



# BULLETIN

Volume 10, Issue 2  
January, 2005

Route to:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## RISK MANAGEMENT DIVISION:

### General Information:

(701) 328-7580  
rminfo@state.nd.us

### Loss Control:

(701) 328-7582

### Workers Compensation:

(701) 328-7583

### Office Fax:

(701) 328-7585

### Website:

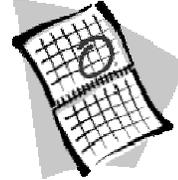
[www.state.nd.us/risk/](http://www.state.nd.us/risk/)

## Risk Management Division

### Mission Statement

*To protect the assets of the State of North Dakota - its people, property, and financial resources - so that the State can continue to meet its obligations to its citizens.*

## Dates to calendar:



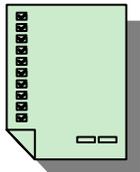
- April 27 (1:00 to 5:00 p.m.)  
and  
April 28, 2005 (8:00 a.m. to noon)

Watch for the conference brochure the first week of March for details as to location and topics of discussion. Those details will also be posted on our web site by the first of March.

**Who should plan to attend the Seminar?** Entity Risk Management, and Risk Management Workers Compensation Program contacts; COG/COOP Team members; Management Personnel

**Note:** Because attendance at the Seminar is a pre-requisite for an entity qualifying for the maximum Risk Management Fund and RM Workers Compensation Program Discounts, pre-registration and sign-in for both sessions will again be required.

- May 1, 2005



Deadline to file application for the Risk Management Fund Contribution Discount

Deadline to file application for the Risk Management Workers Compensation Program Discount



# Update

Web site :  
[www.state.nd.us/](http://www.state.nd.us/)

Janelle Quinlan, the ND COG/COOP Project Manager, reports that four additional Refresher Sessions dealing with issues and changes to the Living Disaster Recovery Planning System (LDRPS) and Continuity of Operations Plans were held between October and December. There were six attendees from four agencies.

Half of the agencies met the November 30, 2004 deadline for submitting plans to the Continuum of Government Team. Thirty percent (30%) of the agencies are in various stages of working on their plans but were affected by delays related to maternity leave, illness, change in personnel, remodeling, reorganizing, etc. Twenty-two percent (22%) are not working on their plans due to extensions based on their requests. Those requests resulted from various issues — the fact that no one had been trained yet, a change of personnel, and some of the universities were working on ConnectND.

The Continuum of Government Team is currently accessing the processes submitted by the agencies in their plans. Those processes relevant to the Continuum of Government Plan are being identified and incorporated into the State's Continuum of Government Plan.



## Electronic Version of the Bulletin

The Risk Management Bulletin is now also available in an electronic format via e-mail. Contact Renae Heller at [rheller@state.nd.us](mailto:rheller@state.nd.us) to order the Bulletin electronically. Remember to route the e-mail or paper copy to all appropriate employees.

## Facility Inspections - Whose Responsibility Are They?

If your agency leases its facilities, are you relying on your landlord to conduct annual inspections for you? If so, you probably are not in compliance with #7 of the RM Fund Discount Program Application.

Question #7 requires each agency to conduct inspections of its agency's facilities on an annual basis. Do not assume or have expectations that the necessary inspections will automatically be done for you as a part of the landlord's inspections. If the landlord conducts or facilitates inspections, it may not encompass all applicable areas, such as working spaces. Tenants and landlords should coordinate their efforts so inspections are neither duplicated nor missed. To ensure everyone's responsibilities and duties are clear, it is recommended that your agency discuss facility inspections and maintenance with your landlord.



## Loss Control Tools

**AEDs** have become more common and popular. We have been contacted by some State Agencies and are aware that many agencies have either purchased an AED for its facility and/or are considering the purchase. Therefore, we are re-issuing a previous Bulletin article on this topic. The article is also posted on our website for future reference. See [www.state.nd.us/risk/safety/samples.html](http://www.state.nd.us/risk/safety/samples.html).

### Automatic External Defibrillator ~ To Have or Not To Have?

The automated external defibrillator (AED) is a computerized medical device that can check a person's heart rhythm. It can recognize a rhythm that requires a shock and it can advise the rescuer when a shock is needed. The AED uses voice prompts, lights, and text messages to tell the rescuer the steps to take.

Currently, the Risk Management Division does not recommend for or against having AEDs in state agencies. Risk Management recognizes that AEDs can be effective, life-saving devices if used properly. If not used properly, AEDs may create serious medical and liability exposures. *Risk Management's position is simply that if an agency intends to implement an AED program, it must ensure on-going compliance with all applicable federal, state and local legal requirements.* If an agency cannot dedicate on-going time and resources to meet these requirements, it should avoid placement of AEDs in its agency.

Public access to defibrillation (PAD) means making AEDs available in public and/

or private places where large numbers of people gather or people who are at high risk for heart attacks live.

*Public access refers to accessibility for trained users to use AEDs in public places. Public access does not mean that any member of the public witnessing a sudden cardiac arrest should be able to use the device. AEDs are to be used only by individuals with the proper training and certification in accordance with federal, state and local laws.*

The federal requirements for AEDs were established by the Food and Drug Administration (FDA). The American Heart Association (AHA) has established guidance for compliance with the federal regulations and for starting a PAD program. Numerous resources, forms and templates can be found on the AHA's website at: [www.americanheart.org](http://www.americanheart.org).

The state requirements governing AEDs can be found at N.D.C.C. §32-03.1-02.3. Although this is the Good Samaritan Act, there are several requirements that need to be met prior to being granted the liability protections under the statute.

The bottom line is that to avoid liability for use of AEDs at your facility you need to consider various factors, including:

- ♦ choosing a program manager;
- ♦ on-going compliance with federal, state and local laws;
- ♦ placement; and
- ♦ who and how many employees will be trained to represent the response team.

Proper documentation of the planning, implementation, and management of an AED program will ensure that your facility has a safe and effective program.

References: American Heart Association and URMIA White Paper on Automated External Defibrillators and PAD Programs.

# RMWCP UPDATE



## Which Forms Do I Send To WSI ?

As an employer, you are required to send the C2 section of the claim form to WSI. You should also assist the employee with forwarding the C1 section to WSI. No other forms should be submitted to WSI *unless they are requested by WSI.*

Incident report forms (SFN 50508), which are required to be completed for all potential claims, *should not be sent to WSI.* Incident reports are to be forwarded only to Risk Management.

## Flex Training

An updated version of our flex training program is now available. With the new version, the employee can correct his/her own registration. This will allow for accurate records of the training completion to be generated ***if all of your employees use the same location code.***

Another noticeable feature of the updated version is that there is no need to search for names. To enter the system the users merely type their name and password (the first letter of their last name and the last four digits of their social security number) on the home page. New users can register on the home page also. Once in the system, each employee will have their own home page that will show the status of classes they are enrolled in and have completed. Access to other classes will also be available from their own home page.

**New courses now available include:** Office Safety; Computer Ergonomics; and The Differences Between FMLA, ADA and WC.

Access to Flex training is available from our website and updated instructions are also located there. *Please ensure that all of your employees check their location code so complete training records can be generated.*



## Bulletins to be Archived

Risk Management's Records Retention Schedule requires the transfer of inactive Bulletin issues to the State Archives. The active Bulletins are those maintained on the website. Currently, that is the Bulletins from February 2001, Volume 7 Issue 3, to present. Therefore, if you want to clean out your RM Manual, you can discard the Bulletins from the first issue to November 2000, Volume 7 Issue 2.

Risk Management Division  
Century Center  
1600 East Century Avenue, Suite 4  
Bismarck ND 58503-0649

**CHECK IT OUT!!**

Please check your address label.  
Report any corrections to our office.

**BULLETIN**

**Timing is Everything**

Does your agency have all of the Discount Program criteria scheduled to be accomplished by the application deadline of May 1<sup>st</sup>?

Whether your agency has one or more Loss Control Meetings scheduled before May 1<sup>st</sup>, 2005 you will want to make sure that all of the remaining discount criteria is covered on the Agenda to ensure that the necessary documentation can be provided in the Minutes. In addition, this is an ideal time to review the documentation that needs to be attached and submitted with the LCC Minutes.

Keep in mind the changes to the RM Fund Discount Application and review process that were introduced in the October 2004 Bulletin. These changes were effective for the current discount period. If your agency has any questions about these changes and/or meeting the discount criteria . . .

**Now Is The Time To Ask!**

*Risk Management Division  
Website Features*

Visit our website at [www.state.nd.us/risk/](http://www.state.nd.us/risk/) for standard and updated features including:

- ◆ Personnel e-mail and telephone directory
- ◆ Risk Management Manual
- ◆ Reporting Forms (following page 3.5-1 of the manual)
  - \* Incident Report (SFN 50508)
  - \* Notice of Claim (SFN 50552)
  - \* Motor Vehicle Accident Report (SFN 51301)
  - \* Destruction Hold Notice (SFN 52376)
- ◆ Facility Audit and Inspection Checklists (Page 4.3-1)
- ◆ Emergency and Disaster Procedures (Pages 4.5-1 through 4.6-5)
- ◆ Facility Use Agreement Form (Page 5.2-2)
- ◆ Waiver Forms (Pages 5.2-3 & 4)
- ◆ Risk Management Bulletins
- ◆ Discount Application Forms
  - \* RM Fund (SFN 53424)
  - \* RMWCF (SFN 53425)
  - \* Designated Medical Provider (SFN 53758)