

**PUBLIC RISK INNOVATION, SOLUTIONS, AND MANAGEMENT
(PRISM)**

CLAIMS REVIEW COMMITTEE

FINAL AGENDA

75 Iron Point Circle, Suite 200
Folsom, California 95630
(916) 850-7300

Wednesday, August 24, 2023
8:30 a.m.
Eighth Meeting – 2023

As to each agenda item, the Committee may take action and/or receive informational reports as appropriate.

ROLL CALL/INTRODUCTIONS

- 1.A. Establishment of Quorum/Introductions4

CONSIDERATION OF OFF AGENDA ITEMS

Pursuant to Government Code Section 54954.2(b), except as provided in this paragraph, no action or discussion shall be taken at a regular meeting on any item which does not appear on the posted Final Agenda. Pursuant to Government Code Section 54954.2 (b)(2) an item may be added to the Final Agenda after the Final Agenda has been posted upon a determination by a two-thirds vote of the Committee (or an unanimous vote if less than two-thirds of the Committee is present); the vote shall be on a motion stating that there is a need to take immediate action and that the need for action came to the attention of the Committee subsequent to the Final Agenda being posted. Any such motion shall be accompanied by distribution of a written statement on a form provided by the office of the Chief Executive Officer/Secretary of the Board, to be included in the record, stating the facts upon which it can be determined that the need to take action arose after the Final Agenda was posted. In addition, action may be taken on an item not on the posted Final Agenda under the circumstances stated in Government Code Section 54954.2 (b)(1) [emergency] and 54954.2 (b)(3) [continued regular meetings].

PUBLIC COMMENT

This portion of the agenda is reserved for members of the general public to address the Committee on any matter not on this agenda that is under the jurisdiction of the Committee.

JOINT MEETING WITH UNDERWRITING COMMITTEE

- 2.A. Ad Hoc Sub-Committee Updates (Sarah/Heather)..... 5
An informational report regarding the discussions of the Claims Control and Underwriting Control Sub-Committees.
- 2.B. New and Emerging Risks (Sarah/Heather)..... 8
Provide direction to staff regarding potential MOC changes that should be considered for next year.
- 2.C. Pooling Philosophy in Current GL Claims Environment (Mike)..... 10
Provide direction to staff regarding areas to help the membership with pooling principles.

- 2.D. SIR Adjustment for WC Claims Involving Multiple Members (Jen/Mike) 12
Provide direction to staff regarding whether the MOC should be amended to remove the provision for adjustment of the member's SIR when multiple members are involved in an occurrence

CONSENT AGENDA

The following Consent Agenda is expected to be routine and non-controversial. It will be acted upon by the Committee at one time without discussion. Any Committee member, staff member, or interested party may request that any item be removed from the Consent Agenda for later discussion.

- 3.A. Approval of Minutes, July 14, 2023..... 14
An action to approve the Minutes of the above meeting.
- 3.B. Disclosure of Claims Settled with Committee Authority or Staff Authority 18
An action to acknowledge receipt of settled claims with Committee or staff authority.

GENERAL BUSINESS

- 4.A. General Liability Ad Hoc Sub-Committee Update (Heather) 24
Provide direction to staff regarding the Ad Hoc Sub-Committee recommendations.
- 4.B. COVID-19 Loss Reimbursement Methodology (Jen)..... 26
An action item to approve a methodology for COVID-19 claim reimbursements.

FUTURE MEETINGS

The next regularly scheduled meeting will be on **Friday, September 8, 2023, at 9:00 a.m.**, to be held **via Web Conference**.

CLOSED SESSION

For the following claims items, those in attendance may include members of the Committee and their alternates, legal counsel, as well as authorized staff, which may include the CEO, COO, CLC, claims manager and the primary claims handler and their supervisor.

Pursuant to Government Code Section 54956.95, the Committee will hold a closed session to discuss the following claims:

Workers' Compensation – Request for Authority

- 5.A.1. McKaig v. Santa Barbara County – 2/28/2008 (Elaine and Aunda)3
- 5.A.2. Prudholm v. CSR/Morongo USD – 10/16/2017 (Elaine and Nicole) 5
- 5.A.3. Miller v. Santa Barbara County – 4/26/2016 (Elaine and Diane) 8

Liability – Request for Authority

5.B.1. Baka/Coleman v. City of Belmont – 12/1/2012 (Carrie) 11

5.B.2. Gomez v. CA City/PARSAC – 6/4/2020 (Carrie)..... 14

5.B.3. Furcron et al. v. PERMA/City of La Mesa – 5/30/2020 (Roger)..... 17

5.B.4. Lowdermilk et al. v. Shasta County – 11/6/2019 (Katie O)..... 21

5.B.5. Rodriguez v. Merced County – 11/21/2018 (Cyndi) 24

5.B.6. Davis et al. v. City of Encinitas – 8/2/2019 (Katie D) 27

5.B.7. Garcia v. West San Gabriel JPA – 6/1/2016 (Katie D)..... 31

5.B.8. Udkow v. Santa Barbara County – 12/11/2020 (Lindsey) 34

Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(d)(1), the Committee will hold a closed session to discuss the following:

5.C. PRISM v. AmTrust (Heather) 38

ADJOURNMENT

Disability Access: All posted locations for this meeting are wheelchair accessible and disabled parking is available. If you are a person with a disability and you need disability-related modifications or accommodations to participate in this meeting, please contact Meeting Planner at (916) 850-7300 or (916) 850-7800 (fax). Requests for such modifications or accommodations must be made at least two full business days before the start of the meeting.