



Risk Management Solutions



Summer 2013

A Quarterly Newsletter of the AMIC/MWCF Loss Control Division

Loss Control Division Uses iPads and Specialized App for Site Reports

Richard Buttenshaw, ARM-P, CIC, CSP • Loss Control Representative • AMIC/MWCF Loss Control Division

AMIC/ MWCF’s Loss Control Division understands that technology allows us to better serve our members. And, since technology changes rapidly, we make a concerted effort to stay abreast of the latest developments in the safety arena and how to use those advances to improve our services. Last summer, Loss Control launched a dedicated website (www.losscontrol.org) that offers detailed information about our staff, programs and services as well as links to our publications and online training opportunities. Of course, nearly everyone is familiar with the Internet and the importance of websites. From online shopping to communicating across continents, the Internet touches nearly every aspect of our lives. Perhaps the most significant technological advances in recent years have been the increased popularity of mobile devices and the development of specific software applications for those devices known as “apps”. In fact, tablets and other mobile devices are rapidly becoming the technology of choice for information exchange as well as quickly accessing the web.

Last year, the Loss Control Division began reviewing mobile technology to see if it would be beneficial in how we serve our members. Many companies have deployed their own apps, with varying degrees of success, and so we certainly didn’t want to embrace this new technology simply because everyone else has. With that in mind, we spent a considerable amount of time investigating options before deciding to take the plunge. Our research led us to structure an app specific to the Loss Control Division for use in our site report process. Beginning this past February, you probably noticed your Loss Control Rep using an iPad during your on-site loss control visit and that the Risk Management Review report you received after the visit had a very different, more structured format than those from previous years. In addition to a fresh look, this new approach has several advantages:

- A more comprehensive report. What you receive from the Loss Control Division following your site visit will now show not only Loss Control’s recommendations to help further improve your safety program, but all the elements you already have in place. Therefore, you now have an easy-to-read format that clearly shows the “good” as well as the “bad”.
- Immediacy. Reports are now set up in a checklist format making our turn around much quicker. In addition, you can view a sample checklist via our website [before](#) your next on-site visit.
- Additional information. This format allows the Loss Control Division to provide more information to the underwriting departments of both AMIC and MWCF.
- Consistency. Because the app has been structured specifically for the Loss Control Division, the follow-up reports will be consistent and streamlined.

If you haven’t already received one of our new Risk Management Review reports, then you will after your next loss control visit. We strongly encourage all our members to visit our website at losscontrol.org and click on the “*Risk Management Review*” tab to familiarize yourself with this new format, the survey checklists and the topics that might be discussed during your next visit so you’ll be even better prepared when your Loss Control Rep comes calling! ■

Machinery & Equipment

Do you own any machinery or equipment?	Yes	None		
Do you perform in-house documented inspections on your machinery and equipment?	Yes	No	Unkn	N/A
Are safety guards in place on viewed machinery and equipment?	Yes	No	Unkn	N/A
Do viewed zero turn mowers and tractors have ROPS and seat belts?	Yes	No	Unkn	N/A
Do viewed frequent stop vehicles have adequate lighting and signage?	Yes	No	Unkn	N/A
Does viewed mobile equipment have fire extinguishers?	Yes	No	Unkn	N/A
Do you use appropriate equipment for elevated work such as hanging Christmas decorations?	Yes	No	Unkn	N/A
Do you have an air compressor used for filling SCBA tanks?	Yes	None		
Is the air analysis being done quarterly as per NFPA requirements?	Yes	No	Unkn	N/A
Comments				
<input type="text"/>				
				Add Exposure

Defining Moment

Housekeeping and Maintenance

Planned workplace inspection programs or hazard control programs should be centered on maintenance and housekeeping programs that are supported by management and operate at all levels within a public entity. Housekeeping and maintenance activities are independent activities that should be operational within all the departments of a public entities operations. **Housekeeping** includes those activities generally concerned with the basic order and neatness of facilities. Good housekeeping eliminates many hazards and prevents common accidents and injuries to workers and the public such as slips, trips and falls. **Maintenance** activities are centered on equipment, tools, machinery, vehicles and facilities involving continuous and scheduled actions to prevent breakdown and prolong life through preventive and regularly scheduled maintenance tasks. Poorly maintained equipment and facilities are inherently dangerous and present a wide spectrum of liability and workers compensation hazards. The difference between a mediocre inspection program and a superior comprehensive inspection program is evident in the continual and ongoing improvement of facilities and equipment which, in turn, creates safe conditions for employees and the general public.

AMIC Welcomes New Claims Clerk



Dian Blackburn, who joined the AMIC staff in May, has worked all her life and loves to keep busy. In 1991 she earned a degree in Finance from Troy University with Magnum Cum Lade honors. She has experience as a bank auditor and operations supervisor and has been very involved in finances and financial reporting for non-profit organizations. She loves Microsoft software and training others how to use it. Dian and her husband, Winston, have been married for over 40 years. They have three children and four grandchildren.

Loss Control Seminars Are Back! August 20, 21, 27 and 28

After skipping 2012 due to municipal elections, the Loss Control Division is resuming its annual seminars for 2013. These seminars have always been well attended and we look forward to continuing that success with this year's events. As always, we try and cater for the broad spectrum of different people, job titles and interests we have at these events when choosing our topics.

For more information and to download the registration form, visit www.losscontrol.org and click on the link for the seminars. Please remember to register for your preferred location as soon as possible as some locations have limited space.

Topics:

- Strengthening Your Workers Comp Program
– Richard Buttenshaw
- Trench Rescue Awareness for City Employees and Emergency Responders
– Todd McCarley
- Promoting Health and Safety in the Workplace
– Myra Forrest
- Good Housekeeping Promotes Safety
– Will Strength

Dates and Locations:

Tuesday, August 20

Hartselle

Sparkman Civic Center
406 Nanceford Road
Hartselle, AL 35640

Wednesday, August 21

Demopolis

Rooster Hall
211 North Walnut Avenue
Demopolis, AL 36732

Tuesday, August 27

Lincoln

City Hall
150 Magnolia Street
Lincoln, AL 35096

Wednesday, August 28

Greenville

Wendell Mitchell Conference
Center, Lurleen B Wallace
Community College
750 Greenville Bypass
Greenville, AL 36037

Visit us online!

www.losscontrol.org

Why Employers Should Never Pay Their Own Workers Comp Claims

Herbert B. Sparks, Jr • General Counsel • Millennium Risk Managers, LLC

In the world of workers' compensation, there has always been a question about employers simply paying small claims themselves, rather than sending them to their workers' compensation carrier or administrator. It is an area that can be full of pitfalls. Alabama is one of the few states which allow the employer to direct medical treatment of its employees. This means that Alabama employers have the right to choose the doctors seen by workers' compensation employees. Most states allow the employee to obtain his or her own medical treatment, and the employer is liable therefore. This means that the employee goes to his/her family doctor, who may or may not have experience in occupational medicine. Sometimes those providers are not necessarily well-versed in the particulars of handling workers' compensation claims. However, by allowing the employer to direct the medical treatment, the employee is afforded a greater opportunity to be treated by someone who is more experienced in industrial medicine.

Most employers are not able to oversee the medical treatment of the employees. Even if medical protocols are followed, it does not necessarily mean that the employee would be referred to the right specialist.

Nearly all workers' compensation programs provide that the employer *must* report the claims to their carrier/administrator. As a general rule in the industry, 80% of workers' compensation claims are "medical only" and 20% are "lost time" claims. Workers' compensation providers are able to look at the number and types of claims reported, and get an idea if an individual employer is taking care of small claims themselves without reporting them.

The most serious issue has to do with adjudication of the medical charges, which is reviewing the bill, and finding the lowest rate of reimbursement. MWCF members are able to have their medical expenses on workers' compensation claims reduced to either the Alabama State Fee Schedule or the AlaMed PPO discount. Most employers simply do not have the capability to make this reduction. Because public money is being spent, a failure to reduce these expenses to the lowest possible point could subject those decision makers to individual liability for the difference between the billed charges and the reduced amount that could be paid after professional adjudication of the bills.

One of the other aspects of reporting the claim is that there could be an investigation taken by an independent third party investigator. This would allow the workers' compensation provider the opportunity to determine whether there had been prior injuries. It would also allow the provider to determine whether there had been other non-workers' compensation claims that may have caused injury to the same body part. Again, employers do not generally have access to the same investigational data that the workers' compensation providers have.

Another problem is that an injury can seem quite small at first, but the employee later claims a much more significant injury than was initially believed to have occurred. The employee sees his/her family doctor for a few visits and suddenly is being referred to an orthopedist or neurosurgeon. What had initially appeared to be a very minor claim has then turned into one which could reach hundreds of thousands of dollars. Virtually all workers' compensation programs have a requirement that the employer report all claims promptly. Failure to do so can result in a denial of indemnity and defense of the claim, making the employer liable for the entire cost of the claim.

At the end of the day, the risk of having a major claim denied is simply out of proportion to the employer paying a few small claims themselves. ■

Richard Buttenshaw Becomes Certified Safety Professional



Loss Control Representative Richard Buttenshaw recently earned the highly respected Certified Safety Professional (CSP) designation, which is awarded through the Board of Certified Safety Professionals (BCSP) to individuals who meet academic standards, satisfy professional safety engineering requirements and have passed two rigorous examinations covering engineering and management safety aspects, applied sciences, legal and regulatory matters, professional affairs and other safety-related topics.

Certified Safety Professionals specialize in protecting workers, the public, property and the environment by identifying, evaluating and controlling hazards. The BSCP, a nationally accredited non-profit corporation governed by 13 directors with seven membership organizations, establishes standards for and verifies minimum competency in professional safety practice.

After joining the Loss Control staff in December 2003, Richard earned his Associate in Risk Management for Public Entities (ARM-P) in 2005 and was subsequently honored with an ARM-P Award for Academic Excellence in 2007, which is presented by the American Institute for Chartered Property Casualty Underwriters (AICPCU) and the Insurance Institute of America (IIA) to the graduate with outstanding cumulative grade averages on the examinations in this program. He also received his Certified Insurance Counselor (CIC) designation through The National Alliance in 2007. In 2010, he graduated 2nd in the Basic Claims Adjuster course offered through the Southern Farm Bureau Tech in Jackson, Mississippi. Richard is the loss control rep for AMIC/MWCF's South Alabama members.

2013 SkidCar Schedule

Through an advanced, computer-controlled driver training vehicle known as the Skidcar System, trainees learn how to react quickly and safely to a range of hazardous driving conditions. Training is conducted throughout the state at a minimal cost.

For more information, contact Donna Wagner at 334-262-2566.

Thomasville	July 8 – 12	Arab	Sept. 3 – 12
Demopolis	July 15 – 19	Open	Oct. 1 – 11
Oneonta	July 30 – Aug. 2	Orange Beach	Oct. 28 – Nov. 8
Decatur	Aug. 13 – 23	Montgomery	Dec. 3 – 13

Date/location subject to change.



Loss Control Division

P.O. Box 1270 • 535 Adams Avenue • Montgomery, AL • 36102

CHANGE SERVICE REQUESTED

Presorted Std.
U.S. POSTAGE
PAID
Montgomery, AL
PERMIT NO. 340

Summer Safety DVDs

- 5.006 Cutting It Short, Part 1 (Cutting Grass)
- 5.007 Cutting It Short, Part 2 (Cutting Grass)
- 5.032 Right-Of-Way Mowing Safety
- 5.039 Tractor Safety
- 5.053 Landscaping Equipment: Safety and Maintenance
- 7.029 Outdoor Safety: Critters and Plants
- 7.067 Responding to Bites and Stings
- 7.079 Tree Trimming Safety
- 7.080 Chainsaw Safety
- 7.083 Inspecting Playgrounds for Safety
- 7.084 Softball & Baseball Field Maintenance & Safety
- 7.089 Working Safely in Hot Environments
- 7.097 Heat Stress: Staying Healthy, Working Safely
- 7.105 Groundskeeping Safety: Dealing with Bugs & Critters
- 7.106 Groundskeeping Safety: Be A Pro!

Video/DVD requests to: Rachel Wagner at 334-262-2566; rachelw@alalm.org; or FAX at 334-263-0200.

Need Help Filing Work Comp Claims?

For step-by-step instructions, visit:

www.almwcf.org

Employment Practices Law Hotline

1-800-864-5324

Through a toll-free Employment Practices Law Hotline, members can be in direct contact with an attorney specializing in employment-related issues. When faced with a potential employment situation, the hotline provides a no-cost, 30-minute consultation.

www.losscontrol.org