

## **Attachment A-Scope of Services**

### **Workers' Compensation and Auto Liability Insurance Broker Services**

The broker will bring to the Dormitory Authority of the State of New York ("DASNY") a program of risk financing and claims/loss control services that will support efforts to manage its exposures to risk and control the costs associated with those exposures.

Services may be provided through a combination of broker and/or carrier resources, unless otherwise noted. Your response to the solicitation should be specific as to which services will be provided by the broker and which services will be provided via carrier resources.

#### **Broker Services**

Program Placement, including taking the program to market and securing placement with carriers of appropriate size and financial strength ("A-" or better as rated by AM Best) on policy forms with terms and conditions that are equal to, or broader than, the terms and conditions of the expiring policies. The selected broker shall be authorized to represent and assist DASNY in all discussions and transactions with insurers, provided that the broker shall not place any insurance on behalf of DASNY unless authorized to do so in writing by DASNY. These services shall also include the following:

- Throughout the contract term, continue to develop a strong understanding of the various operations of DASNY to ensure that the program provides appropriate insurance coverage.
- Identify issues and exposures, potential gaps in coverage and potential program improvements. As appropriate, bring those to the attention of DASNY immediately.
- Negotiate with insurers on behalf of DASNY and keep DASNY updated on a timely basis and informed of significant developments resulting from those negotiations on a timely basis.
- Provide coverage summaries for all newly placed or renewed policies, along with updates explaining any changes to existing coverage.
- Review policies and endorsements for accuracy and conformity to specifications and negotiated coverages.
- Keep DASNY informed with written reports of significant changes and/or trends in the insurance marketplace and provide DASNY with an annual forecast of market conditions.

- Monitor published financial information pertinent to DASNY's current insurers and alert DASNY when the status of one or more of those insurers falls below minimum financial guidelines.
- As requested, provide a status report summarizing the services provided to date, plans for additional service going forward and any recommendations for the overall program.
- At least 120 days prior to policy expiration, present a recommended plan for program renewal/marketing, including timelines and assignments.
- In the event of any questions regarding the interpretation of the insurance policy placed by the broker, at DASNY's request the broker will represent DASNY in any discussions with the insurance carrier.
- Meet as necessary with DASNY staff, designated by DASNY's Director, Insurance - Finance to discuss strategy and open items.
- Assign a dedicated claim representative to act in the capacity of a consultant to DASNY and as a liaison between DASNY and the insurance carrier's claim representative/adjuster..
- Notify insurance carriers of potential or existing claims against the policy(ies) per procedures established in consultation with DASNY and assist in response to coverage issues raised by the insurers. Monitor those claims until closing and advise DASNY as necessary regarding appropriate handling practices.
- Consult with DASNY regarding claim reporting and handling procedures and offer recommendations to improve those procedures as necessary based on state/federal law and industry best practices.

### **Administrative Services**

- Process or facilitate the processing of certificates of insurance, as requested by DASNY.
- Following placement, deliver binders prior to the expiration of the current policies.
- Follow up with insurance carriers for timely issuance of policies and endorsements.
- Provide DASNY with detailed, accurate invoices, including explanations of rating adjustments, dividends and other factors effecting the calculation of premiums, fees/commissions and other policy expenses.
- Secure carrier loss runs as requested by DASNY.

## Claims Management

- Serve as DASNY's representative in all aspects related to claims management.
- Provide complete claims handling and adjustment services of all losses, including initial and ongoing investigation, medical and litigation direction, ongoing supervisory oversight, including cost control efforts through final claim resolution.
- Develop, implement and maintain a claim plan of action including a resolution plan for each claim incurred, including claims which do not result in lost time or permanent disability.
- Provide primary claims case management services including timely payment of medical/indemnity and settlement expenses.
- Promptly establish, monitor and periodically adjust claim reserves in consultation with DASNY's Risk Management Claims Analyst and Director, of Insurance - Finance through the life of each claim, including adequate and appropriate analyses of all reserves changes.
- Properly document and handle defense of all claims considered non-compensable; assist and advise DASNY, including Insurance, Counsel's Office and others, as directed by the Risk Management Claims Analyst or Director, Insurance - Finance.
- Provide services of Nurse Case Managers and other appropriate medical personnel to advocate for appropriate courses of medical treatment/therapy for injured employees (*Workers' Compensation only*).
- Analyze/evaluate options for settlement and recommend appropriate courses of action to DASNY, including rationale for the recommendation.
- Manage all aspects of reporting to NYS Workers' Compensation Board (*Workers' Compensation only*).
- Conduct Medical Billing Reviews to achieve maximum cost savings for the program (*Workers' Compensation only*).
- Provide access to Preferred Provider networks and advise DASNY and injured employees in the best use of these networks (*Workers' Compensation only*).
- Dedicate a claims team with a single point-of-contact Service Leader as well as consulting attorney(s) who can coordinate advice and/or assistance with DASNY's Counsel's Office.
- Properly maintain pertinent data on all claim payments both current and projected.

- Lead/participate in claims status/planning meetings with DASNY representatives, as requested.
- Provide telephonic and electronic claims reporting systems.
- Provide electronic access to claims status/management systems.
- Provide electronic loss reports in a tailored format mutually agreed upon.

**Transitional and Return to Work Program - (*Workers' Compensation only*)**

- Review all lost-time injuries for potential transitional work opportunities.
- Assist DASNY in identifying appropriate transitional assignments and creating appropriate job descriptions in a unionized environment.
- Work with injured employees' physicians, therapists and other medical providers to clarify restrictions, determine appropriate use of transitional assignments and advocate for an ongoing treatment/therapy program aimed at continuous medical improvement.
- Assist DASNY in monitoring and modifying task assignments/job descriptions in order to ensure an injured employee's progressive recovery.
- Assist DASNY in developing Return to Work/Transitional Duty educational programs for administrators, supervisors and employees.

**Other Services/Program Elements - (*Workers' Compensation only*)**

- Provide ergonomic loss control programs including on-site evaluations (services are required of both the broker and the insurance carrier).
- Provide technical loss control assistance including the services of ACGIH-accredited and other technical specialists.
- Develop written safety programs and guidelines as well as tools, software and materials needed to support those programs.