

**CSAC EXCESS INSURANCE AUTHORITY**  
**CLAIMS REVIEW COMMITTEE**

**FINAL AGENDA**

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CSAC Excess Insurance Authority  
75 Iron Point Circle, Suite 200  
Folsom, California 95630  
916-850-7300

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Wednesday, August 16, 2017  
9:00 a.m.  
Eighth Meeting – 2017

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

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**ROLL CALL/INTRODUCTIONS**

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- 1.A. Establishment of Quorum/Introductions .....4

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**CONSIDERATION OF OFF AGENDA ITEMS**

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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].

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**JOINT MEETING WITH UNDERWRITING COMMITTEE**

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- 2.A. Committee Roles and Responsibilities (Mike P./Brian).....5  
*An informational report regarding the roles and responsibilities for the Underwriting and Claims Review Committees.*
- 2.B. California Insurance Guarantee Association (CIGA) v. EIA Court of Appeals Decision (Mike P.) .....7  
*An informational report regarding the recent decision from the 3<sup>rd</sup> District Court of Appeals in the CIGA v. EIA matter.*
- 2.C. Impact of EWC Resolution Specialist (Donna) ..... 21  
*An informational report on the impact of the new EWC Resolution Specialist.*
- 2.D. Potential Future UC Santa Barbara (UCSB) Actuarial Projects (John) ..... 22  
*Provide direction to staff regarding potential ideas for future projects to pursue with the UC Santa Barbara actuarial students.*

- 2.E. Discussion Regarding Auditing Guidelines (Mike P.)..... 25  
*Provide direction to staff regarding the potential formation of a sub-committee to explore revising the auditing process.*
- 2.F. Potential In-House WC and GL Claim Audit Operation (Mike P.)..... 27  
*Provide direction to staff regarding whether to pursue bringing WC and GL claims auditing in-house.*
- 2.G. School Liability Incentive Program (Charles) ..... 30  
*Provide direction to staff on whether to provide a SIR reductions for schools members.*

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## **CONSENT AGENDA**

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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, 2017 ..... 32  
*An action to approve the Minutes of the above meeting.*
- 3.B. Disclosure of Claims Settled with Committee Authority or Staff Authority ..... 40  
*An action to acknowledge receipt of settled claims with committee or staff authority.*

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## **GENERAL BUSINESS**

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- 4.A. General Liability Claims Audits (Heather) ..... 47  
*An information report regarding liability claims audits.*
- 4.B. Workers' Compensation Claims Audits (Suzanne)..... 48  
*Provide direction to staff regarding workers' compensation claims audits.*
- 4.C. City of Fresno Carve Out Results (Kathy) ..... 52  
*An information report regarding City of Fresno Carve Out Results.*

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## **PUBLIC COMMENT**

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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.

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## **FUTURE MEETINGS**

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The next regularly scheduled meeting will be held on **Friday, September 8, 2017 at 9:00 a.m. at the EIA office in Folsom.**

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**CLOSED SESSION**

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*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, CCO, 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:*

**Liability – Request for Authority**

5.A.1. Warren v. PERMA – 10/27/2015 (Randy).....3

**Workers’ Compensation – Request for Authority**

5.B.1. Aguayo v. CSRM (Barstow USD) – 12/16/2003 (Sue)..... 8  
5.B.2. Khangura v. Municipal Pooling Authority – 9/11/2014 (Donna) ..... 11  
5.B.3. Moore v. City of El Cajon – 7/4/2008 (Donna)..... 13  
5.B.4. Yuba County Shooting v. Yuba County – 8/1/2017 (Paul)..... 16

**Workers’ Compensation – Request for Reimbursement**

5.C.1. Gavigan v. CSRM (Yucaipa Calimesa JUSD) – 3/6/2007 (Pam)..... 18  
5.C.2. Herrman v. San Marina Unified/West San Gabriel JPA – 1/13/2009 (Paul) ..... 20  
5.C.3. Winn v. Trinity County – 12/29/1995 (Paul)..... 22

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**ADJOURNMENT**

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*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.*