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JOB DESCRIPTION – ORM-C350

Responsibility

The Road Hazard Unit State Risk Claims (SRC) Adjuster 5 updates the SRC Adjuster 5 job description when requested by a supervisor or ORM Administration.

Forms or Reference Material Required

Job description (general for all SRC Adjuster 5s regardless of unit)

Procedure

Job Description

Depending on the line of coverage an Adjuster is assigned to, some of the following duties may not be fully applicable.

The SRC Adjuster 5 position performs the following:

- Supervises units of claims adjusters in the investigation, evaluation, negotiation, settlement, and management processes through conclusion for new and pending claims involving the various lines of coverage administered by the Louisiana Self Insurance Program.
- Evaluates cases involving litigation and assigns cases to adjusters based on level of complexity.
- Refers cases to the Department of Justice for legal opinions and representation.
- Directs and supervises the beginning of claims assigned to the individual adjusters.
- When specifically overseeing workers' compensation claims:
 - Supervises and administers the application of the workers' compensation laws, rules, regulations, policies, and procedures.
 - Receives and processes all petitions filed by employees to receive compensation for work-related injuries.
 - Oversees the rehabilitation of injured workers, working closely with the rehabilitation efforts of the physician and rehabilitation counselors in an effort to return the claimant to gainful employment.
 - Evaluates permanent partial and permanent total disability cases upon completion of the rehabilitation program to determine claimant's occupational ability.
- Evaluates cases involving litigation.
- Obtains legal opinions and case evaluations from defense attorneys, especially on cases requiring legal interpretation and/or posing major financial losses to the State.
- Provides and submits completed case analysis with settlement recommendations to appropriate claims level and/or Claims Council, negotiates settlements with plaintiff's attorney(s), supervises, evaluates, and disposes of difficult litigation cases in satellite offices.
- Attends and participates in mediations towards resolution of disputed issues and/or settlement of claim.

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- Attends trials and testifies as needed.
- Serves as a voting member of claims council which authorizes claims settlements up to a limit of \$5,000,000.
- Possesses individual payment and settlement authority of \$50,000 without additional approvals.
- Extends an adjuster's payment and settlement authority within the authority of the Adjuster 5, up to a maximum of \$50,000, that exceeds the authority granted to the individual adjusters under his/her supervision.
- Performs audit/file reviews (quality control) to determine the progress of the adjusters while assessing files for correctness and completeness of data and to ensure adjusters adherence to established guidelines, policies, and procedures.
- Ensure the claim has been submitted to an excess carrier, second injury fund, or referred to ORM subrogation unit for potential recovery, e.g., any major head injuries must be reported to excess carrier.
- Ensure that adjusting staff establishes adequate claim reserves that reflect the State's liability and exposure.
- Directs discrepancies to handling adjuster for additional investigation assessment.
- If the claim is a small claim involving DOTD, ensure claimant files through small claims court with DOTD, then settled before going through ORM.
- Assists individuals and state agencies with claim filing procedures and coverage questions.
- Engages in joint projects with the loss prevention unit and the underwriting section, coordinating the activities of subordinate adjusters to address and resolve special problems in specific agencies and departments which have produced or could result in personal injury and/or property damage.
- Participates in training seminars and assist Adjuster 7 and Adjuster 6 in the proper training of staff adjusters.
- Assists in drafting legislation to modify and improve the self insurance program.
- Evaluates proposed legislation to assess the fiscal and functional impact on the self insurance program and the overall fiscal condition of the state.
- Be willing to travel to any part of the state of Louisiana or elsewhere in the performance of his/her duties and to assist staff adjusters in accomplishing the investigation, adjusting, and handling of a claim to its conclusion.
- Performs any and all other duties as assigned.
- Adjusters, Supervisors and Managers are subject to be moved to another unit at the discretion of management.

Update job description

The SRC Adjuster 5 uses the following procedure for updating and maintaining the SRC Adjuster 5 job description.

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1. Revise the SRC Adjuster 5 job description as requested.
2. Give the revised job description to the requesting manager and/or administrator for review and approval.
3. Make changes as needed and return it to the approval authority.

PROCESS ROAD HAZARD CLAIM – ORM-C351

Responsibility

The Road Hazard Unit State Risk Claims (SRC) Adjuster 5 performs activities for processing a road hazard claim as follows.

Forms or Reference Material Required

ORM-800 Claims Adjuster 1-4 General procedure

Sworn Statement in Proof of Loss

Road Hazard Suit Log

Procedure

Litigated and Non-litigated Claims

Receive, record, and assign to Adjuster

1. Receive loss notice or petition involving road hazard from Claims Administrative Manager.
2. Review and verify coverage.
3. Access STARS to search for the claim to make sure claim has not been previously entered.
4. E-mail Adjuster pleadings with comments and IA assignment
5. If non-litigated, send e-mail or hardcopy of incident report to Adjuster with IA assignment if applicable.
6. Add any notes, e.g., previous law suit information.
7. Enter information on Road Hazard Suit Log if applicable.

NOTE: This is a read-only file that can only be accessed by supervisors.

Date Rec'd	Plaintiff's Name	JDC / Docket#	Plaintiff Atty.	ORM ADJ	I.A. / ORM Assign
07/31/02	Hillard, Moraca	24/583697	Darleen Jacobs	CR10	
08/02/02	Franklin, Thomas	19/494391	Jacques Bezou	CR03	Cunn, Lindsey 08/
08/13/02	Civens, Jeanne	04/023250	Sam Henry	CR09	
08/13/02	Miller, Kendall	21/20021522	Donald Price	CR05	Hammerman
08/13/02	Munson, Norma	US Mid 02-0020	Jeffrey Bassett	CR05	Pactfinders
08/13/02	Hollier, Norwood	15/20023856	Harry Burdette	CR07	F. A. Richard
08/13/02	Washington, James	US Texas	Todd Tracy	CR10	Burnett
08/14/02	State Farm	16/98750	Kenneth Jones	CR07	CR07
08/20/02	Carroll, Brandon	32/133794	Richard Creed	CR07	Rester
08/21/02	Leblanc, Kerry	41/20028465	Richard Breux	CR10	F. A. Richard 08/
08/21/02	St. Pierre, Warren	41/200211150	Jason Lyons	CR10	08/

Road Hazard Suit Log

8. Record the name of the investigator, if one is assigned, on the Work Request Activity form and on the Road Hazard Log (no amount, just a name).

Assign investigator, if needed

1. Use the master list of investigators and assign the next investigator on the list to determine fault.
2. Check to see if State police has already investigated the claim; if so, another investigator may not be assigned.

Obtain settlement approval

By statute, concurrence must be obtained by the Attorney General for settlements above \$25,000. When the RSA or agreement to settle is submitted by a contract attorney for over \$25,000 and is approved by Claims Council, it is required that the Adjuster requests the concurrence of the AG by submitting a copy of the RSA and Claims Council decision with a cover memo to the Senior Executive Secretary, DOJ.

If a small claim is filed, it is usually settled with claimant. If the claim is litigated, the claim is settled with lawyers and claimant. Payment is usually made directly to claimant.

1. Requests for Settlement Authority over \$100,000 received by ORM must be transmitted to the Assistant Director of Litigation for review and comments prior to the case being scheduled for Claims Council.
2. Settlements of \$500,000 or more require the approval of the Commissioner of Administration and the Joint Legislative Subcommittee on the Budget.
3. Supervisor has settlement authority up to \$50,000. Review RSA's with Adjuster prior to Adjuster's presentation to Claims Council.
4. If significant or complicated case, request that the Claims Council review the claim.

NOTE: The ORM Claims Council consists of the Claims Officer (or designee) plus two (2) supervisors/managers (The Assistant Director of Litigation may elect to attend the ORM Claims Council and decide claims). Claims supervisors are not permitted to decide claims under their direct supervision that are valued at or above \$100,000.

5. The Claims Council must decide all settlements for amounts above \$100,000. Requests to mediate, waive a jury, permission to try the case or appeal must be presented to the Claims Council.
6. The Office of the Attorney General must approve all settlements above \$25,000.
7. The Office of the Attorney General supervisory staff must review and approve all requests for settlement authority submitted by AG staff attorneys prior to submission to ORM.
8. Notify the ORM Loss Prevention of any alleged defect that may need correction.

Consent Judgment Payments

1. The Adjuster 5 forwards completed consent judgment folders to OSRAP
2. Resolves issues raised by Legislature, OSRAP or Treasury regarding payment details.

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3. Corrects Special Judgment / Acts Worksheet when necessary and forwards to OSRAP.

ROUTINE SUPERVISORY ACTIVITIES – ORM-C352

Responsibility

The Road Hazard Unit State Risk Claims (SRC) Adjuster 5 performs supervisory activities in Road Hazard Unit as follows.

Forms or Reference Material Required

Appointment and Contract Approval Form

Suit Log

Supervisors Log (g:_PEOPLE)

Contract Performance Evaluation form (g:\Claims-General\ORMtemplates)

Attorney General Performance Evaluation (g:\Claims-General\ORMtemplates)

Procedure

Process Daily Mail

Mail Review

1. Review all mail associated with claims on a daily basis.

NOTE: Reviewing mail provides an opportunity to monitor what is going on with cases assigned to Adjusters.

2. Determine if there are significant circumstances or situations that need to be addressed, address the issue(s) and inform the Adjuster of situation, e.g., situation that may require approval authority that Adjuster does not have.
3. Receive and send mail to satellite office Adjuster as needed.

Appointment and Contract Approval Form

1. Receive Appointment and Contract Approval Form for appointment of attorney from the Attorney General's Office.
2. Enter information in Suit Log.

Supervise Satellite Office and Adjusters

Travel to satellite office periodically to meet with Adjuster, review files and provide training.

Case Management

Review of Data Entry and Pending Claims

1. Generate and review STARS monthly report of new claims entered by each Adjuster.
2. Review 10% of new claims entered per Adjuster by checking the claim file against the data entry. Entries should be made in accordance with procedures

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outlined in ORM-C800 Claims Adjuster 1-4 General – Set Up New Claim File section.

3. Complete an entry in the Supervisor Log (located in g:_PEOPLE) for New Claims Entered with the review date, claim number, date entered, supervisor code/initials, and comments.
4. Comments should indicate that the entry was properly coded or the corrections required.
5. If it is determined that a new code is needed, the supervisor will submit a request to the STARS committee.
6. If corrections are needed, have the Adjuster make the corrections. Then enter the log to note corrections made, date and initials for verification.
7. For pending claims, review work in progress, steps to be taken and/or corrective action.

Review of Claim Payments

1. All payments entered into STARS will be emailed to the Supervisors on a daily basis.
2. Every supervisor must randomly review at least one (1) payment per adjuster (under their Supervision) and note their review on the Payment Review Log. For the selected payments, the Supervisor must pull the claim file to ensure the validity of the payment and that all documentation is attached to the payment request. Particular attention should be paid to settlement payments that fall within the adjuster's payment authority level.
3. On all claim payment requests for non-litigated files, the supervisor will be required to pull the claim file and review the contents of the file in its entirety to ensure the validity of the payment and that the required documentation is attached.

Process Contract Performance Evaluation Forms

1. Receive and review contract diary from Accounting on a monthly basis.
2. Send information to Adjusters for completion of the appropriate contract evaluation form and return for approval.
3. Document completion of contract performance evaluation.
4. If not completed by a designated date, send an email with name and claim number to Adjuster reminding him/her they need to complete the evaluation form to ensure the contract does not expire.

Hire New Employee to Fill Vacancies

1. Interview potential employee to fill vacancy as needed.
2. Hire new employee per Civil Service procedures and provide training as described below.

Time and Attendance Records

1. Be responsible for time and attendance records for staff.

Prepare Personnel Performance Ratings (PPR)

1. Perform a performance evaluation for each Adjuster in Unit within 60 days of anniversary date.
2. Review Adjusters' files.
3. Check computer entries for accuracy.
4. Prepare performance rating for each Adjuster.
5. Submit to Claims manager for review 30 days prior to due date.
6. Prepare new expectations and review with Adjuster within 30 days after PPR.

Provide Training

1. Provide training to new hires and to Adjusters on how to do their job.
2. For current Adjusters, provide training on new laws, recent significant court decisions, or how to handle cases differently.
3. Provide Adjuster training on how to investigate a case.
4. Require new Adjuster to review case load.
5. Provide guidance to Adjusters for meeting with Claims Council.
6. Provide other periodic training as needed.
7. Receive request for training from supervised employee. Provide training to employees as needed or as requested.
8. Ensure training records are maintained.

Attend Mediations, Trials, Claims Council and DRL Staffings

1. Attend mediations and trials on as needed basis.
2. Sit on Claims Council on any line of Claims outside of unit. Supervisor is a voting member of Claims Council for settlement authority up to \$500,000.
3. Attend and coordinate meetings with the Attorney General's Office and other entities regarding items or claims that need to be dealt with.

Evaluate Proposed Legislation

1. Evaluate proposed legislation that affects the unit to assess the fiscal and functional impact on the self insurance program and the overall fiscal condition of the state.

Handle Complaints

1. Receive complaints from outside entities regarding their legal representation.
2. Address complaints and resolve issues as appropriate.

Assigned Projects and Resolution of Claims

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1. Work on projects as assigned by Supervisor.
2. Answer Adjusters' questions and assist them in resolution of claims.
3. Review and approve amounts for settlement.
4. Make sure claims are handled in a timely manner.

RESERVES – ORM-C353

Responsibility

The Road Hazard Unit State Risk Claims (SRC) Adjuster 5 performs activities for handling reserves for Road Hazard claims as follows.

Forms or Reference Material Required

ORM-800 Claims Adjuster 1-4 General procedure

Procedure

1. Check reserves to make sure the amount entered in the claims information is a realistic amount.
2. Make sure reserves are maintained to cover claims.

CONTRACTS – ORM-C354

Responsibility

The Road Hazard Unit State Risk Claims (SRC) Adjuster 5 performs activities for handling contracts associated with Road Hazard claims as follows.

Forms or Reference Material Required

ORM-800 Claims Adjuster 1-4 General procedure

Procedure

Handling Contracts

1. Approve contract amendments over Adjuster's authority.
2. Refer request for a specific attorney for a case to the Assistant Director for Litigation Management.
3. Talk to attorneys as needed to discuss claims.