is two weeks following the next meeting of the Board of Directors.

Texas PRIMA
P.O. Box 4693
Austin, TX 78765-4693

