

PRIMA PRESS | a quarterly newsletter for members of



texasprima.org  
Texas Chapter Public Risk Management Association

INSIDE THIS ISSUE:

Board Member Spotlight	2
Members on the Move	3
New Member Spotlight	3
Welcome New Members	3
Membership Campaign	3
Awards Program	3
Sponsor Highlight	4-5
Risk Management Tidbits	6
Revitalize Your Wellness Plan	6
Risk Managers at Renewal	7
Workers Compensation Update	7-8
Safety Meeting Basics	8
Chapter Sponsors	9
Letter from the Editor	9

PRESIDENT'S MESSAGE

SILVER LINING...*"A hopeful or comforting prospect in the midst of difficulty"*



I am both honored and humbled to serve as your 2014 Texas PRIMA president and want to take this time to say THANK YOU to the many, who before us, served this wonderful organization and helped make it what it is today. In 1990 under the leadership of Texas PRIMA president Allen Smith the organization emerged thanks to other leaders before him and the dedicated volunteers who through their efforts are credited with the following:

- First annual conference in McAllen Texas 1990
- Started a membership newsletter
- Began a Fax network

- Created an organized membership list
- Organized local monthly meetings in San Antonio and Dallas areas

Thanks to our founding "fathers" here we stand proud to be one of the largest state organizations with 500+ members strong and growing. Through adversity, reduction in budgets, and 25+ years of national roller coaster catastrophic events and recession impacting, to a great degree, our wonderful state of Texas; we have remained strong as an organization leading the risk management industry with resources, educational programs, and annual conference and networking opportunities. It is therefore appropriate to tagline this 25<sup>th</sup> silver anniversary as Texas PRIMA's 25 years of Silver Linings. This year's conference will focus on celebrating the organization's 25<sup>th</sup> Silver anniversary and the many accomplishments, career opportunities, and friendships made as a result of this journey. We cordially invite you to attend the 25<sup>th</sup> Texas PRIMA annual

conference in the beautiful Grand Hyatt Hotel located right on the San Antonio Riverwalk on November 9-12, 2014. The conference will offer an array of educational programs and networking opportunities with colleagues in the industry as well as opportunities for you to meet our sponsors and exhibitors and learn from them how they can help you find the **silver lining** in your risk management, benefit and safety programs. Start looking in your closets now for that dinner suit or gown that you would wear to celebrate your 25<sup>th</sup> anniversary or that of your loved ones, this event will be no different. I look forward to seeing you there. Help me celebrate all who because of their vision and countless hours of volunteer work over 25 years have made Texas PRIMA the wonderful organization it is today.



*Irma Hernandez,*  
2014 Texas PRIMA President

DON'T MISS THIS ...

**REGIONAL RISK MANAGEMENT SEMINAR**

sponsored by **texasprima** Texas Chapter Public Risk Management Association

San Marcos / April 9, 2014 [ [register now](#) ]  
 Sugar Land / June 25, 2014 [ [register now](#) ]  
 Grand Prairie / Sept. 18, 2014 [ [register now](#) ]

SAVE THE DATE: TEXAS PRIMA ANNUAL CONFERENCE  
 NOVEMBER 9-12, 2014  
 VISIT [TEXASPRIMA.ORG](http://TEXASPRIMA.ORG) FOR DETAILS.

**BOARD MEMBER SPOTLIGHT:  
BRUCE BIRDWELL**



**BRUCE F. BIRDWELL's bio would read like this.....**He possesses more than 30 years of experience in risk management operations for governmental entities. A creative, results-oriented, consensus-building leader whose forte includes starting up risk management departments to instituting successful turnarounds for troubled risk management operations through optimization of efficiency.

Since his appointment as Director of Risk Management for the Port of Houston Authority (PHA) in 2008, he and his staff of two have orchestrated the implementation of an effective risk management program by building coalitions and obtaining unwavering executive management support of change management during difficult budgetary times. The results are impressive. Since transitioning to self insurance in 2010, PHA has benefited from savings in excess of \$3 Million per year, received insurance settlements of over \$12 Million, achieved an astonishing 94% success rate and almost \$2 Million in subrogation recoveries, recovered over \$800K in previous overpayments from carriers, and obtained FEMA approval for >\$17 Million related to hurricane "Ike" damage. Building on these achievements, risk management was recently tasked with obtaining employee health insurance for the first time. PHA again benefited from this decision, with over \$2.2 Million in premium reductions to PHA with no reduction in benefits to employees.

His professional experience includes serving as the *first* risk manager for the state of Texas, the city of Irving, and the Richardson Independent School District. He also served as risk manager for the city of San Antonio. He attended the United States Air Force Academy and the University of Texas. He possesses a bachelor's degree in business and completed most of the coursework for an MBA; he is a graduate of the Governor's Executive Development Program at the LBJ School of Public Affairs at the University of Texas. Professional designations include the Associate in Risk Management and Certified Safety Professional. Mr. Birdwell is a recognized authority in governmental risk management issues and is a former national president of the Public Risk Management Association.

**Now, my personal thoughts.....**All of this sounds nice, but the bottom line is I, like you, have always simply done what I was hired to do. That is, to protect my employer's assets in the most cost-effective manner. Fortunately, I have been very successful at that, albeit there have been some "bumps and challenges" along the way. I must admit that I am far along enough in my career (translation: I am getting older) that I do not seek slaps on the back, "Attaboys", or formal awards or recognition for what I do. I simply have always possessed a burning desire to do my best in an ethical manner. Simple validation that we took the right track is sufficient for my staff and I. That validation can range from being acknowledged by Lloyd's at a London conference to something as simple as a smile and a nod from your CEO or Commissioners.

OK, how did we get here? I would like to begin by having you refer back to Alan Smith's article on page three of the March 2013 newsletter. The VW story is true. Back in the 1980, only four cities had risk managers (Austin, Dallas, Ft. Worth, & San Antonio). Others followed over the next ten years or so. As a member of the "first round" of risk managers, all of us were wide-eyed and looked like the proverbial "deer in the headlights."

I recall attending my first national PRIMA conference in Boston in 1986. One reason is that I was robbed while there and returned home to find my Corvette had been stolen (one of those "bumps" we experience in life). That conference led to a strong personal interest and desire to improve the Texas chapter from simply a monthly meeting of a few of us to a strong, growing, and vibrant organization that could help all risk management types get better at what we did and expand our careers. We all realized what we did was important. We simply need to figure out how to obtain management buy-in and support for what we were trying to accomplish.

After 30 years of involvement with PRIMA, I cannot impress upon you how much PRIMA has helped me and countless others in our career paths. Old-timers of PRIMA are nodding agreement as they read this. If you are new to risk management and PRIMA, I say to you "Open your arms to PRIMA and get ready to enjoy the ride." The knowledge you will gain from the conferences; the life-long personal and business relationships you will form; the opportunities to learn from others and for others to learn from you; the personal gratification you will have for what you have done; the sometimes formal - or even unspoken - recognition you will gain from your efforts; watching someone you mentored grow in their career; even the personal knowledge and belief that you have the best job in the world. Trust me on this.... you will experience all of this....and more.

I personally mentored two well-known risk managers; Bill Cody and Gary Urban. Hard to believe it has been 25 years since I served as Texas president and 14 since I served as National president. Now, keep this in mind. From its humble beginnings, the Texas chapter has produced the following National PRIMA Presidents. Al Hyman, Sharon Rodebaugh, Sheila Stuckey, Bruce Birdwell, James Huckaby, Regan Rychetsky. Will you be a proud member of that list some day? You can be, and I trust you will if you put your mind to it. I hope that being a member of your board will in some way I can help you achieve your goals. Thank you.

## MEMBERS ON THE MOVE

**Kermit Falgout** has retired.

### **Mary-Margaret (Peggy) Roberts – Sr. Manager, Risk Management**

Peggy has worked for the Houston Independent School District since 2009. She was recently promoted to the Sr. Manager of Risk Management.

### **Colleen Martin, ARM – Insurance Manager**

Colleen worked with the City of Baytown from August 2011 through February 2014. Colleen recently joined the Houston Independent School District as an Insurance Manager in the Risk Management Department.



## NEW MEMBER SPOTLIGHT

**Helen Berhane (2013 Scholarship Recipient)**

*"Helen Berhane has worked as a risk management professional for the last four years. She began her career in risk management with the Halliburton Energy Services in the area of workers' compensation. In 2013, Helen joined Houston ISD's Workers' Compensation Program as the Workers' Compensation Manager. Her goal is to help provide HISD employees with an efficient and effective claims process and minimize lost work days."*

## WELCOME NEW MEMBERS

Helen Berhane, Workers' Compensation Manager - Houston ISD  
Debra Ojo, Asst. Finance Director/Risk Mgr - City of San Antonio  
Mike Robinson, Director of Risk Management - Katy ISD  
Darren Vossler, Project Manager - Knight Restoration Services, Inc.

Kenneth Lawrence, Producer - Frost Insurance Agency  
Duane Radmore, Sr Underwriter - Starr Indemnity and Liability

## 2014 MEMBERSHIP DRIVE CHALLENGE



Help us get 25 new members by June 15th! Refer the most new Texas PRIMA members and be recognized during the 2014 Conference Membership Luncheon AND new members will be entered to win a free 2014 Conference & Expo registration. [Click here](#) for the Texas PRIMA Membership Brochure to forward to colleagues then send them to the [membership page](#) to join!

- The new member cannot have been a Texas PRIMA member at any previous time.
- Each new Texas PRIMA member will be entered into a drawing for (1) complimentary conference registration to the 2014 Texas PRIMA Conference & Expo in San Antonio, Texas. Drawing for complimentary conference registration from pool of new members will take place June 20, 2014.
- Both the new member application AND dues must be received by June 15, 2014 for the new member to be eligible for free conference registration drawing.
- New member application must contain the name of the current Texas PRIMA member referring the new member to be eligible for recognition during the Membership Luncheon.
- The current Texas PRIMA member who refers the most new members will receive recognition at the 2014 Conference Membership Luncheon.

*Stay tuned for updates on our progress. Be sure to check out the goal thermometer posted on [texasprima.org](http://texasprima.org) and send colleagues to our [membership page](#) to join!*

## WE'RE LOOKING FOR SHOOTING STARS



The Awards committee is looking for candidates for Risk Professional of the Year, Risk Professional Associate of the Year as well as Outstanding Risk Management Programs. Texas PRIMA knows there are shining stars within your organizations and we want to give them the recognition that they deserve. The nomination process is very simple so nominate yourself, your colleagues and your program(s). The nomination form will be posted on our website and emailed to you soon!

Award recipients will be recognized at the Annual Conference Awards luncheon; receive a beautiful plaque; be recognized in the Texas PRIMA newsletter and website; their supervisor will be notified; and they will be reimbursed for the conference registration and one night hotel accommodation.

## S P O N S O R H I G H L I G H T



**McGriff, Seibels & Williams of Texas, Inc. (MSW)** is proud to be a Platinum sponsor of Texas PRIMA.

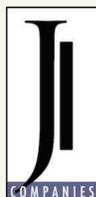
MSW is a division of BB&T Insurance Services Inc., the 6th largest insurance brokerage firm in the world. The MSW/BB&T family has over 37,000 employees and over \$182 billion in assets. MSW/BB&T are one of the largest providers of insurance and risk management services to Public Entities in the U.S. with offices in 32 states.

The MSW Texas operation, with offices in Houston, Dallas, and San Antonio, specializes in providing Commercial Property & Casualty, Employee Benefits, and Risk Management consulting services for Public Entities. The staff dedicated to Public Entity accounts has a broad range of experience including former Public Entity risk managers and Texas PRIMA board members who have “walked in the shoes” of Texas public entity risk professionals.

The experienced professionals at MSW work in the global insurance marketplace to obtain the best coverage available at the best price for our Public Entity clients. MSW utilizes in-depth knowledge, experience, and resources to help our clients find solutions for a full range of risk management and benefits needs. The goal of McGriff, Seibels & Williams is to establish long-term partnerships with their clients by providing top-notch service, inspiring customer confidence and trust.

McGriff, Seibels & Williams congratulates the success of Texas Chapter PRIMA as the premier organization providing education, training, and resources for Public Entity risk professionals and we appreciate the opportunity to be a long time partner of this organization.

2013 was an exciting year for the JI Companies. We are all about Public Entities, and now after two years as part of York Risk Services Group, we are even more focused on Cities, Counties, School Districts, Water Districts/Authorities and Special Districts. Integrated into York, JI is the Texas arm of York Public Entity, our fully dedicated division focused solely on local governments/districts. Additionally, we formally announced in February that Francis Fey, JI President, was appointed as York Regional President – Texas.



A YORK RISK  
SERVICES COMPANY

In 2013 **JI Companies, A York Risk Services Company** began using the newly enhanced York Claims Expert system, which brings a whole new level of flow and efficiency to claims handling. And it is coupled with an enhanced, intuitive, and user-friendly RMIS system, York FOCUS. FOCUS was designed by risk managers for risk managers and gives clients a custom view of their claims data, from high-level summaries that track trends to a wide variety of reports. Clients

can also drill down to the specifics of any claim and look at that claim in the context of similar claims to identify and understand “outliers.” In Texas we have introduced FOCUS to several clients. Feedback has been super positive and we expect the roll out to continue throughout 2014 and beyond.

JI welcomed Lubbock County as a Workers’ Compensation TPA Client. Everyone at JI, and most notably our Red Raider alum, are looking forward to bringing our service excellence experience to the staff and employees of Lubbock County. Welcome aboard!

And speaking of County Government, you may have had the good fortune to attend a County session at the 2013 edition of the Texas PRIMA Conference in Galveston. It was standing room only! We are referring to the Tarrant County experience in bringing to life their “504” Workers’ Compensation Provider Panel program. JI, as the TPA and Managed Care Services provider for Tarrant County, worked with Robin Worthy and her staff to establish this program specifically for Tarrant County. Robin and JI Account Executive, Susan Mullins, took the attendees through the process from concept to kick off and first year of performance, answering many questions along the way.

So, now that Tarrant County’s program has been in place for over one year, do the results justify the effort required to establish such a program? We compared 2011 and 2012 results before the 504 Physicians Panel to Tarrant County’s results in 2013 utilizing their Physicians Panel. You decide—for the twelve-month measurement period compared to the same period the previous year and comparable number of claims...



## S P O N S O R   H I G H L I G H T   C O N T I N U E D

- Paid Medical costs decreased 46%
- Paid Indemnity costs decreased 62%
- Medical Bill count dropped 47%
- Bill Review fees fell 51%
- Pre-Authorization fees fell 83%
- Field Case Management fees fell 56%
- Lost days fell 61%

Tarrant County benefited from all these savings while continuing to provide high quality medical care for their injured employees. JI is confident you will agree that the Tarrant County 504 Physicians Panel is a “win / win” for Tarrant County employees, County Government, and the tax payers.

Throughout 2013 and now into 2014, JI continues our support of, and believes in, the mission of Texas PRIMA. Education is a priority, and we support that through our Platinum sponsorship and the separate contributions to the TX PRIMA scholarships fund. We recognize the importance of, and wholeheartedly encourage industry education through the efforts of Texas PRIMA. In addition to contributing volunteers to help with conference planning and logistics, JI will continue to provide speakers with key expertise for the annual conference and for regional seminars. We continue to look for ways to support, including helping with the new initiatives of the TX PRIMA Board.

If you would like any additional information related to the topics above or information regarding how JI can assist your entity with our Workers' Compensation, Property, or Liability services, please give Patrick O'Toole, Sales Vice President-Public Entity a call at (512) 427-2429 or visit us at [www.jicompanies.com](http://www.jicompanies.com)

**TRISTAR Insurance Group** was found by Tom Veale 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. As managed care and benefits administration services were added to TRISTAR's offerings, the organization grew into what is now known as TRISTAR Insurance Group.



Since TRISTAR's 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. Today TRISTAR is the nation's largest independent third party claims administrator and 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 clients – to improve their bottom line, to fund additional projects and services, or simply to help people feel safe, healthy, and secure.

TRISTAR is proud to be a Platinum sponsor for Texas PRIMA. We value our relationship with the Texas PRIMA Board and all of its members. We look forward to a successful 2014 and promise to continue to be an active supporter of Texas & National PRIMA. Congratulations on 25 years of serving all Texas Public Entities. See you in San Antonio!

When you engage TRISTAR, together we transform risk into opportunity.



**YIRIP**  
 Young Risk Professionals of Texas

**Dallas | Austin | Houston | San Antonio**

Young Risk Professionals of Texas was founded in September 2013. With a focus on connecting YPs in the risk management and insurance industry, we are committed to providing opportunities where networking, mentoring and education are at the forefront of our mission.

**Target Members**

- Employers
- Risk Managers
- Carriers & TPAs
- Brokers & Agents
- Underwriters
- Managed Care
- Safety & Loss Control
- Providers
- Students (Must be 21+)

**Learn More**

[YRPofTexas@gmail.com](mailto:YRPofTexas@gmail.com)



## RISK MANAGEMENT TIDBITS:

### HOW LONG SHOULD I KEEP INSURANCE POLICIES

Our suggestion is that you scan any pages that are unique, such as: 1) Declaration pages (usually not more than a couple of pages) that show policy coverage, limits, deductibles, premiums, dates, Named Insured; 2) lists of endorsements; 3) any page that has the District's name on it; 4) property schedules for hail or water damage claims.

Keep the scanned copies forever and throw away the policies after three years. You can scan all of the policies for a year in one file. Property - it is not unusual to find hail damage that is several years old. Liability - sex claims can go back several years.

Self-insured districts should keep scanned copies of Stop Loss policies forever, as Worker's Compensation claims can go back for many years.

E-mails get lost or destroyed over time. Copy e-mails to documents that can be saved if the subject addresses policy coverage; this can be more important than a copy of the policy. We have had instances where the insurance company no longer had a copy of a policy; fortunately we did.

SOURCE: WWW.ROBERTREIM.COM

PHONE (512) 345-8921

INFO@ROBERTREIM.COM

## Revitalize Your Wellness Program

Want to refresh your current wellness program? First, you want to consider the program options and design that make sense for your worksite. An effective, sustainable worksite wellness program is one that is comprehensive and customized to your employees. A successful program is one that grows each year to continually engage and maximize participation. A common challenge that many employers face is when a wellness program becomes stale or repetitive. Below are a few quick, simple and free ideas to help get your program energized in the New Year.

**Conduct an informal focus group.** Drop in staff meetings and ask employees what they are interested in hearing about and how they prefer to receive updates on worksite wellness offerings. Ask them about any incentives you may be considering for the future or how they feel things have been going so far with your wellness strategy.



Surprise your employees. Make them laugh and focus on some new ways to communicate. Consider posting a blog, starting a Facebook page for your program or sending text message reminders. Use sidewalk chalk messages by the entrances to liven things up. Leave notes or surprises in people's work areas. Invite managers and supervisors to share a "weird but true" health tip before the start of every staff meeting.

Share a personal story. Invite someone from your senior leadership to share their personal story about a successful health change they have made or a challenge they are currently working on. Sharing with your employees that we all have personal health goals we need to work on and that it is hard to change behaviors will help build a culture of health in the workplace. Invite others to share their stories for future communications.

Build a Wellness Buddy Program. Invite those that seem to always attend or participate in wellness programs to bring a buddy in order for both of them to earn extra recognition. Noting participant names publically, sharing an event picture album or even printing out a homemade certificate can go a long way to helping people feel they are engaged and part of something positive.

Make it family friendly. Promote a community walk or bike ride and encourage employees to bring their families. These events can become annual activities that people look forward to. Also, remember to share information in your communications about healthy options that appeal to parents, grandparents, aunts and uncles, such as tips for getting kids more active, packing healthy lunches, making wholesome snacks and guidance for dealing with bullying and self-esteem issues.

Doing something, even on a small scale, can often help you kick start the momentum towards a more comprehensive, long-term investment in a healthier workforce.

Source: Willis Insights

## **R I S K   M A N A G E R S   A T   R E N E W A L : F L A T   I S   T H E   N E W   “ W I N ”**

Two common themes emerge when talking with risk managers in the process of renewing their insurance programs for 2014: In terms of rates, staying flat is the new “win,” and effective loss-prevention programs and careful management of exposures in 2013 aided significantly in maintaining (and in a few cases, lowering) rates when it came time to go to market.

“My programs have either been flat to minimally increased, and terms and conditions have broadened a little,” says Mike Liebowitz, director of risk management and insurance at New York University and NU P&C advisory board member. His renewals are within previous historical parameters for all of NYU’s lines of coverage, and he sees no abnormal spiking or changes in terms of conditions.

“We haven’t seen any withdrawals in coverage either; even for workers’ compensation in New York City, which is a very difficult placement. But we only saw a single-digit increase. But we also saw it last year, and the year before that.”

NYU saw no reductions this year in rates. “We did see flat renewals, which is already a win,” Liebowitz says. “I wouldn’t expect to see huge increases because we have good control of our claims, good claims handling and relationships with our insurers. There’s a lot of earned premium in those relationships.”

Gary Pearce, vice president of risk management for workforce-solutions firm Kelly Services Inc. and NU P&C advisory board member, says he saw high-single-digit reduction in Kelly’s medical liability program, but rates for its property program, financial lines and executive coverages have been essentially flat.

“We’ve been fortunate for a few years in having very steady pricing,” says Pearce. “We’ve been consistent in our exposures, and haven’t given underwriters reason to look for a price increase.”

Kelly’s rates for executive cover are low compared to overall increases seen in directors and officers protection, a segment in which Phil Norton, national managing director for the management liability practice at Arthur J. Gallagher & Co., says he’s seeing a boost. For executives at financial institutions, such as advisors, it’s become a more challenging marketplace, he notes, with rate increases of 7% to 10%. On the commercial side, renewals are flatter due to increased capacity and market competition. Overall, he sees an average increase of about 3% in D&O cover.

Carriers, he says, are now looking to expand and grow their businesses in this line more than in the past few years, a phenomenon he calls “reinvigorated capacity,” referring to carriers that are seeking higher rates with increased vigor, now that they’ve managed to tame their loss ratios.

In the public sector, those who have locked in multi-year deals for their programs have seen savings of as much as 6% in overall premium. Others, who participate in risk-retention pools, like Sarah Perry, risk manager for the city of Columbia, Mo. and NU P&C advisory board member, saw flat rates in key areas such as general liability, and mostly minimal increases except for such lines as property and excess workers’ comp.

Indeed, workers’ comp continues to be a cost driver if not a challenge for some RMs. Bryan Schwartz, risk manager for heavy-construction company American Infrastructure Inc., says he was aware his carrier was looking for increases in WC this time around. “Fortunately our loss history has been solid with no cat losses, so I expect we will be at a mostly flat renewal after some tough negotiation with our broker and the carriers,” he says.

In the end, adds Schwartz, “I think if you have a good loss history and can show underwriters that you continue to invest in safety best practices, you can keep rates flat even in this environment. Some of it does depend on the rest of the underwriter’s book of business in that industry segment.”

Source: 2014 PropertyCasualty360

## **W O R K E R S   C O M P E N S A T I O N   U P D A T E**

The Office of Injured Employee Counsel (OIEC) has made some legislative recommendations for the 84th legislative session. The 84th session is next year in 2015. These are only recommendations, so the legislature may approve some, none or all of these recommendations. Similar recommendations have been made in the past and have not been passed. But, every legislative session is different. If you want to voice your opinion on these recommendations, there will be stakeholder meeting on Wednesday, February 5, 2014 at 10:00 AM in the Tippy Foster Room at the Division’s Central Office. Here are the highlights

of the six recommendations.

1. Expert Testimony. OIEC proposes that the carrier pay the treating doctor or designated doctor to testify at a contested case hearing on an issue of extent of injury. In the alternative, OIEC proposes that the state legislature increase OIEC's budget to pay for expert witnesses.
  2. Waiver & Challenges to Compensability. OIEC proposes that the legislature create a 60 day deadline for the carrier to dispute injuries/body parts or else the carrier waives the right to dispute the injuries/body parts. For example, if the claimant alleges an injury 5 years after the date of injury that relates back to the original injury (a classic extent of injury issue), then the carrier has 60 days from notice of the new injury to dispute the injury or else the carrier waives its right to dispute (this was the old law back in the 1990s that created lots of carrier waiver on extent of injury claims).
  3. Medical Necessity Disputes at Judicial Review. OIEC proposes requiring the carrier pay attorney fees incurred by the injured employee if the carrier appeals for judicial review and loses in a medical necessity dispute.
  4. Temporary Income Benefits. OIEC proposes that the legislature (1) raise the benchmark earnings rate from \$8.50 per hour to \$12.40 per hour, (2) have the carriers pay TIBs at 75 percent rather than 70 percent for injured employees who earn \$12.40 per hour or more, and (3) have the carrier pay TIBs at 80 percent rather than 75 percent for employees who earn less than \$12.40 per hour.
  5. Lifetime Income Benefits. OIEC proposes that the legislature amend the LIBS provision at Texas Labor Code Section 408.161(a)(1) through (a)(3) to allow injured employees to qualify for LIBS even if the compensable injury was not to the extremities.
  6. Consistency in Venue of Benefit Disputes. OIEC proposes that the legislature amend the law to provide that claimants can have their cases heard in the same venue for both administrative medical necessity disputes and indemnity disputes. The current law is that judicial review of medical necessity disputes is heard in Travis County while judicial review of indemnity disputes is heard in the county where the employee lives at the time of injury.
- Source: The Law Office of Ricky D. Green, PLLC

## **S A F E T Y M E E T I N G B A S I C S**

According to the Occupational Safety and Health Administration (OSHA), one of the most effective ways to promote a safe working environment is to get involved in company safety meetings. Since safety is our top priority, we've gathered some tips to help you make the most out of our company safety meetings.

### Why Safety Meetings

These informal, brief meetings allow you the opportunity to stay up to date on potential workplace hazards and safe workplace practices, such as machinery use, tool handling, equipment use and safety-minded attitudes—basically anything that may contribute to accidents or illnesses in your workplace.

### Meeting Basics

- Attending safety meetings is mandatory. Be aware of what days we hold meetings, and plan accordingly.
- Always sign our safety meeting log – recordkeeping is an important part of our safety and compliance program.
- Be an active participant. Some of the best safety ideas come from workers just like you because you often know best what and where the dangers are.
- During safety meetings, if you have something to add, don't hesitate to speak up.
- Notice that spills aren't being cleaned up properly or someone didn't follow lockout/tagout procedures? We want to know so that we can cover the topic at a future safety meeting, and everyone can benefit.
- Already know the day's topic? Don't tune out as you may have something valuable to add.
- If you have an idea for a safety topic, chances are others will find it of interest too. We encourage you to share the details with your supervisor or the safety committee.
- Have a question, like how to lift safely or read a Safety Data Sheet (SDS)? Don't keep it to yourself - there are no dumb questions when it comes to safety.
- Don't know all of our safety policies? You can find more information on area bulletin boards or from a human resources representative.
- Want to nominate someone for a safety award? Contact your supervisor or safety committee with the details.

Remember regardless of anyone's job position or job title, working safely at work is everyone's responsibility!

Source: Leon White, CSMP, Senior Loss Control Consultant  
Frost Insurance Agency - San Antonio

## 2014 Chapter Sponsors

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The Law Office of Ricky Green, PLLC

## **Correspondence**

The Texas PRIMA Press is the official newsletter of Texas PRIMA. Correspondence should be sent to:

Texas PRIMA  
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## **About This Newsletter**

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](mailto:info@texasprima.org).

MEMBERS: VISIT THE  
MEMBER'S ONLY WEBSITE TO  
POST IN THE COMMUNITY  
FORUM!

## **LETTER FROM THE EDITOR**

This is my first attempt as editor of the PRIMA PRESS. The excitement of a new year is always good. But, as Risk Managers, we are constantly faced with a multitude of decisions that can and do affect our entities. Property insurance is a real challenge for all as are other aspects of risk management. Safety of our employees and others seem to loom large in a world that seems to know no boundaries of decency. It is my intent to include information that can be helpful in our jobs maybe strike a chord that will enable us to breathe easier. Texas PRIMA is the organization that can provide that networking that enables all of us to do a better job for our entities.

Please feel free to contact me to contribute to this publication.

The more the better.

Bill Tarro, CSRM

Editor

