

The Municipal RISK MANAGER

SUMMER 2016

A Publication of the Maine Municipal Association

Fire Apparatus – Is Your Equipment Secure?

Fire apparatus is kept in a constant state of readiness, prepared for action at a moment's notice. When the call comes, the response is designed to be performed in a well-planned and rapid fashion. As a result, it is of critical importance to have all equipment properly stored, secured and ready for deployment at all times. Improperly stored or unsecured equipment may come loose resulting in damage to the apparatus, personnel or even injury to the public that we protect.

MMA Risk Management Services is aware of situations where fire hose has come loose from its storage area causing damage to apparatus and in one situation, severe bodily injury to a pedestrian who was struck by the hose dragging behind the fire truck. In one situation, an improperly secured hose bay cover came open and the hose then fell out of the bay and was dragged, damaging the hose, the nozzle and the truck. In the other situation, the hose bay cover would no longer fit due to modifications made on the pumper truck. This resulted in the hose becoming dislodged and being dragged behind the truck while responding to an emergency call. The hose caught a pedestrian's legs causing him to fall and resulted in multiple fractures, including a skull fracture and other serious injuries.

Both incidents may have been prevented by implementing some simple preventative measures:

- Operators should review and perform procedures for pre-trip checks and driving protocols.
- Pre-use "walk around" of the vehicle prior to departing the station for an emergency call.

- Hose bed/bay covers should be present. If covers are not installed or have been removed, appropriate measures should be taken to prevent movement of items or the apparatus should be out of service until all covers are installed and function correctly.

- Hose bed/bay covers should be inspected periodically to determine that securing and latching mechanisms are in place, work correctly and are sufficient to keep hose beds /bays from opening due to the movement of the vehicle.



Open hose bay without covers in place.

- Be aware that post-delivery modifications to apparatus may cause factory installed bays and latches to become impaired or ineffective.

- Hose beds should have nonskid finishes to keep hoses from

moving inside the bed or be secured.

- During response, operators should check mirrors every 3-5 seconds to make sure nothing has become unsecured or is being dragged by the truck.

Periodic inspections of the appa-

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Welcome our New Nurse Case Manager

We are excited to announce that on May 23, 2016 we welcomed Sherry Gaudet to the Maine Municipal Association Claims team as our new Nurse Case Manager. Sherry is a registered nurse and joins MMA with experience as an Occupational Health Nurse working the last three years for True Textiles out of Guilford Maine. Sherry's knowledge and expertise will be an asset to our members and MMA Risk Management Services.

The Maine Municipal Association has employed a Nurse Case Manager in our Risk Management Services Department since 2002 when the position was originally created. Many of our mem-

bers may not be familiar with the duties of this position and the assistance that a Nurse Case Manager provides. A Nurse Case Manager does a lot of work behind the scenes either directly for the Claims Representatives and/or by communicating with the injured employee and the medical providers.

What is the Role of a Workers' Compensation Nurse Case Manager?

The Nurse Case Manager does not provide any direct, hands on medical treatment but rather aids the process by being an advocate and facilitator. She must work in the best interest of

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Nurse Case Manager *(cont'd)*

the injured employee to insure that proper, efficient and effective medical care is provided. The role of a Nurse Case Manager has expanded significantly over the years to include the management of medical treatment options, the reviewing of complex medical claims as well as working with all parties to increase the likelihood that there is a successful return to work plan in place.

It is important to note that all decisions about compensability, approval of procedures or other aspects of the claims handling process continue to remain with the Claim Representative assigned to the claim. However, the Nurse Case Manager does provide a support role to the Claim Representative, the injured employee and in some cases the employer by providing many of the following functions:

- Assesses the medical aspects of the illness, injury or trauma that gave rise to the claim.

- Provides case management for traumatic injuries involving hospitalizations to allow for an efficient transition from the hospital to a rehab facility or in some cases a discharge to their home while making sure that the injured employee has the medical devices or home modifications necessary.

- Ensures all parties including employers are up to date on treatment recommendations, including the ability to return to work and any restrictions on employment.

- Acts as a liaison between the injured individual, the medical provider, the employer and/or the Claim Representative with regards to medical and rehabilitations issues.

- Conduct claim reviews for the Claim Representative when there is a question on compensability of an injury or for a better understanding of a diagnosis and the recommended medical treatment.

If you would like additional infor-

mation, or if you have any questions about the role the Nurse Case Manager, please feel free to contact Tracey Gould, Assistant Claims Manager or your Claims Representative directly. 🏠

Fire Apparatus *(cont'd)*

tus, equipment and maintaining an awareness of conditions in and around the vehicle while in transit will help prevent such a possible tragedy from occurring. MMA Loss Control Consultants are available to provide "Coaching the Emergency Vehicle Operator-Fire Defensive Driver" training at no cost to Members of the MMA Workers Compensation Fund and/or Property & Casualty Pool. This course also qualifies for 3 points of credit with the Maine Bureau of Highway Safety on your Maine Motor Vehicle Operators License. For more information please contact your MMA Risk Management Services Loss Control Consultant for more information about this class at (800) 590-5583. 🏠

Time out for Training at the 25th Annual Highway Congress

Risk Management Services again supported the Annual Highway Congress held June 2nd at the Skowhegan Fairgrounds. The "Time Out for Training" booth has become a fixture at the Highway Congress and provides our loss control staff an opportunity to visit with many of our members and with vendors in a casual setting.

This year's safety topic centered on

outdoor safety with a focus on the education and prevention of exposures to dangerous plants, insects and environmental conditions.

We would like to thank all of the attendees that visited our booth and congratulate our raffle winners, Timothy Coston Town Windsor, Cory Murphy Town of Jay and James Provost Town of Winthrop. 🏠



The Municipal Risk Manager

The Municipal Risk Manager is published seasonally to inform you of developments in municipal risk management which may be of interest to you in your daily business activities. The information in these articles is general in nature and should not be considered advice for any specific risk management or legal question; you should consult with legal counsel or other qualified professional of your own choice.

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Welcome to Underwriting



Please join us in welcoming our newest member to the Underwriting Team, Kerry Lewis. Kerry is originally from Connecticut and moved to Maine 3 years ago with her family. She has obtained her Certificate in Paralegal

Studies, Bachelors of Science in Business Administration, and will be com-

pleting her Master's in Public Administration in the near future.

The MMA Risk Management Services Underwriting team is available to answer your questions about coverages and related matters in person or by telephone or email. The Underwriting team also offers assistance with the insurance bid process, including the review and analysis of your coverage.

Please contact us today by calling 1-800-590-5583 for assistance. 🏠

FLEET Operations: Safety and Liability Exposures for Public Works Equipment

Operating public service equipment is an essential element in the delivery of most, if not all, municipal services. Street graders, sewer cleaning equipment, street sweepers, mulching machines, fire trucks, buses, snow plows, refuse trucks and tractors are just a few of the types of equipment that municipalities own and operate. Personal injury and property damage resulting from the operation of equipment are the most frequent causes of loss. In addition, the negligent operation of equipment can expose a governmental entity to civil liability and generate losses of greater severity than those that either personal injury or property damage creates. This is because the operation of some equipment – classified as motor vehicles – is one of the few general exceptions to governmental immunity.



Personal Injury And Property Damage Losses

In addition to the obvious costs that personal injury or property damage losses generate, equipment related incidents frequently result in many hidden costs. These costs – both tangible and intangible – include:

- Employees injured or killed on the job;
- Disruption of operations or delays in completing projects;
- Impaired ability to respond to requests for service;
- Equipment damage, loss, or loss of use;
- Increased maintenance costs;
- The diversion of funds earmarked for other purposes to pay for losses, and
- Increased insurance premiums.

One of the first steps in developing a comprehensive motor vehicle risk reduction program that includes public works equipment is to have a fleet management program. Such a program has several key components. The program should include:

- A written policy that addresses the goals and expectations of the program
- A statement defining accountability. Because a program cannot succeed if there is no accountability, the policy should establish that managers and supervisors are responsible for implementing and assuring employee compliance with the program.
- A policy establishing that management and supervisory effectiveness in

this area should be part of the entity's periodic appraisal of performance.

- An efficient and thorough process for selecting safe and qualified operators as well as active and ongoing program for training drivers in safe operating procedures.
- A method of reporting, reviewing and evaluating all accidents.
- A program for the maintenance of equipment. Every municipality should have a preventive maintenance system in place that complies with manufacturers' recommendations as well as state and federal agencies.
- Mandatory, periodic inspections of equipment.

You can obtain more detailed information about each component by contacting the MMA Risk Management Services Loss Control Department and asking for the guide to Fleet Management for Public Agencies. 🏠

Welcome New Members

Property & Casualty Pool
Town of Grand Isle

Workers Compensation Fund
Town of Grand Isle
Town of Island Falls



Maine Municipal Association
Risk Management Services

ACCIDENT INSURANCE FOR VOLUNTEERS

July 1, 2016 – June 30, 2017

Maine Municipal Association Risk Management Services is pleased to announce that the Accident Insurance for Volunteers (AIV) coverage continues to be available through The Hartford Life Insurance Company. The program provides coverage limits of \$50,000 for accidental medical expenses at a rate of \$2.25 per volunteer. Last year 112 members participated in this MMA sponsored program, providing excess medical coverage to 6,970 volunteers.



If you have any questions with Accident Insurance for Volunteers (AIV) or the Volunteer Firefighter Blanket Accident Program (VFF), please contact Judy Doore

jdoore@memun.org or 1-800-590-5583, ext 2255



HUB International
New England, LLC

Rewarding Safety

The Safety Enhancement Grant and Scholarship Grant Programs offer financial incentives to members of the Maine Municipal Association Workers Compensation Fund. Safety Enhancement Grants are used to purchase safety equipment or services that assist in reducing the frequency and severity of workplace injuries.

The Maine Municipal Association has been awarding safety grants to Members of their Workers Compensation Fund since 1999. The Grant program has assisted municipalities by bestowing over \$ 3.6 Million of Safety Enhancement Grants and Scholarship Grants.

For more information about any of the Maine Municipal Association Risk Management Service programs, including Safety Enhancement Grants eligibility and applications, please visit our website at www.memun.org and click on the Risk Management Services link, or call us at 1-800-590-5583. 🏠

We would like to congratulate the May 2016 Grant recipients

Town of Albion
Town of Anson
Ashland Water & Sewer District
City of Augusta
City of Bath
City of Belfast
Belfast Water District
Town of Berwick
Berwick Sewer District
City of Biddeford
Town of Boothbay
Boothbay Region Water District
Town of Bradford
Town of Brownville
Town of Brunswick
Brunswick Sewer District
Town of Buckfield
Town of Bucksport
Town of Fayette
Town of Fort Kent
Town of Frankfort
Town of Franklin
Town of Freeport

Town of Fryeburg
Fryeburg Rescue Association
Town of Gray
Great Portland Council of Government
Greater Augusta Utility District
Town of Hampden
Hancock County Commissioners
Town of Hermon
Town of Hiram
Town of Howland
Town of Hudson
Town of Jackson
Town of Jefferson
Kennebec Sanitary Treatment District
Kennebec Water District
Town of Kennebunk
Town of Kennebunkport
Town of Kingfield
Knox County Commissioners
Town of Levant
Town of Liberty

Town of Limerick
Lincoln Sanitary District
City of Caribou
County of Cumberland
Town of Dedham
Eagle Lake Water & Sewer District
Town of Eddington
Town of Eliot
City of Ellsworth
Town of Farmingdale
Town of Farmington
Lincoln Sanitary District
Town of Livermore Falls
Town of Lovell
Town of Machias
Town of Madison
Maine Community College System
Town of Mechanic Falls
Town of Mexico
Town of Milford
Town of Millinocket
Town of Montville
Town of New Gloucester

Town of New Sweden
Town of Newcastle
Town of Norridgewock
Town of North Yarmouth
Northern Maine Community College
Town of Norway
Town of Oakland
City of Old Town
Town of Orrington
Town of Passadumkeag
Penobscot County Commissioners
Town of Phillips
Pleasant River Ambulance Service
Town of Portage Lake
City of Presque Isle
Town of Rockport
Town of Rome
Town of Rumford
Rumford Water District
City of Saco
Sagadahoc County Commissioners

City of Sanford
Town of Somerville
Town of Sorrento
Town of Springfield
Town of Steuben
Town of Stonington
Town of Stow
Town of Strong
Town of Union
Town of Vassalboro
Town of Veazie
Town of Vienna
Town of Washington
City of Waterville
The Wells Reserve
City of Westbrook
Town of Westport Island
Town of Wilton
Town of Windham
Town of Windsor
Town of Winslow
Town of Winthrop
Town of Woolwich
York County Commissioners

RMS Claims Department

Our local MMA Risk Management Services Claims Department administers all claims for participating members. The Claims Department is organized on a team basis to provide members and injured employees with the best and most comprehensive service possible. It is our goal to work closely with you to appropriately manage your claims. The Claims Department is dedicated to providing members and claimants with timely, accurate and excellent claims handling in accordance



Property & Casualty Pool Claims Team: Chris McCauley, Colette Robbins, Debra Marquis, Peter Tanous and Randa Veilleux

Management Services immediately

- Take pictures of the damage
- Take pictures of the incident site
- Complete an incident report
- List witnesses & parties involved
- File a police report (if necessary)

with Maine law. It is critical for municipal, school and district officials to proceed carefully whenever a claim occurs. In the event of a loss, it is important to:

ALWAYS

- Call MMA Risk

- File a "Report of Occupational Injury/Illness"

NEVER

- Admit liability
- Pay for a claim directly
- Put off filing a claim
- Disturb/alter the incident site
- Discuss confidential claims
- Make promises to claimants
- Forget to file required forms
- Take threats of claims lightly

For Additional Claims Assistance:

CALL TOLL FREE: (800) 590-5583 or After Hours/Weekends/Emergency (207) 624-0182 and (207) 624-0183. 🏠