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It's a "JAZZ" Festival at Texas PRIMA
President's Message

The Jazz Festival has begun in Texas PRIMA with a myriad of activities and accomplishments. Since our last newsletter the Board of Directors has been hard at work with timelines and action item lists. The Social Media committee distributed its survey which will capture what our members' needs are in a social media site. That will give the Committee direction in formulating social media tools for our membership. Currently, the Education Committee is busy planning this year's Risk Management Regional Seminars. Waco is the host city for the next seminar which will be on June 20th. The Jazz Festival is in full swing with the 2012 Call for Presentations initiative. This is a terrific opportunity to partner with a colleague and create that presentation that you feel would be so valuable to other Texas PRIMA members. Or submit as a solo speaker!

Perhaps one of the most exciting ways to join the Texas PRIMA "madness" is by nominating someone for a 2012 Risk Management Award. On behalf of the Awards Committee, I encourage both public entity members and our corporate members to nominate a deserving Risk Manager or Risk Management Associate for one of these prestigious awards. Just go to our website for more information.

Thanks to our Board, our wonderful Sponsors and the Texas PRIMA membership, this year's Annual Conference is shaping into one of the best ever! This year the Conference schedule format has changed, beginning on Sunday, November 11th and concluding Wednesday, November 14th, allowing for more educational sessions for our members. Adding educational sessions was suggested on conference surveys in past years so we are pleased that we can accomplish this format change this year.

Much has been accomplished so far this year, but there are still great things to come. I ask that each of you share your enthusiasm and the value that Texas PRIMA offers with your colleagues who may not be members yet. As you will see in the Long-Term Member Spotlight Article included with this newsletter, being a member of Texas PRIMA offers much learning, professional growth and Risk Management kinship!

Donna James-Spruce
2012 Texas PRIMA President



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**Texas PRIMA Board Member Spotlight**

In every newsletter published we will spotlight a Texas PRIMA Board Member. Who's in the spotlight this month? This month we are shining the light on Norma Jean Rivera.

Norma has been employed by San Patricio County for 22 years and serves as the Human Resources Director. She has received a certificate in Advanced Human Resources Management, as well as various training from the Texas Engineering Extension Service (TEEX), the Texas Association of Counties, the Texas Municipal League, Texas DPS and other Associations. Her achievements at the County include implementation of a return to work program, annual health fairs and recognition by the Texas Association of Counties for their Gold Star Safety awards.

Norma has been a member of Texas PRIMA since 1996. She coordinated regional meetings and served on the conference and member service committees. Norma has also participated in volunteer service for National PRIMA. Her commitment to Texas PRIMA includes attendance at every conference since becoming a member.

Norma's daughter and son-in-law have two grandchildren, Rahda, 3 and Henry, 7 months. In her past time she is a Premier Designs Jeweler, helping ladies feel good about themselves and teaching leadership skills for their betterment. In past years this passion has given her opportunities to travel to other areas of the world. Norma's involvement with many civic and community organizations gives her a sense of challenge and commitment to work with others.

MEMBERS ON THE MOVE

Lashondra Vaughn, City of Waco, was promoted to Senior Claims Specialist.



She has been in Risk Management with the City since 2008 and was promoted in March 2012.

Tell us about your new position, promotion or designation.

Send submission to info@texasprima.org.

Warm Welcome To New Texas PRIMA Members

The Texas PRIMA Board of Directors would like to extend a warm welcome to the new members of our organization.

Ernest DeLeon, Risk Manager - Brownsville Independent School District

Tom Johnston, Director of Administrative Services - City of Frisco

Samantha Taylor, Senior Administrative Assistant - City of Frisco





Long Term Member Spotlight

Featuring Diana Hamilton & David Kester

Diana Hamilton, Director, TRISTAR Risk Management: It's a family affair...

My dad came from a family of ten children. All but one remained in the Dallas area to raise their families. The one that moved away lived in Wichita Falls, just a short drive away. I was fortunate to have grown up with 18 first cousins, holidays at my grandmother's with every room in the house filled to capacity. I recall most of all the inter feeling of warmth and security that my family has always brought to me.

I am telling you about my family so that you can understand, when I say, that my wonderful relationship with the members of Texas PRIMA over the past 21 years has been the second chapter in my loving, caring Family Scrapbook.

I consider myself fortunate to have had the opportunity to work in more than 150 TPA programs for Texas public entities'. What I've learned about Risk Management, customer service, professionalism, self-less friendships, self-esteem and honor can't begin to be told in this short article but will live on forever in my warmest memories.

I have so enjoyed watching, with a great deal of pride, as PRIMA has grown not only in size but in program quality and exhibitor involvement. I was fortunate to be included in the first group of exhibitors in Austin when Shelia Stucky was President. We each had a 6 foot table - no fancy booth - just a folding table. There were 3 of us; Argus Services along with a local insurance agent. Our fee to be a Sponsor was \$600 which included our annual membership cost. As you can see, all things associated with Texas PRIMA, big and small have grown and progressed over the years.

I encourage each of you to continue your support of Texas PRIMA as an officer, a director, a committee member, a sponsor, an exhibitor or an attendee. Search for ways to do more; believe me when I tell you no matter how much you give you will receive 100 times more back. I know I have.

I truly appreciate being given the opportunity to pen this article and share my warmest PRIMA memories with all of you. I will always think warmly of all my PRIMA friends. I am so thankful for my career successes that I credit, in large part, to my relationships and experiences with PRIMA members.

Written by: Diana Hamilton

David Kester, Director-Human Resources & Risk Management, Harris County:

Texas PRIMA and a "Fortuitous" Career

I began my affiliation with Texas Chapter PRIMA and attended our first annual conference in 1990 in McAllen. "Back in the day" (or at least those days), Johnny Fontenot was an up and coming Risk Manager from Beaumont and there must have not been airplanes back then because we drove to every conference, whether in Corpus Christi, Austin or in Dallas. Along with Rupa Mathur, who became one of Texas PRIMA's Presidents, I helped host one of the first (if not the first) regional conferences in Houston.

Back in McAllen, we probably could fit our business meeting in the same size room as one of our "breakout sessions" that we have at today's annual conferences. Today, though we have grown to nearly 500 members, the tradition of quality continuing education, networking and exhibition continues and Texas PRIMA is clearly an exemplary leader in providing opportunities for Risk Management Professionals.

My career with Harris County for the past 25 years has been...using a "risk management" term...quite fortui-



tous. Beginning with the County Auditor’s office and establishing the accounting for our self-insured workers’ compensation program, I helped establish the County’s first formalized risk management program, which also handled employee benefits (now common place in many risk management departments), and eventually merged with HR. Through it all, Texas PRIMA has provided both the educational support and most important, the camaraderie of peers who have helped share their knowledge and experience, as well as provided words of encouragement during the many challenges that we face in our line of work.

I never will say that I have seen it all, but after the floods, hurricanes, tornadoes, and a \$40+million warehouse fire...as far as perils, it has been nearly all but earthquakes (maybe I should not say that too soon!). On the other hand, we have endured the ultimate tragedy of law enforcement officers killed in the line of duty and other tragedies such as a mosquito control employee, a flood control employee and a road and bridge worker. All in all, it is about people; employees, our greatest assets, their families, who expect us to keep their loved ones safe, and of course for our “bosses”...the taxpayers.

I have had so many mentors over the years that I would probably forget to mention some of them if I begin to try to list them. So to my friends and Texas PRIMA family, thank you for everything you do, and may God bless you all!

Written by: David Kester, Harris County

Sponsor Highlight—CIGNA

CIGNA THE NATION’S LEADING HEALTH SERVICE COMPANY WITH A PROUD HISTORY DATING BACK TO 1792



CIGNA's mission, “To help the people we serve improve their health, well-being and sense of security,” is supported by a wide spectrum of initiatives that focus on improving the health and productivity of its customers. As a result of these initiatives, CIGNA has received recognition both within and outside the health care industry: All 23 Cigna HealthCare HMO and Point of Service Plans are accredited by the National Committee for Quality Assurance (NCQA) and 13 currently hold Excellent Accreditation status. In addition, for the tenth straight year, the independent National Committee for Quality Assurance (NCQA) measured “effectiveness of care” of all health plans and CIGNA surpassed the Quality Compass® national average. CIGNA also surpassed the average of its main competitors for the majority of key health measures such as preventive care, health screenings, treatment of chronic conditions, behavioral care and access and availability of care (getting needed care and getting care quickly).

CIGNA HealthCare of Texas has been recognized by NCQA as having the highest-ranked private HMO and Point of Service health care plans in Texas, according to “NCQA’s Private Health Insurance Plan Rankings 2011-2012.”

The strength of Cigna's physician and hospital performance measurement programs for quality and cost was again recognized by the National Committee for Quality Assurance (NCQA). Cigna earned Physician and Hospital Quality (PHQ) Certification for the second time in 2011 after a rigorous recertification survey under NCQA’s strict standards adopted in 2008.

CIGNA is the only health service company to expand customer service hours to 24/7 – including weekends, holidays and overnight hours. No other health care plan is available 24/7 – all 365 days of the year – to support your employees and answer their questions.

For more information about CIGNA, visit www.cigna.com or call Tobin Hawkins at 713.576.4365

Texas PRIMA “23rd Annual Conference Scholarship Program”

The scholarship application process for Texas PRIMA’s 23rd Annual Conference at the Embassy Suites Hotel, SPA, and Convention Center in Frisco, Texas, November 11-14, 2012 is just around the corner.

There are many deserving people who may not be aware of the scholarship program Texas PRIMA offers. We are encouraging members to get the word out to any of your public entity colleagues and clients who might qualify. The scholarship program is designed to assist risk management professionals whose public entity might not be able to afford the cost of attending the Annual Conference. The scholarship includes:

Conference Registration Costs

All costs related to attending the conference, including travel and lodging at the conference hotel
Complimentary membership in Texas PRIMA through 2013

This year we have included scholarship donation opportunities for our sponsors. Their generosity will enable us to grant more scholarships. Look for an email in early June with specific details to include the application process. We appreciate your help in spreading the word about the Texas PRIMA 23rd Annual Conference and scholarship program.

Regional Risk Management Seminars

The Texas PRIMA Education Committee will be hosting its second Regional Risk Management Seminar in the beautiful city of Waco, Texas on June 20, 2012 at the City of Waco’s Operations Center Training Room located at 1415 N 4th Street. In an effort to provide more value to its membership this seminar will have four presentations instead of three to maximize educational opportunities in your time spent away from the office. The following is a tentative agenda but please note this may be subject to change:

Tentative June 20th Schedule in Waco:

8:30 – 9:00 AM	Registration
9:00 – 10:15 AM	Wortham: Medicare Liability Insurance/Gould & Lamb: Medicare Secondary Payer (1 hour CEU)
10:15 – 10:30 AM	Networking Break
10:30 – 11:45 AM	JJ: Pharmacy Trends & Closed Formulary (1 hour CEU)
11:45 – 1:00 PM	Lunch (sponsored by McGriff, Seibels & Williams of Texas)
1:00 – 2:15 PM	Tammy Escobedo – Managed Care Plans (1 hour CEU)
2:15 – 3:30 PM	City of Austin...Wellness Program – Exercise & Prevention (1 hour CEU)
3:30 – 3:45 PM	Networking – Q&A

The cost is \$10 for Texas PRIMA Members and \$25 for non-members. Registration is available on our website at www.texasprima.org. As always, the Education Committee is continuously looking for ways to improve our service to members. So let us know what topics you are interested in having Texas PRIMA present or tell us about a topic you would like to present at a regional risk management seminar. Send your submission to info@texasprima.org.

We hope to see you there!!!!





We Want Your Cream Of The Crop At the Texas PRIMA Jazz Festival

Texas PRIMA is looking for public entity Risk Management Professionals and Risk Management Programs deserving recognition for excellence in the Risk Management field. We are looking for the cream of the crop to ensure these individuals and programs receive the recognition they deserve. Annually, Texas PRIMA recognizes excellence among its Risk Management members with three awards:

Risk Manager of the Year and **Risk Management Associate of the Year** honor individuals who exemplify the title through continual innovation and commitment to the Risk Management field.

Risk Management Program Achievement Awards honor public entities with creative and successful risk management programs.

Winners are recognized at the awards luncheon during Texas PRIMA's annual conference in November. Winners are recognized in the Texas Chapter's "PRIMA Press" newsletter and awarded a wall plaque. **The Risk Manager of the Year Award recipient and Risk Management Associate of the Year Award recipient receive complimentary conference registration and one night hotel accommodation.**

We would like to have a quality list of nominees. Please take a few minutes and nominate a Risk Management professional for Risk Manager of the Year or Risk Management Associate of the Year or a Public Entity for the Risk Management Program Achievement Award. The nomination process is very easy and can be anonymous. Nomination forms for all three awards can be found by [clicking here](#) or visit www.texasprima.org. A list of previous winners for Risk Manager of the Year and Risk Management Associate of the Year can be found by [clicking here](#). Previous program winners are available to view by [clicking here](#).

Please take a moment today to nominate successful individuals and programs in the risk management field and nominate your own programs for the Risk Management Program Achievement Award. You can nominate yourself if you feel qualified. The nomination deadline is August 31, 2012.

Any questions concerning the award process can be addressed to Bill Tarro, Chairman of the Awards Committee, at billtarro@sbcglobal.net.

Texas PRIMA Partnership Benefits Expanded

Texas PRIMA's sponsorship committee is proud to announce new additional benefits for its sponsors this year. We are getting geared up to send out our 2012-2013 partnership prospectus and are excited to share all of the great benefits of being a partner with our organization with as many potential partners as possible. To that end, if you'd like to recommend Texas PRIMA to a prospective partner, please feel free to send them to our website to access the prospectus which can be found here: http://texasprima.org/DOWNLOADS/event_registrations/WEB-PRIMA2012_prospectus-and-rules.pdf

This year's prospectus includes the following new and exciting partner benefits depending on level:

- Microphone time at select conference events
- Company logo on Texas PRIMA co-branded attendee tote bags
- Company logo on conference registration kick panels



- Recognition on hotel television channel
- Golf tournament hole sponsorships and signage
- Opportunity to sponsor events (meals) at golf tournament
- Ability to participate in sponsoring scholarships for Public Entity attendees

In addition to these great new benefits, remember that partnering with Texas PRIMA helps you network with current clients and meet with new and prospective customers by offering the following at conference and all year long:

- Annual Conference exhibit booth space and listing in conference program
- Complimentary conference registrations, including tickets to the opening night reception, membership meeting, and awards luncheon
- Complimentary Texas PRIMA memberships
- Pre-registration list for pre-conference marketing and post-registration list for post-conference follow-up
- Recognition at Texas PRIMA regional seminars and newsletters throughout the year
- Listing in Texas PRIMA's online Buyer's Guide
- Company logo and hyperlink from Texas PRIMA website to company's website

Texas PRIMA offers you the opportunity to market your services to long standing public entity members AND new members. Public entity risk managers know that Texas PRIMA is the one place to learn the newest strategies, the latest products and services, and the right connections for results.

This year's conference takes place November 11-14 at the Embassy Suites Hotel, Convention Center, and Spa in Frisco, Texas. There is a limited amount of booth space available so start reserving your space now by completing and submitting the partnership prospectus NOW!



The new date format is in effect for the 2012 Texas PRIMA Annual Conference in Frisco, Texas. The Embassy Suites will be the venue and the dates are from November 11, 2012 to November 14, 2012.

Play golf with us on Sunday, November 11, 2012 at the Texas PRIMA Annual Conference. We will be at The Golf Club at Twin Creeks which is about 15 minutes from the Embassy Suites in Frisco. It will be a scramble format, shotgun start with three flights with three winners. It will be limited to 144 players. We will start at noon and be done in time for the first event of the conference, The Welcome Reception from 6PM to 8PM. There will be Scratch-off Fantasy Golf cards to win prizes and Mulligans (4 per team) will be available

Just look at what your entry fee gets you:

- \$27 practice rounds for participants (2 weeks prior to date of event).
- 15% Merchandise discount.
- Complimentary Green Fee voucher for each participant (a \$40 value).

\$10.00 Cash Card to Golfsmith for each participant.
 Three flights with three winners
 Longest Drive and Closest to the Hole contest.

OK, just how much is this going to cost me? Well here is the good news. We have held prices from last year, which are \$25 for Public Entities, \$75 for Pools and \$100 for Corporate. So do not delay as the participation is limited. Don't know where you can get a deal like this anywhere else!

Letter From The Editor

In the March 2012 Texas PRIMA newsletter, we announced that we would publish articles submitted by Public Entities across the great state of Texas and featured three articles submitted by San Antonio ISD and the City of Bryan combined. Hope you enjoyed and learned from their information.



I did not hear from you this past quarter and I know you have a story or two to share with our members about your public organization so what are you waiting for? Send us your information and we will make sure that the rest of Texas knows what wonderful things are happening at your "neck of the woods."

Tell us about your Benefit, Risk, Insurance, Safety, Workers' Compensation, Finance, and Human Resources projects, renewals, lessons learned, do's and don'ts...we want to learn from you. Help us help you demonstrate how you add value to your organization's bottom line.

Write to us. Send your articles to info@texasprima.org and your stories will be shared via this newsletter with all the Texas PRIMA membership. Prior to annual conference in November 2012, the Board will select the "**Outstanding Public Entity**" newsletter article and the winner will be recognized during the awards luncheon at the conference and receive a plaque for their contribution.

Come on it's a Jazz festival...SHARE YOUR TALL TAILS WITH US AND WE WILL BE MORE THAN HAPPY TO SING YOUR PRAISES "JAZZ STYLE!"

Sincerely,

Irma Hernandez, PHR, CSRM
 Editor
 Texas PRIMA Newsletter

For your BENEFIT!

Final Regulations Issued on Health Insurance Exchanges

Beginning in 2014, individuals and small businesses will be able to purchase private health insurance through state-based competitive marketplaces known as Affordable Health Insurance Exchanges (Exchanges). On March 12, 2012, the U.S. Department of Health and Human Services (HHS) released a final rule on the Exchanges, to be published in the Federal Register on March 27, 2012.

Scope of the Exchange Regulations

The final rule combines policies from two separate Notice of Proposed Rulemaking (NPRMs) published in summer 2011. It sets forth:



- The minimum federal standards that states must meet if they elect to establish and operate an Exchange, including the standards related to individual and employer eligibility for and enrollment in that Exchange and insurance affordability programs;
- Minimum standard that health insurance issuers must meet to participate in an Exchange and offer qualified health plans (QHPs); and
- Basic standards that employers must meet to participate in the Small Business Health Options Program (SHOP).

Consistent with the scope of the Exchange establishment and eligibility proposed rules, this final rule does not address all of the Exchange provisions in the Affordable Care Act. Instead, more details will be provided in future guidance and rulemaking, where appropriate.

Exchange Functions

Exchanges will perform a variety of functions, including:

- Certifying health plans as QHPs to be offered in the Exchange;
- Operating a website to facilitate comparisons among qualified health plans for consumers;
- Operating a toll-free hotline for consumer support, providing grant funding to entities called “Navigators” for consumer assistance, and conducting outreach and education to consumers regarding Exchanges;
- Determining eligibility of consumers for enrollment in qualified health plans and for insurance affordability programs (premium tax credits, Medicaid, CHIP and the Basic Health Plan); and
- Facilitating enrollment of consumers in qualified health plans.

Flexibility For States

HHS intends to give states substantial discretion in designing and operating their Exchanges. Standardization between states is provided where the Affordable Care Act requires or where there are compelling practical, efficiency or consumer protection reasons. Also, the federal government will establish an Exchange in each state that refuses to do so.

The final rule allows states that set up their own Exchanges to have flexibility in a number of areas. For example, states will be able to decide whether their Exchange should be operated by a non-profit organization or a public agency, how to select plans to participate and whether to collaborate with HHS with respect to certain functions. In addition, a state can choose to operate its Exchange in partnership with other states through a regional Exchange or it can operate multiple Exchanges that cover distinct areas within the state.

Approval Of State Exchange Plans

The Affordable Care Act provides that a state’s plan to operate an Exchange must be approved by HHS no later than **January 1, 2013**. However, the final rule allows for conditional approval if the state is advanced in its preparation but cannot demonstrate complete readiness by January 1, 2013. The final rule also allows states that are not ready for 2014 to apply to operate the Exchange for 2015 or any subsequent year.

Qualified Health Plans

Health plans offered through the Exchange must be certified as “qualified health plans” or QHPs. To be certified by the Exchange, health plans must meet minimum standards that are primarily defined in the law. The

final rule gives Exchanges the flexibility to establish additional standards for health plans offered in their Exchanges.

Number and Type of Health Plan Choices

The final rule allows Exchanges to work with health insurers on structuring QHP choices. This could mean that the Exchange allows any health plan meeting the standards to participate or that the Exchange creates a competitive process for health plans to gain access to customers on the Exchange.

Standards For Health Plans

The final rule allows Exchanges, working with state insurance departments, to set specific standards to ensure that each QHP gives consumers access to a variety of providers within a reasonable amount of time. Exchanges will also establish marketing standards that prohibit discrimination against people with illnesses. It also give Exchanges flexibility to set the timeframes in which health issuers need to become accredited for their quality performance.

Eligibility And Enrollment

The exchange final rule establishes a web-based system through which an individual may apply for and receive a determination of eligibility for enrollment in a QHP through the Exchange and for insurance affordability programs. One goal of this system is reducing administration by eliminating the need for individuals to submit information to multiple programs. The final rule requires Exchanges to coordinate with Medicaid, CHIP and the Basic Health Program when making eligibility determinations.

The Exchanges will use an integrated enrollment system to allow individuals to enroll in health coverage. The final rules outlines the enrollment process, which will incorporate websites and toll-free call centers, along with other consumer tools. Exchanges may also decide whether to use the single application that will be made available or design one on their own that is comparable. The final rule imposes high standards for the privacy and security of personal information during the eligibility and enrollment processes.

Navigator Standards

The final rule also provides standards for Exchanges to build partnerships with and award grants to entities known as “Navigators.” Navigators are intended to work with employers and employees, consumers and self-employed individuals to:

- Conduct public education activities to raise awareness about QHPs;
- Distribute fair and impartial information about enrollment in QHPs, premium tax credits and cost-sharing reductions;
- Assist consumers in selecting QHPs;
- Provide referrals to an applicable consumer assistance program or ombudsman in the case of grievances, complaints, or questions regarding health plans or coverage; and
- Provide information in a manner that is culturally and linguistically appropriate.

Exchanges will award grants to navigators. The final rule directs states to choose at least two navigator organizations, one of which must be a community – or consumer-focused non-profit organization.

Small Business Health Options Program (SHOP)

The Affordable Care Act directs each state that chooses to operate an Exchange to establish insurance options for small businesses through a Small Business Health Options Program (SHOP). States that choose to operate an Exchange may merge the SHOP with the individual market Exchange.

The SHOP will allow employers to choose the level of coverage they will offer and offer the employees choices of all QHPs within that level of coverage. SHOP Exchanges can also allow employers to select a single plan to offer its employees, like is typically done today. The final rule allows minimum participation rules to be met through coverage in any SHOP plan, not a single one.

Exchanges will decide how a SHOP is structured. Specifically, the final rule provides flexibility with regard to the size of small businesses that can participate in SHOP. States can set the size of the small group market at either 1 to 50 or 1 to 100 employee until 2016, employers with between 1 and 100 employees can participate in a SHOP. And, starting in 2017, states have the option to let businesses with more than 100 employees buy large group coverage through the SHOP.

Starting in 2014, small employers purchasing coverage through SHOP may be eligible for a tax credit of up to 50 percent of their premium payments if they have 25 or few employees, pay employees an average annual wage of less than \$50,000, offer all full-time employee coverage, and pay at least 50 percent of the premium.

Source: Department of Health and Human Services, article submission by: Wortham Insurance, Risk Management & Benefits

Risk Management Tips & Tools

Save A Life At Work – CPR And AED Training

An estimated 250,000 to 400,000 people in the United States die from sudden cardiac arrest (SCA) annually – more than die from car accidents, breast cancer, prostate cancer and house fires combined. Approximately 10,000 of these SCA deaths occur in the workplace.



An automated external defibrillator (AED) is a safe, portable, lightweight, easy-to-use device that can administer an electrical shock to the heart, restoring its natural rhythm and if it finds that ventricular fibrillation is present, advises that a shock to the heart is necessary. This shock is known as defibrillation and is the only known treatment for ventricular fibrillation. Audible and visual prompts will guide the use of the AED through the process of using an AED and deliver of the shock.

A sequence of events, known as the chain of survival is vital to the survival of a victim of sudden cardiac arrest. These steps are:

Early Access: Recognizing that a heart emergency exists and immediately contacting Emergency Medical Services (9-1-1)

Early CPR: Starting CPR immediately after cardiac arrest to circulate oxygen-rich blood to vital organs helps buy time until an AED arrives and defibrillation can occur

Early Defibrillation: Defibrillation of the victim as soon as equipment arrives

Early Advanced Care: Trained health care providers arrive quickly to administer advance lifesaving treatments

The rationale for establishing a CPR and AED program in the workplace is clear. In addition to employee who suffer a SCA event from medical issues (often without any prior medical history or warning), other cause of cardiac arrest can include electrocution and suffocation, which can be caused by inadequate oxygen in a confined space. An onsite AED saves precious time and improve survival odds by defibrillating the heart before emergency medical services can arrive. If a victim of sudden cardiac arrest is defibrillated within the first minute of collapse, the survival rate is close to 90%. If the victim cannot be defibrillated within 10 minutes of collapse, the survival rate is near zero. For every minute that passes without defibrillation, the chance of survival decreases by 7 to 10%. In many locales, emergency medical services response times average about eight minutes. Waiting for the arrival of emergency medical personnel results in a survival rate of 5 to 7%.

Training employees in CPR and AED use will help ensure that the chain of survival is effectively implemented in the event of a sudden cardiac arrest in the workplace, maximizing the probability of survival for the victim. The timely and proper use of an AED provides the heart in ventricular fibrillation with a defibrillating shock, the only treatment to counteract this abnormal rhythm.

Providing oxygen to the brain through CPR is vitally important since it contributes to the preservation of heart and brain tissue until defibrillation can occur.

To implement a CPR and AED program in your workplace, contact your insurance providers' loss/risk control or safety department, the American Heart Association, the American Red Cross or AED manufacturers or sales representatives.

The four key elements in a successful AED program are:

Creating a relationship with a medical professional to prescribe the AED, oversee the program and quality improvement process: FDA regulations require that AEDs be prescribed by a medical provider. This provider is required to oversee the program and provide input for quality improvement.

Notifying the Local EMS Agency: Talking to your EMS agency in advance allows them to discuss with you interaction scenarios upon their arrival. These may be different depending on the manufacturer of your AED and their defibrillator.

Selecting, Placing and Maintaining AEDs: AEDs should be placed to ensure response time within five minutes to all work locations. They should be placed where many people work together, close to confined spaces, areas where electric powered devices are used, and at outdoor worksites where lightning can occur. It is also recommended that they be placed at company health units where workers may seek treatment for symptoms of a heart attack, in-house fitness facilities, and cafeterias and break rooms. AEDs should be regularly maintained; many AEDs have built-in self check mechanisms to assist you in proper maintenance.

Training: Your workers can be easily trained to:

- Recognize sudden cardiac arrest and notify EMS
- Perform CPR
- Provide early defibrillation with an AED
- Care for the victim until EMS arrives

Source: Willis Insights/Insurance, Benefits and Risk Review, March 2012/Risk Control Bulletin: Save a Life At Work-CPR and AED Training/For additional information contact: Bob Lombard at Lombard_bj@willis.com

Occupational Property & Casualty Hazard Awareness...this could happen to YOU!!!

5 Misconceptions about Cyber Liability and Public Entities

The number of cyber attacks and data breaches has increased significantly in recent years. And public entities are not exempt. These “cyber events” include the theft or release of personally identifiable information such as Social Security numbers from a computer system, the transmission of malware from a computer to a third party or a “denial of service” attack that results in the inability to use computers or websites.



These incidents can have a considerable financial impact on a public entity, including the cost of lawsuits, crisis management and notification of the affected parties. They can also lead to a public relations nightmare.

But despite these facts, some public entities continue to believe they are not truly susceptible to a cyber event. Why?

Here are some of the more common misconceptions held by public entities concerning their vulnerability:

“Public entities are not a target for cyber attacks.” Actually, public entities are a perfect target for cyber attacks considering the amount of confidential information in their possession. There is probably no other type of organization, other than a bank or financial institution, that stores more personally identifiable information. It’s not uncommon for a public entity to have an individual’s Social Security number, income statements, bank account numbers, driver’s license number and even credit card information. In addition, public entities typically have confidential personal medical and health information for all of their employees.

“We have the latest technology and software available to protect our electronic information and systems.” The growing number of cyber attacks (more than 500 million records breached since 2005) at both large and small organizations—even those with the most sophisticated software protection—demonstrates that no organization can be sure they are not susceptible. One of the most common causes of privacy information breaches today is not hacking, but human error. When confidential information is stored outside the network system on laptops, smart-phones or other electronic storage devices, it can be compromised when the device is lost or stolen.

“Even if our network is breached, we are covered under our general liability or other insurance policies.” General liability insurance commonly provides coverage for “bodily injury” and “property damage.” Property damage typically means physical injury to tangible property, including the resulting loss of use of that property. However, electronic data is not tangible property and is not covered. In addition, property insurance, crime insurance and professional errors and omissions insurance do not typically provide coverage for cyber liability and notification requirement expenses.

“Cyber liability notification requirements only apply to commercial businesses.” Currently, in addition to federal regulations, more than 45 states have enacted legislation to protect consumer privacy. These state and federal requirements apply to for-profit and not-for-profit organizations, including public entities. Both state and federal agencies may investigate and take action against any organization that is negligent in the handling of confidential personal information.

“If we had a data breach, we could handle the notification requirements ourselves.” Most public entities would have difficulty complying with state and federal notification requirements in the event of a data breach. It is also common for goodwill purposes to provide credit monitoring services and identity theft education and assistance for the affected party. Most public entities would not have the expertise

and staff to provide these types of additional goodwill services for the affected party.

So how can public entities protect themselves?

First, assess the exposure. Start with a comprehensive review of the public entity's entire computer system and safeguards, with an internal review by a dedicated individual or team, or by an independent firm specializing in computer system security evaluation. In either case, every aspect of the computer system should be analyzed to determine any weaknesses or areas of susceptibility that need to be addressed.

Once the evaluation is complete, all improvements to secure the computer system should be undertaken as soon as possible. This may include improvements and formalization of internal safety procedures, as well as the purchase of new or additional hardware and/or software to safeguard the computer system and integrity of the confidential information.

Second, every public entity should consider purchasing crisis management/notification expense coverage and cyber liability coverage. For first-party crisis management/notification expense coverage, the product and services available vary from carrier to carrier, but coverage for a public entity should include:

- A computer forensic analysis to determine the cause and extent of the privacy breach
- A crisis management review and advice from an approved independent crisis management or legal firm
- Expenses associated with notifying affected parties to maintain goodwill or comply with any notification requirements imposed by law
- Call center services for credit monitoring as well as identity theft education and assistance for affected individuals

Third-party cyber liability coverage is typically provided to protect the public entity for the following:

- Liability arising out of the unauthorized access of confidential information from the public entity's computer system or the accidental release of confidential information from its computer system
- Liability arising out of the transmission of malware from the public entity's computer system to a third party

This combination of crisis management and cyber liability coverage can help protect a public entity's image and assets in the event of a cyber attack.

Source: 5 Misconceptions about Cyber Liability and Public Entities/PropertyCasualty360-A summit Business Media Website/Article by John A. Solari/April 18, 2012/Article submission by: McGriff, Seibels & Williams of Texas.

Featuring...Workers' Compensation...things that make you go HA???

15 Warning Signs of Workers' Compensation Fraud

The WC (workers' compensation) insurance system is a no-fault method of paying workers for medical expenses and wage losses due to on-the-job injuries. While the majority of WC claims are truthful, the National Insurance Crime Bureau reports that billions of dollars of false claims are submitted each year. To help you detect possible WC fraud, experience shows a claim may be fraudulent if two or more of the following factors are present:



Monday Morning: The alleged injury occurs either "first thing Monday morning," or late on a Friday af-

ternoon but not reported until Monday.

Employment Change: The reported accident occurs immediately before or after a strike, a layoff, the end of a big project or at the conclusion of seasonal work.

Job Termination: If an employee files a post-termination claim:

Was the alleged injury reported by the employee prior to termination?

Did the employee exhaust his/her unemployment benefits prior to claiming workers' compensation benefits?

History of Changes: The claimant has a history of frequently changing physicians, addresses and places of employment.

Medical History: The employee has a pre-existing medical condition that is similar to the alleged work injury.

No Witnesses: The accident has no witnesses, and the employee's own description does not logically support the cause of injury.

Conflicting Descriptions: The employee's description of the accident conflicts with the medical history or First Report of Injury.

History of Claims: The claimant has a history of numerous suspicious or litigated claims.

Treatment is Refused: The claimant refuses a diagnostic procedure to confirm the nature or extent of an injury.

Late Reporting: The employee delays reporting the claim without a reasonable explanation.

Hard to Reach: You have difficulty contacting a claimant at home, when he/she is allegedly disabled.

Moonlighting: Does the employee have another paying job or do volunteer work?

Unusual Coincidence: There is an unusual coincidence between the employee's alleged date of injury and his/her need for personal time off.

Financial Problems: The employee has tried to borrow money from co-workers or the company, or requested pay advances.

Hobbies: The employee has a hobby that could cause an injury similar to the alleged work injury.

Source: Wortham Insurance, Risk Management & Benefits

Save the Date....Registration will be available soon!

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This newsletter is published quarterly for the benefit of Texas PRIMA members. 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, info@texasprima.org.