



Northern California Regional Liability Excess Fund

2355 Crenshaw Blvd, Suite 200, Torrance, CA 90501
(310) 212-3344, Fax (310) 212-0300

Executive Summary **Claims & Coverage Committee Meeting** **September 6, 2017**

President:

Kimberly Dennis
Alameda County
Schools Insurance
Group

Vice President:

Brent Swanson
Tulare County
Schools Self
Insurance Authority

Secretary:

William Tucker
Organization of
Self-Insured Schools

Treasurer:

Scott Lantsberger
Washington Unified
School District

The following is a summary and highlights of the Claims & Coverage Committee on September 6, 2017 at the Marriott in Pleasanton, CA.

Claims & Coverage Committee

Closed Session was conducted to review special requests, claim settlement requests, 2016-17 4th Quarter reserve incurred analysis, Abuse point in time report, claims updates, pending trials & coverage opinions.

Regular Open Session items included Property claim settlement authorizations and quarterly closed claims paid report. Other items included: 1) Doe V. Rubenstein Amicus Brief Report 2) Claims Audit Report and 3) Defense Counsel Panel Annual Review.

Doe V. Rubenstein Amicus Brief

Ron Martin advised the Committee that this matter was heard by the California Supreme Court on May 30, 2017. The case in question does not involve an NCR/SAFER member. NCR, SCR, SWACC and SAFER engaged the services of Leone and Alberts, NCR Panel Counsel, to file an Amicus Brief (friend of the court) on behalf of its members to challenge an Appellate Court ruling that would allow for unlimited filing of lawsuits for sexual abuse cases. Panel Counsel was able to participate and provide oral argument to the Court on the fiscal impact and the difficulty in preparing a defense on member districts, the Pools, as well as, schools Statewide in the event the Court upheld and published the Appellate Court ruling. The Committee was advised that the Court will rule within 90 days of the hearing date and NCR would be advised of the decision and potential impacts.

Claims Audit Report

Congratulations PLCA and NCR another fantastic audit! Ken Maiolini from Risk Management Services conducted the audit remotely, relying 100% on the IVOS system and the examiners data integrity for the entire audit. The purpose of the audit was to measure and evaluate the timeliness and accuracy of the claim-handling procedures. He reviewed approximately 310 claims including open/re-open/closed liability and property claim files.

Ken believes the PLCA examiners work their claims proactively with favorable results to NCR and Reinsurance. He noted the claim files are well managed in iVOS and well maintained with documentation. He wrapped up the meeting by stating, "I would like to give you bad news, however, I couldn't find anything."

In fact, Ken reviewed some claim files which were transferred from other OTPA's and believed that PLCA examiners do an admirable job working with the OTPA from the onset of the reported claim file.

Specific Auditor comments:

- **Investigation** – Timely well documented. Good cooperation with the client members.





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- **Reserves:** “Well thought out reserve rational caption”. Reserves are set at a reasonable value.
- **Litigation management:** Examiners have a great communication with the client members. “Ship steered by the examiner, which is evident by the documentation”.
- **Damage Evaluation:** Good documentation and evaluation. Solid investigation which identify all liability issues.
- **Property claims:** Subrogation is pursued aggressively and timely. Property damage handled proactively and well managed.
- **Closed Files:** No issues or trends found.

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NCR Defense Attorney Panel Review

The Committee conducted its annual review of the current defense panel and hourly rates in accordance with the Defense Counsel Policy and applications for new firms. We are sorry to see that long time NCR Panel Counsel, Jim Anwyl, has decided to retire and the firm of Anwyl & Stepp will be dissolved. Mr. Anwyl handled numerous NCR high exposure cases to successful resolution. We are happy to report that his long time associate, Lynn Garcia, will be moving to the firm of Spinelli & Nott.

The next Claims & Coverage Committee meeting is scheduled for December 6, 2017 in Pleasanton, CA.

