

Legislation Text

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Clerk 07/15/2010

AN ORDINANCE establishing a new reporting requirement for the King County risk manager; making technical corrections; and amending Ordinance 3581, Section 9, as amended, and K.C.C. 4.12.030.

STATEMENT OF FACTS:

1. A primary function of the King County council is oversight of county operations.
2. King County's risk manager has a key role in protecting the county's financial resources.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 3581, Section 9, as amended, and Ordinance 11984, Section 3 and K.C.C. 4.12.030 are each hereby amended to read as follows:

A. ~~((DESIGNATION. A))~~ The risk management division is established in K.C.C. chapter 2.16. The manager of the risk management division shall be the ~~((RM))~~ risk manager who shall report directly to the director of the department of ~~(information and administrative services. It is the intention of the council that the risk management program as established in 1978 by Ordinance 3581, as amended, and codified as K.C.C. 4.12 shall apply fully to the consolidated county government, including the functions, structures, and operations performed prior to January 1, 1996 by the department of metropolitan))~~ executive services.

B. ~~((GENERAL DUTIES OF RM.))~~ 1. The ~~((RM))~~ risk manager shall be responsible for administration of the risk management program.

2. The ~~((RM))~~ risk manager shall coordinate with the civil division on contractual matters giving rise to potential liability on the part of the county. The ~~((RM))~~ risk manager shall seek the advice of the civil

division as to appropriate language regarding insurance, indemnification, releases and hold harmless clauses. Thereafter, the ((RM)) risk manager shall advise department directors and division managers concerning these matters as part of a coordinated process prior to finalization of county contracts.

3. The ((RM)) risk manager shall be the chairperson of the committee and shall advise the committee concerning insurance, risk management policies, broker selection and other appropriate matters.

4. With the approval of the committee, the ((RM)) risk manager shall select appropriate insurance brokers by use of a competitive procurement process for the marketing of insurance and related services.

5. The ((RM)) risk manager shall be responsible for the purchasing and administration of all such insurance policies, funded self-insurance programs((;)) and related services as are consistent with good risk management policy and the needs of the county. In purchasing insurance policies, the ((RM)) risk manager shall obtain the approval of the committee.

6. The ((RM)) risk manager shall advise all county departments, divisions((;)) and other county agencies regarding risk management and reduction of risk and exposure to loss, including programs and precautions for safety to reduce hazards to the public that may exist in county facilities and operations. The ((RM)) risk manager shall cooperate with the safety manager in areas where, in the opinion of the ((RM)) risk manager the safety of employees and safety of the public requires coordinated programs. The ((RM)) risk manager shall also be responsible for answering all insurance or funded self-insurance coverage questions. The ((RM)) risk manager shall be responsible for the evaluation of current and future county((/)) or departmental insurance coverage programs and have the authority to make recommendations where such action is in the best interests of the county.

7. The ((RM)) risk manager shall have the power, subject to budget authorizations, to contract for such outside assistance and perform such other acts as are necessary to carry out ((his/her)) the risk manager's responsibilities in an expeditious manner.

8. The ((RM)) risk manager shall have the responsibility to establish reserve requirements for all

claims and lawsuits and recommend financing plans and budget actions to assure that adequate resources are available to meet risk management financing requirements.

9. The ~~((RM))~~ risk manager shall have responsibility for risk identification, control and reduction, including authority to make recommendations to all county departments, divisions and agencies regarding the safety of the public using county facilities or services.

C. ~~((DUTIES OF RM RELATING TO CLAIMS.))~~ 1. The ~~((RM))~~ risk manager shall have the power to employ the services of such claims specialists or other parties as are necessary to process claims in an equitable and expeditious manner.

2. The ~~((RM))~~ risk manager shall cooperate with the civil division in coordinating information pertinent to claims and lawsuits against the county.

3. For all claims of fifty thousand dollars or less, the ~~((RM))~~ risk manager shall make final disposition ~~((; Provided))~~ except that, for all claims over two-thousand five-hundred dollars, the ~~((RM))~~ risk manager shall seek the advice of the civil division ~~((prior to))~~ before final disposition.

4. The ~~((RM))~~ risk manager shall maintain complete histories of all claims and claims litigation, insured or funded self-insurance, loss histories~~((;))~~ and investigations of claims. The ~~((RM))~~ risk manager shall be responsible to insure that complete files are maintained of all claims asserted against the county and all incidents reported to the risk management division sufficient to document at least a five-year claims history.

D. ~~((REPORTS.))~~ 1. The risk manager shall provide quarterly reports to the council on claims that have been closed with an indemnity payment in the amount of one hundred thousand dollars or more. The report shall identify the claimant, include a description of the claim, identify the amount of the indemnity payment, identify if the payment was a result of a settlement, a judgment, or payment to an insurance company or other party and shall include any other information the risk manager feels would be helpful to the council in understanding the nature of the claim. The reports shall take the form of one original letter with an attached table that provides the information required in this section, and an electronic version of the letter and table,

submitted to the clerk of the council for distribution to all councilmembers. The reports are due thirty days after the end of each calendar quarter of the year.

2. The ((RM)) risk manager on or before March 31((st)) of the subsequent year shall report to the council the total number and amount of all claims filed against the county and the number and amounts of all claims paid by the county during the preceding calendar year((~~, including totals of information required in the semi-annual report of the~~ insurance fund)). The ((RM)) risk manager shall make an annual report to the committee and the council regarding insurance coverage and the level of retained risk.