

# Risk Quick Tips

October, 2014

Risk Management Division OMB



Certificate of Financial Responsibility • Latest News & Information

## RMWCP LOSS RUN SUMMARY ALL CLAIMS WITH AN INJURY DATE BETWEEN 01/01/2009 AND 12/31/2014 WITH PAID COSTS AND RESERVES AS OF 06/30/2014

Workers Compensation  
at a Glance

	2009	2010	2011	2012	2013	2014
<b>TIME LOSS CLAIMS (TL)</b>						
TL Paid	293,408.00	519,927.17	400,283.06	256,221.46	324,369.02	58,469.77
TL Reserved	23,197.65	211,242.08	25,109.65	52,179.96	30,827.42	35,348.60
Number Outstanding TL Reserved	2	4	2	3	6	8
TL Medical Paid	778,386.03	1,796,890.82	1,119,792.61	610,401.52	963,929.22	133,012.18
TL Medical Reserved	40,072.57	609,504.81	80,144.91	184,821.03	882,208.41	170,783.03
Number Outstanding TL Medical Reserved	9	13	9	20	57	17
Number of Days Paid (excludes fatalities)	5,265	7,000	6,028	3,599	4,358	796
<b>MEDICAL ONLY CLAIMS (MO)</b>						
MO Paid	1,098,210.25	867,315.96	947,030.89	710,394.29	714,741.64	197,272.18
MO Reserved	133,415.05	26,863.85	73,113.86	165,637.21	501,484.07	159,915.90
Number Outstanding MO Reserved	10	6	14	30	94	27
<b>TOTAL INCURRED COSTS NUMBER OF CLAIMS</b>						
Time Loss Claims	91	76	69	58	75	23
Medical Only Claims	759	656	734	624	663	359
Total Claims	850	732	803	682	738	382
<b>CLAIMS REPORTING FROM DOI TO DATE WSI NOTIFIED</b>						
% Reported in 7 Days (using notify date)	70.1 %	73.4 %	71.9 %	75.2 %	77.2 %	75.7 %
% Reported in 14 Days (using notify date)	78.6 %	81.0 %	82.1 %	82.6 %	84.8 %	86.9 %

CL0268  
07/30/2014

**The Risk Management Workers Compensation Premium Billings have been mailed.** Effective 2014/2015 premium billing period, Risk Management has set a minimum premium payment not to be less than \$250 due at the time of billing. So, if your numbers do not add up on the premium billing—that would be the reason. If your agency is not on PeopleSoft (Connect ND/State Government System) to receive an IDB, your Agency's check is due upon receipt of your premium bill. Premium payments are to be sent to Risk Management, **not** WSI.

**Notice of Certificate Premium Payment** will be sent to the RMWCP by WSI once Risk Management pays the premium for the consolidated account. **Risk Management will provide state agencies a copy of the Certificate once received.** North Dakota Century Code requires that each employer post this Certificate of Premium Payment in a conspicuous manner at the workplace. A penalty of \$250 may apply for failure to comply with this requirement. The current certificate will expire on 11/01/2014.

### Staff

- Tag Anderson: Director  
701.328.7580
- Vicki Ableidinger: Claims Manager  
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# WORKERS COMPENSATION THIRD PARTY CLAIMS

When you are assessing work-related injuries, please be aware of Third-Party Claims. A third party may be liable for the workplace accident and the resulting injury. For example, the injured employee involved in an auto accident may be faultless when the liability rests with the other driver.

Your claims adjuster and the Subrogation Unit at Workforce Safety & Insurance are responsible for identifying and pursuing opportunities for subrogation. However, your claims adjuster will need the complete facts surrounding a claim to determine whether subrogation is possible.

## SUBROGATION OVERVIEW

**NORTH DAKOTA LAW:** N.D.C.C. § 65-01-09 provides that when an injury or death for which worker's compensation benefits are payable was sustained or caused by the negligence of someone other than the employer or a co-employee, the injured worker or the injured worker's dependents may seek compensation from the fund and bring an action at law for recovery of damages from the person responsible for the injury. WSI is subrogated to the extent of 50% of the damages recovered from a third party settlement, up to a maximum of the total amount it has paid or would pay in the future in benefits for the injured employee or his/her dependents.

The purpose for only allowing the fund to receive 50% of the recovery is to provide the injured employee and his/her attorney an incentive to pursue a potential claim against a third party.

WSI pays attorney fees and costs to claimant's attorneys who pursue these third party's responsible for causing injuries to the claimant according to the statute.

If the claimant does not bring a suit within 60 days from the date of injury, WSI may bring a legal



action against the third party. If both the claimant and WSI do not bring an action against a third party, the employer may bring an action.

## BENEFITS OF SUBROGATION:

The most obvious benefit of subrogation is that the person responsible for causing an injury to an injured worker ends up bearing some of the costs associated with such injury, rather than the employers of this state. Once a settlement is received from a third party, the amount reimbursed to WSI is credited to the employer's account.

## IDENTIFICATION OF POTENTIAL SUBROGATION CASES:

- Accidents involving machinery, motor vehicles, aircraft, boats, or trains
- Explosions
- Construction site accidents
- Exposure to chemicals, silica, asbestos, or other hazardous materials
- Animal bites
- All catastrophic or fatal injuries
- Assaults of any kind
- Accidents that involve slips and falls

Should you have further questions on this subject please refer to the above statute or contact Diane Waliser at 701-328-7583.

# HOW TO SUCCEED IN THE RMWCP ACCIDENT INVESTIGATION PROGRAM



In reviewing the supporting documentation submitted by State Agencies participating in the RMWCP Premium Reduction Accident Investigation Program it was found that many agencies have not established comprehensive accident investigation policies. Even among those who have, many never actually follow through with in-depth investigations or any investigation of accidents at all.

Those agencies that did not receive the full discount under this program were under the assumption that their agency policy for completing the Online Risk Management Incident Report form would also address the investigation of an accident.

An “incident report” only answers the four basic “W” questions of who, what, where, and when. With minimum training, the immediate supervisor can relatively easily and quickly complete an incident report. An incident report may later be used as a part of the information collected for a more in-depth accident investigation. Doing an “accident investigation” involves more time and skill than an incident report because it attempts to answer the more difficult question of why the accident occurred. The why is the all-important fifth “W” question. If the underlying causes of the accident are not identified, only superficial solutions can be considered.

All injuries under this program must be investigated, regardless of their severity. If investigations are not done on all accidents the employer will be deprived of potentially critical information necessary for the prevention of future accidents. Investigation occurs after you have determined the extent of the injury, obtained appropriated medical care, and completed the reporting to Workforce Safety & Insurance and Risk Management.

**An accident is an unplanned and undesired event, or sequence of events, that causes injury, illness or property damage.**

**An incident is also unplanned and undesired. Incidents don't result in personal injury, but do involve some sort of work stoppage or interruption.**

**A near-miss is an event where, given a slight shift in time or distance, an injury, illness or damage would have occurred, but didn't.**

Just to be clear, when we discuss investigating an accident, this also includes investigating incidents and near-misses? The only difference would be you may not have bodily injury or property damage to consider during the investigation.

# Non-Filing of Workers' Compensation Claims

On occasion, Risk Management receives inquiries from State Agencies, as well as medical providers on how to handle situations they encounter when an employee requests that their claim for benefits not be filed with WSI. Further, the employee instructs the provider that they will be paying the medical bills or be requesting



payment from their private insurance carrier. The following provides general guidance on this matter.

Workers' compensation coverage is the primary insurance coverage for workplace injuries. Situations may arise where it is difficult to determine whether or not a work injury exists. Therefore, regardless of the nature and extent, if an injury was sustained at work, it is our expectation that the claim be reported to WSI, within 24 hours, so that compensability and the most appropriate course of action can be determined.

An injured employee always has the right not to file a workers compensation claim and waive their right to benefits. However, there are significant consequences that can result from the avoidance of filing a claim and an employee's direct payment of medical costs. These actions could jeopardize an injured worker's future benefits from WSI or benefits from his/her private insurance carrier if future medical care is required. In addition, an employee who fails to

file a workers compensation claim may deprive an employer of a true loss history. This impacts WSI's ability to fairly assess premiums and for Risk Management to assist the agency in spotting trends in work-related injuries and target safety efforts at problem areas.

As part of annual training State Agencies should inform employees as to the consequences of not reporting injuries and not filing a workers compensation claim. The Agency should encourage prompt filing of a claim after a work-related injury occurs. Timely filing allows for more effective management of a claim.

## RISK MANAGEMENT DIVISION TRAINING OPPORTUNITIES

Risk Management offers and can customize direct training opportunities to State entities on all Risk Management requirements, guidelines, and recommended best practices for addressing risk in State operations. Topics include: managing risk exposures in state contracts (e.g. leases, service contracts, facility use agreements); incident reporting; litigation/destruction hold requirements; workplace/incident investigations; continuity of operations plans; and office/workplace ergonomics.

In addition, Risk Management can facilitate bringing in outside experts to review and make recommendations in unique or very specialized areas that give rise to risk of loss.

Risk Management can also help evaluate whether additional training is even needed. If you are unsure, a review of the [Risk Management Manual](#) and other resources available on the Risk Management [website](#) may provide some guidance.

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For Your Records



## Contacting Risk Management

The Risk Management Division is small and all staff endeavor to assist agencies with a multitude of risk management related questions. Knowing who the primary point of contact is for an issue or question can assist in obtaining a timely response.

- Questions that may require legal analysis or review, including indemnification and insurance requirements in State contracts, leases, facility use agreements, and coverage issues will ordinary involve the **Director, Tag Anderson**, who will work with agency legal counsel, as needed, to address the issue or question. He can be contacted directly at 328-7580 or [tcanderson@nd.gov](mailto:tcanderson@nd.gov).

- Questions related to **workers compensation coverage** for state employees including premiums, discounts, and other programs should be directed to the **Manager of the RMWCP, Diane Waliser**. She can be contacted at 328-7583 or [drwaliser@nd.gov](mailto:drwaliser@nd.gov).
- Requests for loss control audits/reviews and other assistance in identifying areas of risk together with the implementation of proactive loss control practices should be addressed to **Dawn Moen, Loss Control Analyst**. Contingency planning issues, including NotiFind and LDRPS, should also be directed to Dawn as the administrator of these systems. She can be reached at 328-7582 or [dmmoen@nd.gov](mailto:dmmoen@nd.gov).
- Claims related questions should be directed to the **Claims Manager, Vicki Ableidinger** at 328-7581 or [vableidinger@nd.gov](mailto:vableidinger@nd.gov). Given the number of incidents and claims received by the Division, other staff routinely assist Vicki in addressing specific claims and incidents requiring follow-up, and agency personnel should continue to work with that individual or individuals on a particular claim or incident. Questions related to other insurance facilitated by the Division can also be directed to her.
- General questions can be directed to the Division's **Administrative Assistant, Sheila Hibl**, including assistance in submitting an incident report, or providing attachments or follow up documents to an incident report. Financial questions, including premium and contribution billings should be directed to Sheila as well. She can be contacted at 328-7584 or [shhibl@nd.gov](mailto:shhibl@nd.gov).



It is imperative treating medical provider indicate the injured worker's claim number on the C3 form. **The C3 form cannot be used to file a claim.**

It is only necessary to indicate the applicable physical demands that must be restricted. Those left blank are considered unrestricted. Follow-up plan should also be indicated.  
**Restrictions established are applicable 24 hours a day and not just at work.**

Medical Providers should indicate if the injured worker has reached maximum medical improvement (MMI).

Medical Providers should provide an opinion regarding permanent partial impairment (PPI) versus actually determining the degree or extent of impairment according to a rating schedule.

# Capabilities Assessment & Medical Documentation

State Agencies WC Coordinators frequently ask why a Capabilities Assessment form (C3) needs to be completed by the treating doctor when medical documentation is already required by WSI for the visit. These two types of information are utilized in slightly different ways.

Medical documentation is used to provide an in-depth outline of the visit and used to determine compensability of the claim. These notes are also used to support requested treatment requiring prior authorization and to support the billed charges being submitted.

The C3 form is intended to be a "snapshot" of the visit and should be submitted to WSI immediately following the visit. (It is not a substitute for the medical documentation). It provides WSI information regarding diagnosis of the injury, treatment plans and capabilities of the injured worker. WSI uses the information to manage the claim in partnership with

the employer to ensure the injured worker safely returns to work. Addressing restrictions is critical in keeping the injured worker gainfully employed and allows the injured worker to actively participate in their recovery process.

Writing "See Chart Notes" on the C3 form is not appropriate because chart notes typically arrive later in the claim file than the C3 and are not immediately available to employers.

Agency Workers Compensation Coordinators should require that the employee provide them a copy of the (C3) form after the initial medical treatment and also after each medical treatment he or she may have in the future. This report should include the nature and extent of the injury, estimated course of recovery, and a return-to-work plan with identified restrictions, if any.

# ☑ Independent Contractor or ☑ Employee?



**Many State Agencies believe workers are independent contractors because they issue the worker a Form 1099, or the worker doesn't receive any benefits, or the worker sets their own hours or works irregular hours. This is not always the case.**

North Dakota law provides that a person who performs services for others is presumed to be an employee unless it is proven that the person is an independent contractor. It is the burden of the person asserting Independent Contractor status to prove that fact (**North Dakota Century Code §65-01-03**). Employers and workers need to be aware that Independent Contractor status is not automatic. The parties' intent may be an Independent Contractor relationship. However there are several different factors that are considered when making a determination.

There is a "common law" twenty-factor test that is used by the North Dakota Department of Labor and Human Rights when determining the status of work relationships. For a complete listing of these factors see <http://www.nd.gov/labor/contractor/index.html>

Under the common law test, a worker is an employee if the purchaser of that worker's service has the **right to direct or control** the worker, both as to the final results and as to the details of when, where, and how the work is done. Control need not actually be exercised; rather, if the service recipient has the right to control, employment may be shown.

If an employment relationship exists, it does not matter that the employee is called something different, such as: agent, contract labor, subcontractor, or independent contractor.

Depending upon the type of services performed, not all of the twenty common law factors may

apply. The weight assigned to a specific factor may vary depending upon the facts of the case.

The following factors are usually given more weight when making determinations.

**Significant Investment** *Does the worker have an investment in the work he does, such as trade specific tools or equipment, an office or shop, advertising, liability insurance, licenses, vehicles, inventory, etc.?*

**Lack of investment indicates an employee relationship.**

- ☑ *An employee generally has little or no investment in the business. Instead, an Employee is economically dependent on the employer.*
- ☑ *A True Independent Contractor usually has a substantial financial investment in their dependent business.*

**Integration** *Is the worker integrated into the hiring agencies operation? **More integration implies direction and control and an employee relationship.***

- ☑ *Services of an Employee are usually merged into the firm's overall operation; the firm's success depends on those Employee services.*
- ☑ *An Independent Contractor's services are usually separate from the client's business and are not integrated or merged into it.*

**Continuing Relationship** *Does the worker provide services over a continued period of time, even at frequently recurring, although irregular intervals. **This is consistent with an employee relationship.***

*Continued on next page...*

- ☑ An Employee often continues to work for the same employer month after month or year after year.
- ☑ An Independent Contractor is usually hired to do one job of limited or indefinite duration and has no expectation of continuing work.

**Works for more than one person or firm** Does the worker provide services over a continued period of time, even at frequently recurring, although irregular intervals. **This is consistent with an employee relationship.**

- ☑ An Employee ordinarily works for one employer at a time and may be prohibited from joining a competitor.
- ☑ An Independent Contractor often works for more than one client or firm at the same time and is not subject to non-competition rule.

**Realization of Profit or Loss** Does the worker incur expenses that are not reimbursed, or is an investment too costly? For example a specific piece of equipment may have cost more than the job itself, however over time the worker may realize a profit from frequent use of the equipment. **The worker therefore can incur a profit or loss and this implies an Independent Contractor relationship.**

- ☑ An employee does not ordinarily realize a profit or loss in the business. Rather Employees are paid for services rendered.
- ☑ An Independent Contractor can either realize a profit or suffer a loss depending on the management of expenses and revenues.

**Making Services Available to the General Public** Does the worker hold themselves out to the general public as doing these services on a regular basis? **This implies an Independent Contractor relationship.**

- ☑ An Employee does not make his or her services available to the public except through the employer's company.
- ☑ An Independent Contractor may advertise, carry business cards, hand out a flyer, or hold a separate business license.

**Right to Terminate** The right for either party to terminate services at any time implies an employer/employee relationship. **The possible liability of**

**breach of contract exists with an Independent Contractor.**

- ☑ An Employee may quit work at any time without liability on the Employee's part.
- ☑ An Independent Contractor is legally responsible for job completion and, on quitting becomes liable for breach of contract.

## Some of the other factors that are considered are:

**Hiring, supervising, and paying assistance.** Does the worker have the ability to hire help and to control those helpers?

- ☑ An Employee may act as foreman for the employer but, if so, helpers are paid with the employer's funds.
- ☑ Independent Contractors select, hire, pay and supervise any helpers used and are responsible for the results of the helper's labor.

**Doing work on the premises of the person or persons for whom the services are performed.** How much control does the worker have as to where the work is performed?

- ☑ Employment is indicated if the employer has the right to mandate where services are performed.
- ☑ Independent Contractors ordinarily work where they choose. The workplace may be away from the client's premises.

**Services rendered personally.** Does the worker have the control to hire others to complete a service?

- ☑ An Employee's services must be rendered personally; Employees do not hire their own substitutes or delegate work to them.
- ☑ A true Independent Contractor is able to assign another to do the job in his or her place and need not perform services personally.

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**Order or sequence set.** Does the worker set his or her own schedules?

- An Employee performs services in the order or sequence set by the employer. This shows control by the employer.
- A true Independent Contractor is concerned only with the finished product and sets his or her own order or sequence of work.

**Oral or written reports.** Is the worker required to submit reports of progress?

- An Employee may be required to submit regular oral or written reports about the work in progress.
- An Independent Contractor is usually not required to submit regular oral or written reports about the work in progress

**Payment by hour, week, month.** How does the agency pay the worker-by the hour, day or job?

- An Employee is typically paid by the employer in regular amounts at stated intervals, such as by the hour or week.
- An Independent Contractor is normally paid by the job, either a negotiated flat rate or upon submission of a bid.

**Payment of business or traveling expenses, or both.** Is the worker reimbursed for expenses?

- An Employee's business and travel expenses are either paid directly or reimbursed by the employer.
- Independent Contractors normally pay all of their own business and travel expenses without reimbursement.

**Set hours of work.** Are there set hours of work?

- An Employee may work "on call" or during hours and days set by the employer.
- A true Independent Contractor is the master of his or her own time and works the days and hours he or she chooses.

**Full time required.** Is the worker free to work when and for whom he or she chooses?

- An Employee ordinarily devotes full-time service to the employer, or the employer may have a priority on the Employee's time.
- A true Independent Contractor cannot be required to devote full-time service to one firm exclusively.

**Furnishing of tools and materials.** Tools and equipment are furnished by whom?

- Employees are furnished all necessary tools, materials, and equipment by their employer.
- An Independent Contractor ordinarily provides all of the tools and equipment necessary to complete the job.

**Instructions.** Is there instruction as to how, when, and where to do the work? Or how the work is actually achieved?

- An Employee receives instructions about when, where and how the work is performed.
- An Independent Contractor does the job his or her own way with few, if any, instructions as to the details or methods of the work.

**Training.** Is any training provided by the Agency?

- Employees are often trained by a more experienced employee or are required to attend meetings or take training courses.
- An Independent Contractor uses his or her own methods and thus need not receive training from the purchaser of those services.

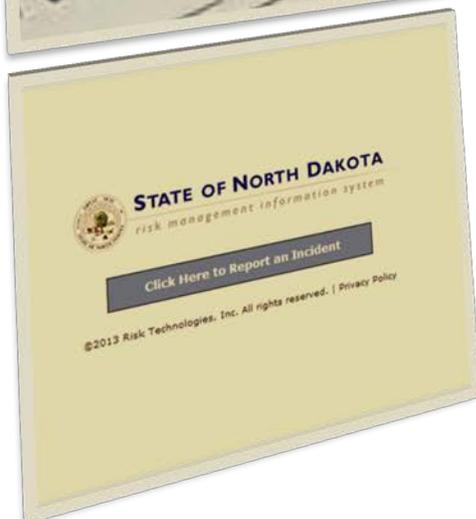
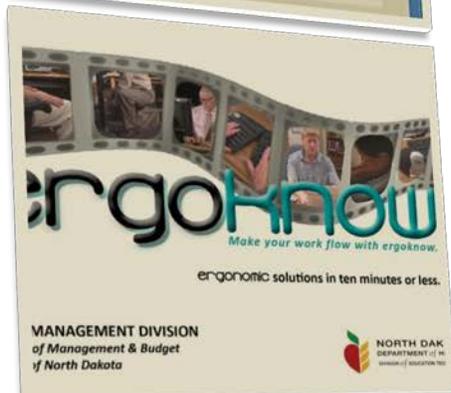
**Right to discharge.** Does the worker have the option to decline your work assignments?

- An Employee can be discharged at any time without liability on the employer's part.
- If the work meets the contract terms, an Independent Contractor cannot be fired without liability for breach of contract.

A written agreement between the state agency and the worker is always a good idea. Remember, an independent contractor agreement is only beneficial if it is followed. If the worker acts and is treated like an employee, then the actual agreement is useless. An agency should review the entire situation of each worker that performs services for that agency. If an agency or an independent contractor wants to verify independent contractor status, they can contact the Employer Services Department at Workforce Safety & Insurance by email at [wsiemployerservices@nd.gov](mailto:wsiemployerservices@nd.gov) or the North Dakota Department of Labor for determination and an Independent Contractor Verification Application will be provided.

# Safety Pays-State Agencies Save on Workers Compensation Premium

## *Understanding Your Premium Discounts and Dividends*



In 2001 the Legislature directed that there be a single workers' compensation account for all state agencies to operate within a retained deductible amount. The Risk Management Workers Compensation Program (RMWCP) collects the premiums assessed by Workforce Safety and Insurance (WSI) and uses the premium dollars it receives from State entities, to establish a fund to pay the first \$100,000 of each claim, the premium to WSI for the State entities' single workers compensation account, pay excess workers compensation coverage premiums to WSI, and pay associated costs with the program.

In order to encourage agencies to adopt practices that have proven to reduce workers compensation claims, the RMWCP has adopted an internal discount program, most recently referred to as the RMWCP Premium Reduction Program. In addition the RMWCP has also established a dividend program. The dividend awarded is based on the State entities own incurred loss ratio. These programs are designed to encourage agencies to adopt proactive loss control practices which reduce workers compensation exposures.

As a result of the positive loss control efforts employed by state agencies, the RMWCP was able to award State Agencies a total of \$3,301,910.66 in discount and dividend premium credits. The credit was applied towards the 2014-15 policy renewal reducing the guaranteed premium by over 50% for some agencies actively participating in the RMWCP.

***Discount and Dividend credits are based upon the prior year actual premium, not the current premium estimate. Ultimately, the RMWCP Fund must be able to continue to meet its obligations under the deductible program. The amount of***

***premium that can be billed to individual agencies is set by WSI and other than investment income; the RMWCP has no other revenue source. Therefore, reductions in the guaranteed premium billed must take into account the actuarial status of the Fund and the objectives achieved through our internal discount and dividend program.***

The following Discount and Dividends have been applied to the 2014-2015 premium billings.

### **RMWCP Premium Reduction Program Discount**

The RMWCP Premium Reduction Program is designed to assist State Agencies in developing and improving current safety/loss control management systems. State agencies can receive up to a maximum of a 15% premium discount by choosing to participate in an assortment of premium reduction programs that can each provide a 3% discount. New programs are added annually. In addition an agency can receive an additional 2% discount by submitting a Success Story.

### **RMWCP WSI Dividend Discount**

This discount is based on the premium dividend WSI has issued to North Dakota Policyholders. The RMWCP account has received a premium dividend credit in the amount of 39% of the 2013-2014 actual premium. This premium dividend credit in the amount of \$1,363,006.24 has been returned to state entities based on the percent of their 2013-2014 net actual premium paid.

### **RMWCP Dividend Plus**

State Agency participation in the Discount and Dividend programs along with proactive claims management has resulted in a reduction in the amount of indemnity paid as well as a reduction in paid medical costs. These reductions have had a positive impact on individual State Agency experience ratings, ultimately reducing workers compensations costs. Therefore, the RMWCP fund was able to provide an additional 5% premium dividend to State Agencies.

### **RMWCP Dividend Discount**

This dividend is awarded as a part of the RMWCP Dividend program. At the time of premium renewal, the Risk Management Division determines each agency's dividend by dividing the cost of the entity's premium for a period of 3 years by the entity's total losses for the same period (the incurred loss ratio). The incurred loss ratio will determine the dividend based on the following chart: [Click here for chart](#)

*Thank you for your commitment to providing state employees a safe and healthy workplace.*



**If you have any questions please contact Diane Waliser at 328-7583 or [drwaliser@nd.gov](mailto:drwaliser@nd.gov)**

## **VOLUNTEER TRAINING RESPONSIBILITY**

A volunteer is an individual who performs tasks or services for another without receiving payment or other remuneration. If your agency utilizes volunteers, you have a responsibility to ensure health and safety training for those volunteers. Every time a volunteer starts a new work assignment – no matter how skilled or unskilled – a certain amount of training is required in order for them to perform their assigned tasks to suit the specific needs of the agency for which they are volunteering. Certain types of jobs are inherently dangerous and require careful safety training.



Since the initiation of the Risk Management Workers Compensation Program, **88 volunteers** have submitted workers compensation claims, incurring a total of \$121,317.00 in medical expenses.

To reduce the potential for future loss, we ask that you take "ownership" of your volunteers. Take the time to provide volunteers with the resources and information needed, not only to do their specific volunteer position, but also to do their volunteer position safely.

# RISKVISION CHANGES HAVE BEEN IMPLEMENTED

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RiskVision (incident reporting system) and has been moved to the new server. The new URL is <https://www.nd.gov/risk/riskvision/>. Please remember to update any favorites or links on internal websites. The old link is no longer valid. [The Instructions To The On-Line Reporting System](#) have been updated to reflect the changes.

RiskVision has been configured to be compatible with current versions of Internet Explorer. It has also been configured to work with Google Chrome. If anyone chooses to use Google Chrome, be sure to review the [Instructions](#) before entering an incident report. If you attempt to submit the report without clicking the **SAVE** button, which essentially locks the information in the report, the SUBMIT button will not be available for you to select. This has also happened with Internet Explorer. The end result, which is not ideal, is that the report will need to be entered again.

## Changes to Reports:

There have been some changes to both the Risk Management Fund Incident Report (SFN 50508) and the Risk Management Fund Motor Vehicle Incident Report (SFN 51301). Both reports have changed the title of the box identifying the employee entering the report to clarify that the name should be the employee who is entering the information into RiskVision. It now states: *Individual Completing the Report (Name of State Employee)*. This should be the same person identified when you initiate the incident report. The reports that are entered become official

documents, so it's important that the employee generating the report is reflected accurately. This is particularly important for those agencies that designate another employee or office to submit the reports on-line based upon information provided by other employees. In these situations, the name of the individuals providing the original information should be noted in the report, either in the description or comments areas.

Additional changes were implemented to the Risk Management Fund Incident Report (SFN 50508). Box 6, *Description of Incident*, has been combined into one box (**a. What Happened** and **b. How Did It Happen**). The character limit has now been increased to 1,500.

Other changes to the Motor Vehicle Report (SFN 51301) include options available for the type of incident being reported, which is a required field. One of the choices for the type was previously *turned over* which has been changed to *rolled over*. A new option added is *violation*. The selection of violation should only be used if an employee is reporting some type of violation that was received while operating a State Fleet vehicle. Do not use this option if you are also reporting damage to the vehicle. In these situations, violations should be noted by selecting the *citation* box within the vehicle description area.

The Motor Vehicle report has a new required field for state vehicles. The new field is titled *vehicle owner* and the options available are: *State Fleet Owned, Agency Owned, Rental, and Leased from Dealership*.

- State Fleet Owned refers to vehicles that State Fleet owns and coordinates repairs and maintenance, including vehicles that are assigned to the agency.
- Agency Owned are the vehicles that some agencies own and the vehicle is titled to the agency; any licensing fees are paid by the agency; maintenance and repairs are coordinated only by the agency.

- Rental refers to vehicles rented by state employees to conduct state business.
- Leased from Dealership are the vehicles that are leased/courtesy through a dealership, with a written agreement in place.

Additional hints and tips on reporting:

- Copying and pasting text in a box with a character limit: if the text exceeds the limit, you will not be able to submit the report and you will get an error.
- Last names with an apostrophe (i.e. O’Neil): drop the apostrophe when entering the name to avoid errors when the information is *Saved*.
- Accidents while on state business: please make every effort to obtain the other driver’s information; if this is not possible, please make a note of that in the report.
- Non-drivable vehicles: if any vehicle is towed from the scene of the accident, please note that in the report.
- Please provide as much information as possible in the reports or provide attachments.

Please discard any old forms and replace them with the most recent forms (version dates 08-2014). If your agency has any assigned state fleet vehicles, please print out new copies of SFN 51301 and place them in the vehicles. The most recent forms can be found on Risk Management’s website at: [www.nd.gov/risk/publications/forms/risk-management-fund-forms](http://www.nd.gov/risk/publications/forms/risk-management-fund-forms)



If you have any questions please contact Risk Management at 328-7584.



**STATE OF NORTH DAKOTA**

*risk management information system*

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