



September 2016

In this issue

[President's Message](#)

[Court Strikes Down
Obama Health Care Rule
on Insurance Standards](#)

[A New Formula for
Exercise?](#)

[Recent Court of Appeals
Subrogation Matter](#)

[Regional Risk
Management Seminars](#)

[2016 Conference](#)

[Putt & Pamper](#)

[Scholarship Program](#)

[Awards Information](#)

[Sponsor Highlight](#)

[Member's Only Forum](#)

[New Members](#)

[Members on the Move](#)

[Sponsors](#)



**Member's Only Community
Forum Offers Advice, Articles
and Tips:**

Log in to the member's only website at texasprima.org. Click on the Community Forum link to view the Advice Forum and Articles & Tips Forum. If you would like to be notified when a topic is updated, click on the subscribe checkbox.

**Recently Added Community
Forum Discussion Topics:**

- Drone use by City
- Tracking Workers Comp Injuries
- Managing Certificates of Insurance
- Driving Record Policy

**Recently Added Community
Forum Articles:**

President's Message



The last time I sat down to write the President's message school was almost out for the summer. Now football training has started and my youngest has begun his sophomore year! Time is flying by and your Texas PRIMA board is in high gear getting prepared for our [Annual Conference](#) in November. Registration has already opened. Have YOU registered? Don't miss out on this opportunity to attend some great educational sessions and networking opportunities. The keynote speaker Rob Overholt, will kick off the conference Monday morning and closing speaker Mark Sawa, will wind it down Wednesday. [Click here](#) for the registration brochure and schedule-at-a-glance. **NOTE: AS AN IMPORTANT REMINDER, VOTE EARLY AS ON NATIONAL ELECTION DAY (Tuesday, November 8th) you will be away from the voting booth attending the conference.**

We are currently accepting applications for the Risk Professional of the Year, Risk Professional Associate of the Year and Outstanding Risk Management Program(s). I would like to encourage you to submit yourself or someone else deserving of these awards and programs by [following this link](#). We are also accepting applications for the Scholarship Program. [Click here](#) for eligibility criteria and the application.

Texas PRIMA was well represented at the National Conference in Atlanta in June. Bill Tarro and I were proud to accept two awards on behalf of Texas PRIMA at their Monday luncheon. Bill Tarro received the Chapter Service Award and I accepted the Chapter Recognition Award for our Scholarship Program. It was a hot few days, but it was filled with educational opportunities and networking with other PRIMA state chapters.

Enjoy these last few weeks of summer and I look forward to seeing you at the Conference, November 6-9, in Austin where we will "Keep Risk Weird".

Donna Parker Stirman
Texas PRIMA President

**Court Strikes Down Obama Health Care Rule on
Insurance Standards**

A federal appeals court has ruled that consumers must be allowed to buy certain types of health insurance that do not meet the stringent standards of the Affordable Care Act -- deciding that the administration had gone beyond the terms of federal law. The court struck down a rule issued by the Obama administration that barred the sale of such insurance as a separate stand-alone product.

"Disagreeing with Congress's expressly codified policy choices isn't a luxury administrative agencies enjoy," the United States Court of Appeals for the District of Columbia Circuit said on Friday in a decision that criticized "administrative overreach" by the Department of Health and Human Services.

At issue is a type of insurance that pays consumers a fixed dollar amount such as \$500 a day for hospital care or \$50 for a doctor's visit, regardless of how much is actually owed to the provider. Such "fixed indemnity" insurance is normally less comprehensive and less expensive than the "minimum essential coverage" required by the Affordable Care Act. Under the rule (issued by the Obama administration in 2014) fixed indemnity policies could be sold only to people who already have the more comprehensive coverage that meets detailed federal standards. State officials and insurers estimate that as many as four million people might have fixed indemnity policies without major medical coverage.

[\[Read Entire Article\]](#)

**A New Formula for Exercise? Study Suggests One
Hour of Activity per Eight Hours of Sitting**

If you fear you're doing irreparable damage to your body because your white-collar job keeps you sitting at your desk from 9 to 5, or you regularly spend entire weekends sprawled out on your couch binge-watching Netflix, there's some good news just out from sports medicine researchers. According to a study published in

- Western Distributing Sued by EEOC for Firing Employees with Disabilities

- Pokémon Go Safety and Liability Concerns

- Do Near Misses Indicate Workplace Safety Risk?

- Impairment Training Program to Assist with Traffic Safety

Members on the Move

Three members of the Port of Houston Authority's (PHA) risk management department recently obtained their ARM. They include:

Sharada Phillips, ARM - Risk Manager

Mark Vacek, Jr., ARM, CSP - Risk Program Manager

Melissa Nixon, ARM - Risk Management Specialist

Keep Texas PRIMA members informed by sending your "Members on the Move" updates to our newsletter, PRIMA Press. Tell us about your new position, promotion or designation. Send submissions to info@texasprima.org.

Welcome New Member

Susan Nienstedt, Human Resources Manager, City of Brenham

Thank you Sponsors!

Platinum

McGriff Seibels & Williams of Texas, Inc
York Risk Services Group
TRISTAR
Aetna
AON

Diamond

AS&G

Gold

Texas Political Subdivisions, JSIF
Munich RE
UnitedHealthcare
CIGNA
Surplus Lines Stamping Office of Texas
TASB Risk Management Fund
Safety National
Midwest Employers Casualty Company
Vantage Benefits

Silver

Arthur J. Gallagher Risk Management Svc, Inc.
Texas Association of Counties
TML-IRP
Travelers
Concentra
HCA Asset Management, LLC
AIG
Frost Insurance Agency
Davis Vision
Injury Management Organization, Inc
Select Physical Therapy
Humana
First Financial
Genesis Mgt & Insurance Svc, Inc.

The Lancet, all is not lost. You may be able to "make up" for your increased risk of death due to a sedentary lifestyle by engaging in enough physical activity.

"Enough" is a ratio that depends on the amount of sitting you do daily. If you sit four hours a day, you need to do at least 30 minutes of exercise. An eight-hour work day of sitting means one hour of exercise. [\[Read Entire Article\]](#)

Holmes Murphy & Associates July 8, 2016- Issue #236

Recent Court of Appeals Subrogation Matter

In a very recent July 28, 2016 case, the Houston Court of Appeals took on a subrogation matter in Harris County v. Gerald Knapp and rendered a decision regarding how to split settlement funds between the workers' compensation carrier, the injured employee and the injured employee's attorney. This is an important decision because it's a rare Court of Appeal's case that shows litigants how to divide settlement funds in a workers' compensation subrogation matter under Texas Labor Code Section 417. [\[Read Entire Article\]](#)

Texas PRIMA Regional Risk Management Seminars

Texas PRIMA's last Regional Risk Management Seminar of the year is in Harlingen September 22nd. Join us for topics including workers' compensation, benefits and risk management. Don't miss out...[register](#) TODAY!

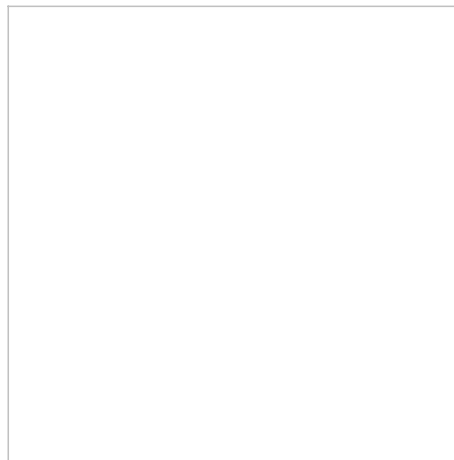
Board of Directors Nominations

Nominations for the Board of Directors are being accepted. Two Director positions will be up for election for the terms that end this year. Nominees must be a member of Texas PRIMA, employed by a qualified governmental entity, have responsibility for risk management functions, insurance, benefits and/or safety management, and be able to attend Board meetings in accordance with the bylaws. Consideration is given to experience, demonstrated leadership, participation in the Chapter, and proven commitment to the organization and profession.

Please submit a [nomination form](#) by September 12th you have a candidate for the Nominating Committee to consider. If you have questions, feel free to contact Texas PRIMA at 512-394-0719

David Kester, Nominations Committee Chair

Texas PRIMA Conference Update



[2016 Annual Texas PRIMA Conference](#). Join us at the beautiful Renaissance Austin Hotel November 6-9 and get ready to get weird!

Putt and Pamper



Texas PRIMA's 2016 Conference Sponsors will offer two popular pre-conference events on Sunday. Sign up and pay when you register for the conference. YOU MUST BE REGISTERED FOR THE CONFERENCE & THESE EVENTS ON OR BEFORE OCTOBER 1 TO BE INCLUDED. Transportation is not included.

PUTT at the Barton Creek Country Club. The fee for a round of golf at this exceptional course will be \$25/Public Entity AND \$195/Corporate & Risk Pool.

PAMPER at Barton Creek Spa (massage, pedicure, or manicure) on Sunday before the Welcome Reception. This event open only to Public Entity conference registrants. Fee: \$25.

Texas PRIMA Annual Conference Scholarship Program

The scholarship application process for Texas PRIMA's Annual Conference at the

Claims Administrative Services
1-2-1 Claims
CCMSI
The Law Office of Ricky Green
CHUBB
OneBeacon Government Risks
Trident
Medical Consultants Network
Ameritas
Drivecam powered by Lytx
Trinity Review Services
Delta Dental Insurance Company
PMOA, Inc
Mentis Neuro Rehabilitation
Origami Risk
Carlisle Insurance Agency, Inc.
Texas Medical Screening
ICS Merrill

Board of Directors

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David Kester, SPHR, CEBS, CGBA, *Director Emeritus*

Renaissance Hotel, Austin, Texas, November 6-9, 2016 is now underway!

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. Full and partial scholarships will be available and may include:

- Conference Registration Costs
- Costs related to attending the conference, including travel and lodging at the conference hotel
- Complimentary membership in Texas PRIMA through 2017

We appreciate your help in spreading the word about the Texas PRIMA Annual Conference and scholarship program, but hurry, application deadline is September 2, 2016. [Click here](#) for eligibility criteria and the application process.

Texas PRIMA Awards

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.

The nomination process is easy. Nomination forms and qualifications for all three awards can be found by our [awards page](#). Previous winners and programs can also be found on the website in the Awards Section. Award recipients for Risk Professional and Associate will be announced and recognized during the Awards Luncheon at the Annual Conference in Austin, receive a wall plaque, be recognized in the PRIMA Press newsletter, be recognized on the Texas PRIMA web page **and be reimbursed for the conference registration and one night of hotel accommodation costs.**

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 by [clicking here](#).

The nomination deadline is September 2, 2016. Any questions concerning the award process can be addressed to Christina Ford, Chairman of the Awards Committee at cford3@mesquiteisd.org or call Texas PRIMA at 512-394-0719.

Sponsor Highlight: TRISTAR Insurance Group & Aetna



TRISTAR Insurance Group was founded out of a partnership between John Anderson and Tom Veale that began in 1987. Originally named Topa Risk Services, the company began as an insurance program manager and medical malpractice claims administrator. Workers compensation claims management services were added to our offerings in 1989. Growth and change followed, and in 1995 the Company was renamed TRISTAR Risk Management with the involvement of new partner, Don Freeberg. As managed care and benefits administration services were added to our offerings, the organization grew into TRISTAR Insurance Group. Since our early days, we have focused on continually improving our products and services to ensure the best value for our clients which has resulted in providing a strong, secure, and growing organization for our employees and business partners. We empower more than 1,000 employees in offices throughout the United States, focusing business operations in three divisions: property casualty claims management, benefits administration, and managed care services. We have maintained a reputation for being lean and effective with a very flat

organization structure; and expect all in our company to be true to our values and make the right choices, both financially and ethically. We apply state-of-the-art technology and intellectual acumen that comes from experience and deep analysis to create financial and operational efficiencies, radically reduce costs and increase savings for our clients. We believe that intellect and ability can be applied to our entire range of risk and benefit services, to creating an opportunity for you - to improve your bottom line, to fund additional projects and services, or simply to help people feel safe, healthy, and secure.

When you engage TRISTAR, you help create a world in which together we transform risk into opportunity.



aetna®

Aetna is proud to be a Platinum Sponsor of PRIMA in 2016! Our Mission: Helping people live healthier lives. About 46 million people rely on us to help them make decisions about their health care and their health care spending. Every day, we work to make the system easier and more convenient for our customers.

Our health insurance plans and services include:

- Medical, pharmacy and dental plans
- Life and disability plans
- Medicaid services
- Behavioral health programs
- Medical management

We offer:

- A range of insurance and employee benefits products
- Programs and services that help control rising costs while striving to improve the quality of health care
- Tools and information to help people make better-informed decisions about their health care and financial well-being

Aetna provides local grants to promote healthier lifestyles. We fund community groups that are advancing healthy eating and active living in homes, schools and neighborhoods. A major part of this effort is connecting people of limited means with fresh fruits and vegetables through community gardens, urban farms and farmers markets.