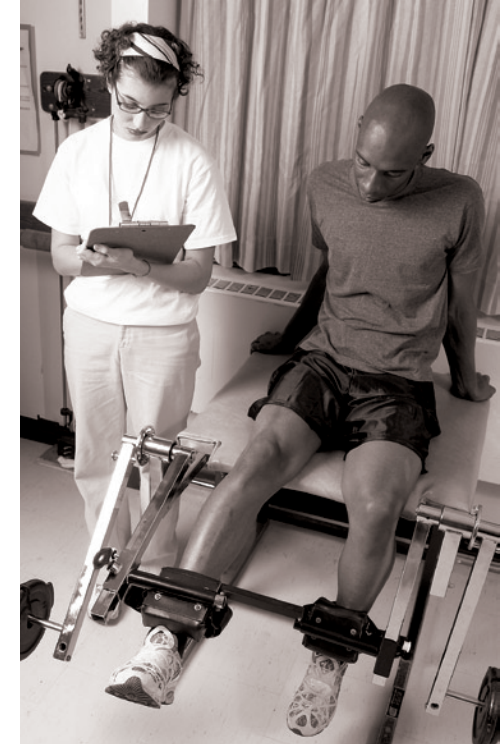


# Department of Financial Services

## Division of Risk Management

### FISCAL YEAR 2010 ANNUAL REPORT



CHIEF FINANCIAL OFFICER  
**JEFF ATWATER**  
FLORIDA DEPARTMENT OF FINANCIAL SERVICES





JEFF ATWATER  
CHIEF FINANCIAL OFFICER  
STATE OF FLORIDA

## A Message from CFO Jeff Atwater

Dear Colleagues:

We are pleased to present the Division of Risk Management Annual Report for 2009-10.

This last fiscal year has been a time of change in our program, as we continue to implement risk management initiatives that increase our productivity and effectiveness in providing assistance to state agencies in reducing claims and claims cost. This report will provide highlights of our activities for this time period, as well as claims and cost data.

Using information gained by benchmarking with other risk management programs, major goals were implemented and have now been completed, including the redesign of our program placing a greater emphasis on loss prevention and control. We also completed and distributed the Loss Prevention Standards, which serve as a blueprint for the essential elements state agencies should cover for effective loss prevention programs, and the Return to Work Guidelines, which provide basic information on how to develop and maintain an effective program for returning injured workers to work.

We are now providing "hands on" assistance to agencies to identify areas in their operations where they can reduce claims by providing stronger medical care and stay at work/return to work assistance to help injured workers recover faster from injuries. We are in the process of substantially expanding our safety training, and have become more interactive with the state agency safety managers in developing strategies to address the high frequency and costs of claims in their agencies.

These efforts have resulted in a reduction of \$17.5 million for the yearly amount we paid on liability claims last fiscal year when compared to the amount paid in the 2007-2008 fiscal year, and a reduction of \$2.5 million in lost time from work costs. These cost reductions are particularly important given our state budget constraints, which have created a need for state government to reduce costs in all areas.

We hope you find our annual report informative. Please contact us if you have any questions or suggestions.

A handwritten signature in black ink that reads "Jeff Atwater". The signature is written in a cursive, flowing style.

Jeff Atwater  
Chief Financial Officer  
State of Florida

# Risk Management – What We Do

## *Loss Prevention Services*

**Data Analysis** – The Stop Light Report is a snapshot of agency claims performance over a six month period. The Division expanded the Stop Light Report to include a data trending section. The trending information covers a period of two years and allows agencies to:

- Compare agency activity internally over time.
- View the fluctuation of the statewide average over time.
- Compare the difference between internal agency activity and statewide fluctuation over time.

The Division also instituted a Fiscal Year Trending Report which shows three and one half years of agency performance data. This report is compiled and distributed annually to all agencies.

By providing trend analysis information, the Division enhanced agency ability to quickly identify positive and negative trends. The trending data also enables agencies to plan strategically and better direct scarce resources to reduce claims cost and frequency.

**Training and Newsletter** – The Division expanded its training services for better agency access and reduced costs through computer-based webinars. The Division's redesigned newsletter, the Safety Outlook, was officially launched in May of 2010 to very favorable reviews from agency representatives. The newsletter's success was based on regular Interagency Advisory Council (IAC) involvement. The newsletter provides readers with in-depth safety articles, best practice information,

safety talk news, and the latest on safety rules and regulations. The Division also developed and electronically distributed weekly Safety Notes, short, easy to read and practical safety tips to foster a culture of safety at every agency.

**Consultation Services** – The Division conducted consultation visits to 16 agencies to provide claims data and discuss agency loss prevention programs. Agencies visited included the Department of Corrections, Department of Juvenile Justice, Department of Children and Families, Highway Safety and Motor Vehicles, Department of Transportation, Department of Management Services, Department of Revenue, Department of Environmental Protection, Agency for Persons with Disabilities, Agency for Workforce Innovation, Florida A&M University, Florida State University, University of Central Florida, Florida Atlantic University, Department of Education and Department of Business and Professional Regulation. These consultation visits laid the groundwork for collaborative projects with the Department of Corrections, Department of Juvenile Justice, Department of Children and Families (DCF), Department of Transportation, Department of Revenue, Florida State University and Agency for Persons with Disabilities.

**Agency Review and Evaluation** – The Division completed development of the agency review process and initiated the first review at Department of Juvenile Justice. The purpose of the agency review process is to evaluate agency implementation of its loss prevention program as required in Section 284.50, Florida Statutes (F.S.). The scope of the agency review process is to conduct an independent assessment of each agency within a





defined period of time based upon the Division's Loss Prevention Standards and to use a professional, consistent and defensible review approach as outlined in the Division's Agency Review Process Guide, which also was developed this year.

**Awards and Recognition** – The Division held the 2009 Safety Awards on May 24, 2010. The Safety Awards recognize agencies and universities for outstanding safety programs based upon self-reported data as required by Section 69H-2.007, F.A.C. A total of 35 agencies received Gold, Silver or Bronze Awards. Among guests at the awards ceremony, Secretary Walt McNeil, Department of Corrections, and Secretary Frank Peterman, Jr., Department of Juvenile Justice, were present to receive their Gold Awards, which is the highest honor in the State for agency loss prevention programs.

After the May 24 Awards Ceremony, the Division held an IAC planning retreat in June and received agency guidance to completely revamp the awards from a desk review to a performance-based process. The Division has completed its changes to the awards process and has initiated the selection of agencies for the 2010 awards.

### *Claims Management and Resolution*

**General Liability** – The Division manages general liability and property claims for the state, including claims for bodily injury, property damage or death resulting from negligence of a state employee conducting state business or while driving a state vehicle. The Division also pays legal costs as a result of lawsuits against agencies.

**Workers' Compensation** – The Division administers workers' compensation claims for Florida's agencies. In 2010, we paid more than \$100 million in workers' compensation claims. As part of our strategic plan, we have assigned agency specific workers' compensation adjustors to better understand and identify potential or existing areas of higher than average claims activity and provide customized loss prevention feedback.

**Employment Discrimination and Federal Civil Rights** – The Division also administers employment discrimination and civil rights claims. As an insurer of more than 206,000 employees and having custody over countless individuals in the prison system and other capacities, claims can arise from those custodial relationships. Through newly established procedures and partnerships with agency leadership, we are assuring that clients are provided services promptly, reducing claims and litigation costs, and achieving better outcomes for all stakeholders.

### *Protecting State Facilities*

With responsibility for insuring Florida's approximately 22,000 state-owned buildings ranging in value from storage sheds to the Capitol buildings in Tallahassee, and ranging in complexity from beachfront tiki huts at state parks to the Magnetic Laboratory building on Florida State University's campus, the Division is at the forefront of protecting Florida's assets.

All agencies are exposed to such perils as fire, storm damage and sinkholes. The Division administers Florida's self-insurance program through the Risk Management Trust Fund and arranges additional coverage for catastrophic losses beyond the limits of our self-insurance.

# Program Highlights

## *A Foundation of Best Practices*

The Division of Risk Management has completed a year of transformation in 2010 that involved creating a major emphasis on loss prevention to improve workplace safety and reduce claims costs. The Division's strategy was to institute public and private loss prevention best practices from major corporations, such as Publix Supermarkets and Rosen Hotels of Orlando, and from public institutions, such as the Occupational Health and Safety Administration and the National Institute for Occupational Safety and Health. These best practices are found in the Division's Loss Prevention Standards, a guide that serves as the foundation for effective loss prevention in all state agencies and universities.

To effectively promote the Loss Prevention Standards and assist agencies with the development of their loss prevention programs, the Division instituted a comprehensive, coordinated program model that consists of the five steps of data analysis, cutting edge training and educational awareness, expert consultation, agency review and evaluation, and awards and recognition. The Division has a dedicated unit, named the State of Florida Loss Prevention Program, within the Bureau of Loss Prevention, and hired professional staff with expertise in each of the five program model steps. Recognizing the importance of loss prevention, the 2010 Legislature funded three additional professional positions for the unit, bringing total staffing to 10.

## *Improving Our Partnerships*

The Division has benefitted from its private sector associations with Publix Supermarkets and other companies that have large risk management programs. According to Mr. Marc H. Salm, Vice President of Risk Management for Publix, "over the past three years I have had the opportunity to work with the Division of Risk Management. During this time I have seen tremendous improvement in the functions and management of the Division. The Division has instituted significant improvements in many areas, including return to work, loss control, and injury prevention and analytics. Particularly impressive is the Division's 2010 Strategic Plan. These improvements show that the Division of Risk Management has embraced the best aspects of innovation, accountability and partnership. Although there is always work to be done, the Division's work in 2010 has been outstanding."

The Division partnered with the Florida Commission on Human Relations (FCHR) to present a well-attended training course for its agency customers targeted at preventing claims. Ms. Leah Barber-Heinz, Public Information Director, FCHR, stated, "the Florida Commission on Human Relations recently partnered with the Florida Department of Financial Services – Division of Risk Management to produce and host a webinar training on sexual harassment discrimination. The partnership afforded both agencies the opportunity to educate





public human resources and legal personnel on pressing and costly issues that can be prevented. The partnership has yielded positive results and we are excited to continue working with the Division in the future."

The Division partnered with A. J. Gallagher, a national risk management firm and the Division's access property insurance carrier, to conduct Ergonomic training at several DCF Call Centers. The training showed employees correct posture and how to position themselves at their workstations to avoid stressing their joints and possible painful injuries.

The Division partnered with other state agencies to improve its processes and develop a common set of loss prevention standards. Agency members of the IAC served on committees to improve the Safety Outlook newsletter, training program, data collection and analysis function as well as other services the Division provides to agencies. The partnership was successfully used to develop statewide loss prevention standards for all agencies, which involved a two year development process and focus groups for agencies to provide direct feedback on the standards. A statewide survey was sent to all agencies and universities further soliciting feedback. The standards were revised accordingly.

IAC committees have also provided policy and procedure input for the issues of presumption and combining the safety and emergency management functions. The feedback has provided the Division with insight and strategies for addressing these significant issues.

An interagency partnership resulted in the development of model return-to-work guidelines for all agencies. Six agencies were convened for a two month process that involved intense review of best practices and agency programs, and the successful development of basic guidelines agencies can use to develop their return-to-work policies and procedures. According to Mr. Richard Wilhelm, workgroup member, Risk Manager for 21 years with the Florida State Hospital (now retired), and Florida Licensed Health Care Risk/Safety Manager, "I was very fortunate to be part of a unique professional group with the Department of Financial Services/Risk Management, to develop this Return to Work Program Model. All agencies need to "manage" work compensation injuries and "not" just paper process the claims. This Return to Work Program Model is an excellent tool for everyone to be consistent in "managing" claims. These claims are resulting in escalating cost and time away from work. "

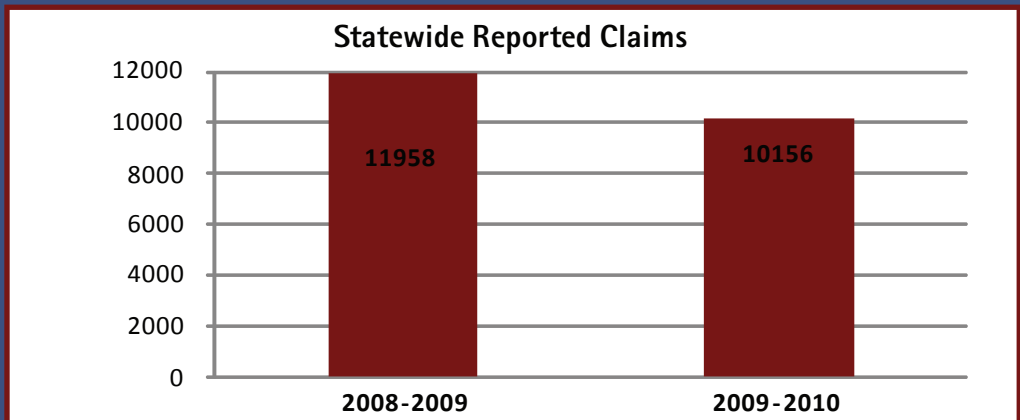
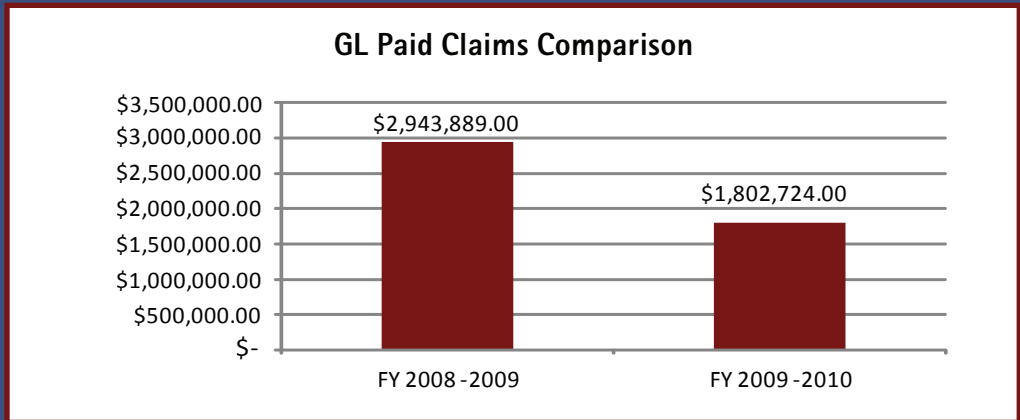
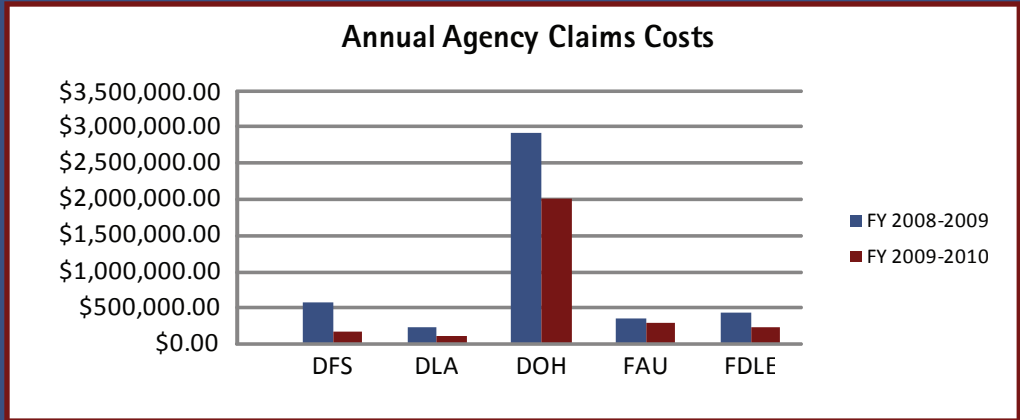
### Achieving Positive Results

The Division's strategic transformation and the establishment of a comprehensive, coordinated program model have resulted in significant changes in risk management throughout the state and greater emphasis on effective loss prevention. General reductions in claims frequency have occurred and significant reductions in General Liability costs have occurred. Several agencies have seen reductions in Workers' Compensation costs, including Department of Health, Florida Atlantic University and the Florida Department of Law Enforcement.

Division efforts contributed to reductions in claims costs at agencies such as Department of Health, Department of Law Enforcement and Florida Atlantic University as displayed in the chart entitled "Annual Agency Claims Costs."

Division efforts contributed to substantial decreases in General Liability claims costs for all agencies, as displayed in the chart entitled "GL Paid Claims Comparison."

Division efforts contributed to overall claims frequency reductions for Workers' Compensation claims, as demonstrated in the chart entitled "Statewide Reported Claims."



## Looking Ahead

### *Comprehensive, Coordinated Program Model*

In 2011, the Division plans to measure the implementation of its comprehensive approach to reducing loss prevention claims and costs to show outcomes, promote targeted agency training and consultations to better address unique agency issues, expand its core customer base to include agency officials who work with liability and property claims, and create long lasting partnerships with the National Institute of Occupational Safety and Health (NIOSH) and other nationally recognized organizations.

Emphasis will be placed on the following initiatives:

- The Division will develop and implement metrics and statistical measurement systems for agency loss prevention performance.
- The Division will expand its web-based training capabilities from approximately 40 lines per webinar to 200 lines per webinar.
- The Division will diversify its training options to include Lunch and Learn Sessions and site-base targeted agency training.
- The Division will expand its Annual Safety Academy training session from 100 to 200 participants and will partner with NIOSH to provide training sessions.

- The Division will launch an outreach campaign to agency officials who work with liability claims, including agency attorneys, Equal Employment Opportunity Officers and Human Resources Managers. This campaign will include expanding training options for this population and developing loss prevention strategies for reducing liability claims.
- The Division will offer consultation services to specifically help agencies implement best practices and identify solutions for unsafe conditions and potentially hazardous conditions.
- The Division will implement a transformed, performance-based agency awards and recognition process. Agency and individual award recipients must show decreases in claims and costs, and must meet other objective criteria. The Division anticipates a total of 15 awards will be given in five separate categories.







# STATE OF FLORIDA LOSS PREVENTION PROGRAM

Cutting edge training programs to educate state employees on *Best Practices*.

III. Consultation

Expert consultation services to bring current industry *Best Practices* direct to agencies.

II. Training

Accurate data compilation and *Analysis* providing trends and metrics to target opportunities and track progress.

III. Agency Review

Objective agency review process that promotes *Innovation and Accountability*.

I. Data Analysis

Performance-based, Data-driven recognition program to reward *Successful Practices*.

V. Recognition

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## GENERAL FUNDING INFORMATION

A Legislative Revenue Estimating Conference establishes the program's funding needs for each fiscal year. During fiscal year 09/10, the Division invoiced, processed and deposited \$138.4 million in casualty premiums and \$12.2 million in property premiums.

The Division also provided additional funding of \$17.1 million General Revenue and Trust Fund in 2010 GAA for payment of claims and additional \$2.5 million in the 2010 General Appropriations Act (GAA) to purchase additional excess insurance.

Only the estimated expense required to pay all insurance claims and Division operational expenses projected for the fiscal year is funded. Although the funding is determined by coverage line, funds are pooled to provide flexibility in assuring all insurance claims are paid timely. No funding is provided to meet sudden adverse loss trends or unexpected large insurance claim obligations. This is called "cash flow" funding. This type of funding requires continuous, careful monitoring of the Trust Fund's cash flow so that all obligations can be paid.

Because of "cash flow" funding, an unfunded liability exists each year for financial obligations owed in the future. The chart page illustrates the "cash flow" funding methodology's impact. It reflects that if the program ceased operations as of June 30, 2010, participating agencies would have an estimated \$1.085 billion in existing insurance claim obligations payable in future years. This estimated liability consists of the following claims obligations by insurance type and is based on a June 30, 2010, actuarial analysis:

Workers' Compensation:	\$ 932.2 million
Federal Civil Rights:	\$ 113.4 million
General Liability:	\$ 33.3 million
Automobile Liability:	\$ 5.8 million
Property:	\$ .3 million
	\$1.085 billion

The Division has changed its premium calculation methodology to be more reflective of each agency's loss experience. The new plan takes a percentage of the total casualty premium assessed to each agency by insurance coverage line (workers' compensation, general liability, auto liability and federal civil rights/employment actions) and allocates that percentage to each agency based on the most recently reported fiscal year's claim payments and reported insurance claims. This change in methodology applies more emphasis on each agency's recent claims activity, resulting in premiums that are more closely aligned with agency risk management practices.

## RISK MANAGEMENT PROGRAM FUNDING

PROGRAM	NUMBER OF COVERED EMPLOYEES	NUMBER OF CLAIMS REPORTED FY 08-09	FUNDING
Workers' Compensation	206,609	13,842	\$108,405,760
State Property	N/A	146	\$13,174,272
Auto Liability	25,359 (state-titled motor vehicles)	585	\$2,965,339
General Liability	217,557	1,747	\$8,483,111
Court-Awarded Attorney's Fees	N/A	43	Included
Federal Civil Right/Employment	211,933	583	\$19,435,552

## LINES OF INSURANCE COVERAGE

### Workers' Compensation

The Workers' Compensation Section is responsible for processing and paying workers' compensation benefits for injured state employees, including medical, indemnity and death benefits. Investigations of claims are conducted by staff. Field investigations, surveillance and investigations of suspected cases of workers' compensation fraud are performed by York Claims Services, Inc. Defense of litigated claims is provided by contract law firms.

A contract vendor reviews and reprices pre-managed care medical bills, and provides hospital pre-certification and continued stay review services. Pending claims administered by our program are covered under our self-insurance program or by private commercial insurance as follows:

Commencement Date	Coverage Period	Coverage Provider
Prior to January 1, 1998	Accident date before January 1, 1998	Self-insured
January 1, 1998	Accident date on or after January 1, 1998, through February 9, 2002	North American Specialty Insurance Company (NASIC) with a large deductible
February 10, 2002	Accident date on or after February 10, 2002, through February 9, 2005	Hartford Casualty Insurance Company with a \$15M deductible, plus three years of medical services
February 10, 2005	Accident date on or after February 10, 2005	Self-insured

### Medical Case Management:

Since January 1, 1997, the program has contracted with vendors to provide medical care services. Medical care is "managed" by medical case managers who are registered nurses, or are supervised by registered nurses, in conjunction with either a medical network or panel of clinicians.

The following chart reflects the vendors currently providing medical management services:

Commencement Date	Coverage Period	Program	Vendor
January 1, 1997	Accident date on or after January 1, 1997, through December 31, 2002	Responsible for providing medical services for three years following the date of injury and continuing case management for the duration of the claim.	Humana
January 1, 2003	Accident date on or after January 1, 2003, and reported prior to January 1, 2009	Provide medical case management for duration of contract.	CorVel
January 1, 2009	Reported date on or after January 1, 2009	Provide medical case management for duration of contract.	OptaComp

## *Property*

This program provides property coverage through the State Risk Management Trust Fund. The state offers coverage for damages to covered property caused by specific insured perils, such as fire and lightning. The self-insurance coverage includes:

- Buildings
- Contents
- Loss of rental income when the coverage is required by bonding or revenue certificates or resolution
- Non-owned state-leased real property covered if an approved lease provides and conforms to the coverage under the property policy

The program is responsible for investigating, evaluating, negotiating and settling covered property claims. Investigations are conducted by staff and/or in concert with a contracted adjusting service.

## *Fleet Automobile Liability*

This program provides auto liability insurance through the State Risk Management Trust Fund for claims arising out of the ownership, maintenance or use by an employee, agent or volunteer of the state, while acting within the course and scope of their office or employment. This includes loading or unloading, of any:

- owned,
- hired or
- non-owned automobile.

The program is responsible for investigating, evaluating, negotiating and making appropriate disposition of any auto claims and lawsuits filed against the state. Investigations of claims are conducted by staff and/ or in concert with a contracted adjusting service. Defense of litigated claims is provided by the Attorney General's Office, contract law firms or state agency attorneys.

In accordance with Chapter 768.28, Florida Statutes, the limits of liability (under the waiver of sovereign immunity law) for which the state may be sued are \$100,000 per person's claim and \$200,000 for all claims.

As of July 1, 2004, Risk Management has offered coverage for property damage to state vehicles sustained when these vehicles are being used in approved off-duty use by a law enforcement officer. Risk Management establishes a premium each year for this coverage and there is a \$500 deductible per incident if the law enforcement officer is determined to be at fault.

## *General Liability*

This program provides general liability claims coverage through the State Risk Management Trust Fund. The state is liable for damages for injury, death or loss of property caused by the negligence of its employees, agents or volunteers while acting within the course and scope of their employment or responsibilities. The self-insurance coverage includes:

- premises and operations,
- personal injury and
- professional liability.

The program has the responsibility of investigating, evaluating, negotiating, defending and making appropriate disposition of claims/lawsuits filed against the state because of a negligent act or omission. Investigations of claims are conducted by staff and/or in concert with a contracted adjusting service. Defense of litigated claims is provided by the Attorney General's Office, contract law firms or state agency attorneys.

In accordance with Chapter 768.28, Florida Statutes, the limits of liability (under the waiver of sovereign immunity law) are \$100,000 per person's claim and \$200,000 per occurrence for all claims.

### *Federal Civil Rights/Employment*

This program provides federal civil rights and employment discrimination claims coverage through the State Risk Management Trust Fund. This coverage includes:

- federal civil rights actions filed under 42 U.S.C. 1983 (and other similar federal statutes),
- plaintiff attorney fees/awards (where so provided by the covered federal statutes),
- employment discrimination actions filed under 42 U.S.C. 2000e, Title VII of the 1964 Civil Rights Act, as amended by the Civil Rights Act of 1991 and
- the Florida Civil Rights Act of 1992, and other similar employment discrimination acts and statutes.

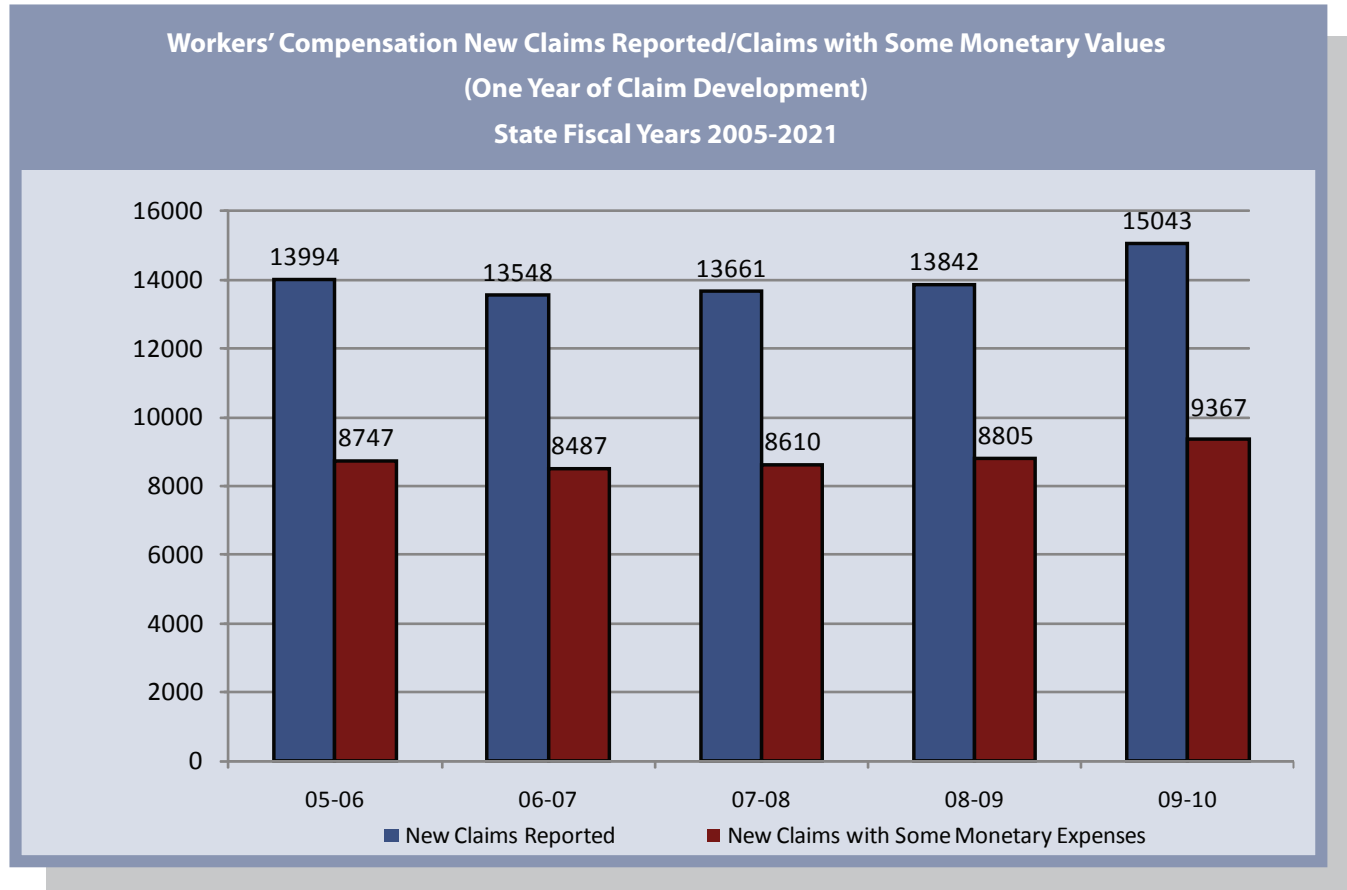
The program has the responsibility for investigating, evaluating, negotiating (settling), defending and making appropriate disposition of any covered action filed against state agencies, their employees, agents or volunteers. Investigations of claims are conducted by staff and/or in concert with contracted adjusting services. Defense of litigated claims is provided by the Attorney General's Office, contract law firms or state agency attorneys. There are no monetary liability caps associated with federal civil rights actions. Title VII has a \$300,000 cap for compensatory damages, while the Florida Civil Rights Act of 1992 has a \$100,000 cap. In addition to these amounts, front and back pay (past and future salary amounts determined to be due from a state agency), and plaintiff attorney fees for which a state agency becomes liable, can be paid under Title VII and The Florida Civil Rights Act of 1992 cases.

### *Court-Awarded Attorney Fees*

This program provides court-awarded attorney fees coverage through the State Risk Management Trust Fund. The self-insurance coverage pays on behalf of the state, court-awarded attorney fees and costs in other proceedings (for which coverage is not afforded under s. 284.30, Florida Statutes), in which the state is not a prevailing party. Risk Management has the right to participate in the defense of any suit or appeal with respect to the payment of attorney fees.

## Workers' Compensation Claims and Expense

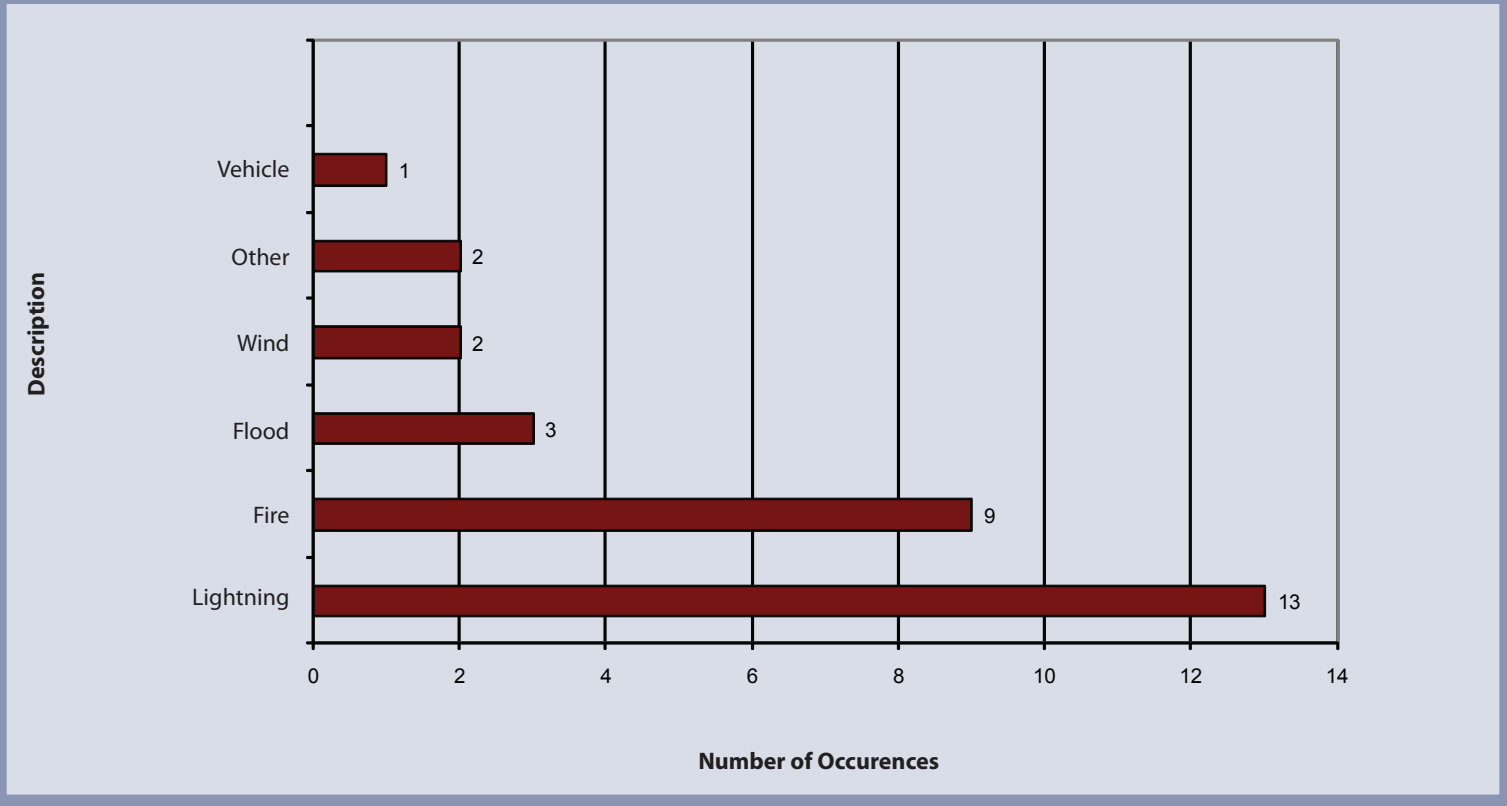
The Risk Management program averaged 14,017 new workers' compensation insurance claims per year during the past five fiscal years. As of October 9, 2009, the program received reports of 15,043 claims for fiscal year 09/10. Of those, 9,367 had some monetary expense associated with them, either already paid or with cash reserved for possible future payment. The program classified 8.5 percent of those claims as "lost time claims," where employees actually were unable to work for a time due to a job-related injury. Death benefits were paid for four job-related deaths during fiscal year 08/09.



PROPERTY CLAIMS BY TYPE AND FREQUENCY

State-owned property losses are caused by a variety of perils, such as wind, lightning, flood and fire. Lightning is the most frequent cause of state-owned property damage, followed by fire.

Property Claims by Type and Frequency Reported State Fiscal Year 09/10

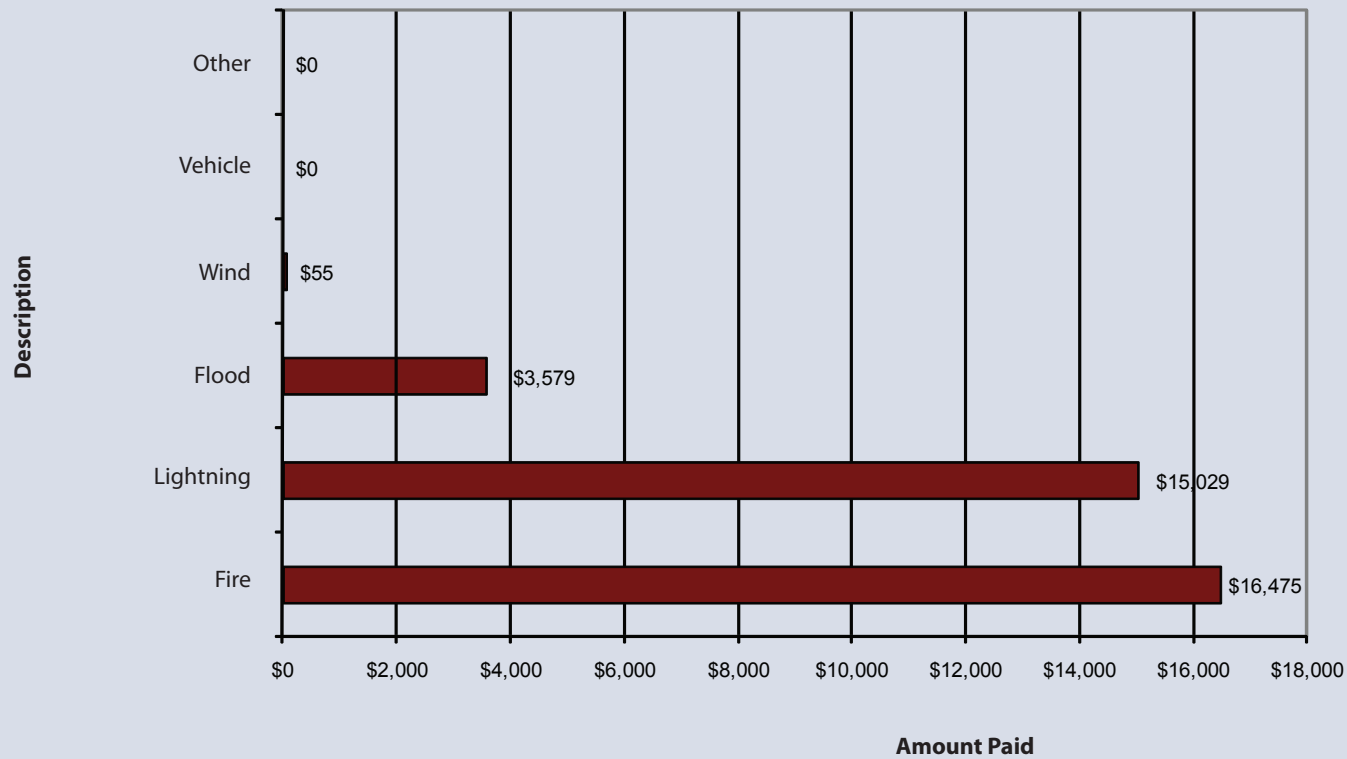




## PROPERTY CLAIMS BY TYPE AND COST

Property claims are tracked by the type of peril that caused the damage. Fire is the most costly peril for which claims have been paid, followed by lightning.

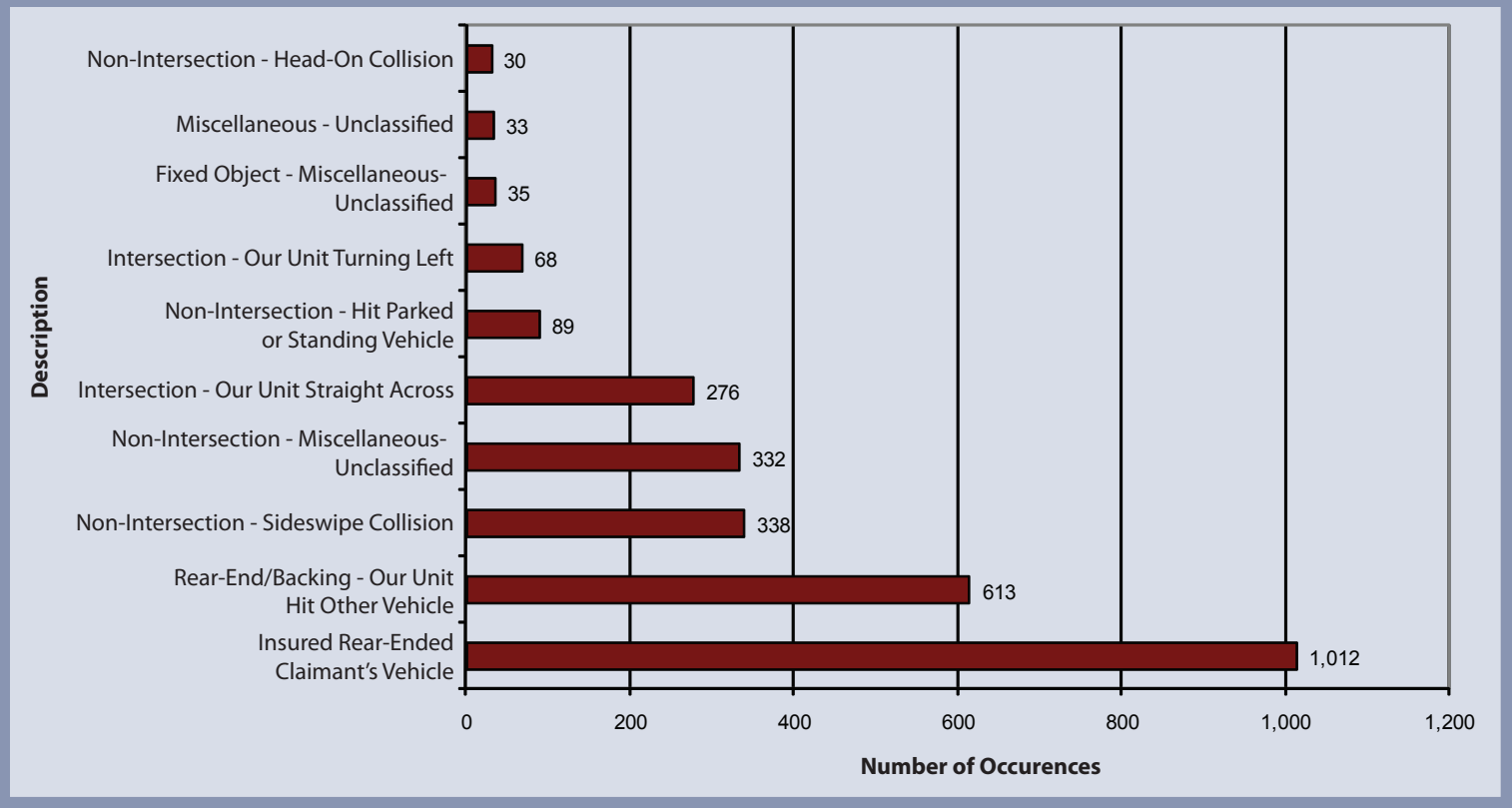
Property Claims by Type and Cost Reported State Fiscal Year 09/10



### AUTOMOBILE LIABILITY CLAIMS BY TYPE AND FREQUENCY

The state tracks automobile accidents in five-year increments by the type of accident that has occurred. For example, "intersection – our unit turning left" refers to claims that the state was negligent when its driver made a left turn at an intersection. The most frequent type of accident and resulting claim was from state drivers backing into another vehicle or a state driver hitting another vehicle from behind.

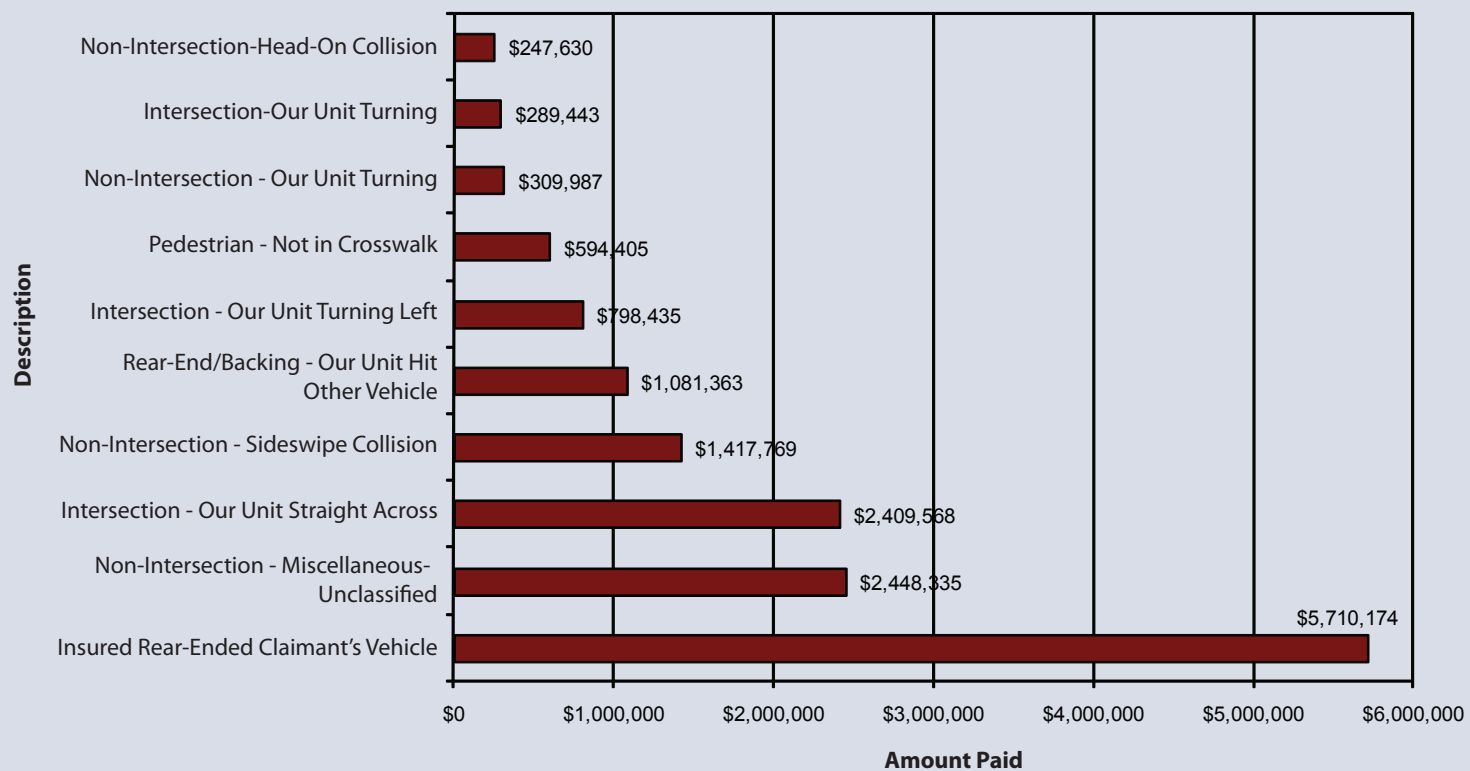
Frequency of Automobile Liability Claims Reported for the Period 7/1/05 - 6/30/10



## AUTOMOBILE LIABILITY CLAIMS BY TYPE AND COST

The state also tracks the cost of automobile accidents by cause and related cost. Accidents are tracked in five-year increments and the most costly accident claims result from our driver hitting another vehicle from behind.

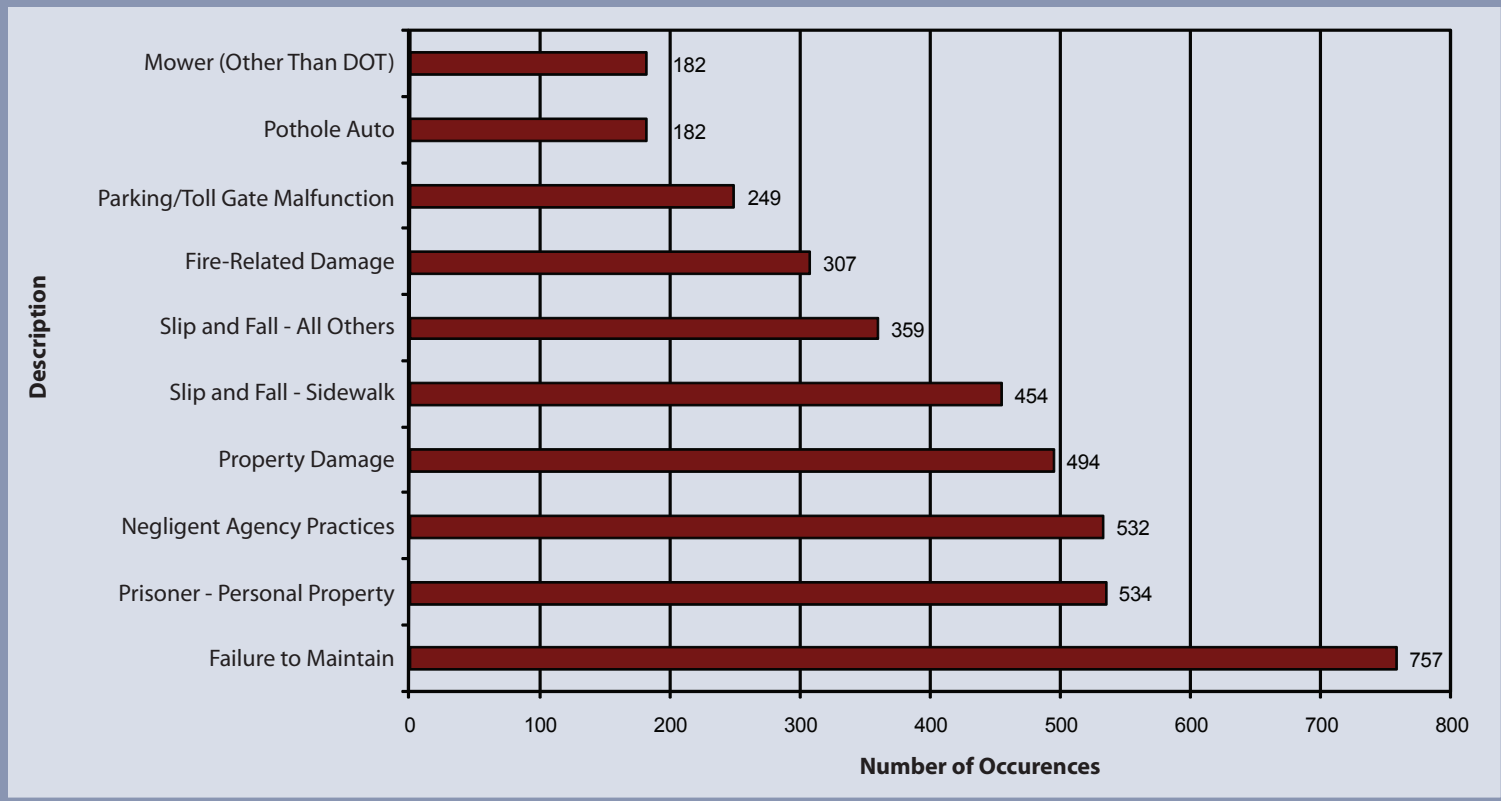
Cost of Automobile Liability Claims Reported for the Period 7/1/05 - 6/30/10



### GENERAL LIABILITY CLAIMS BY TYPE AND FREQUENCY

General liability claims are a "catch all" term for all claims of negligence other than automobile liability and are tracked in five-year increments. Failure to maintain state-owned property used by the public, such as a broken sidewalk that results in injury, is the most frequent general liability claim, followed by prisoner - personal property claims.

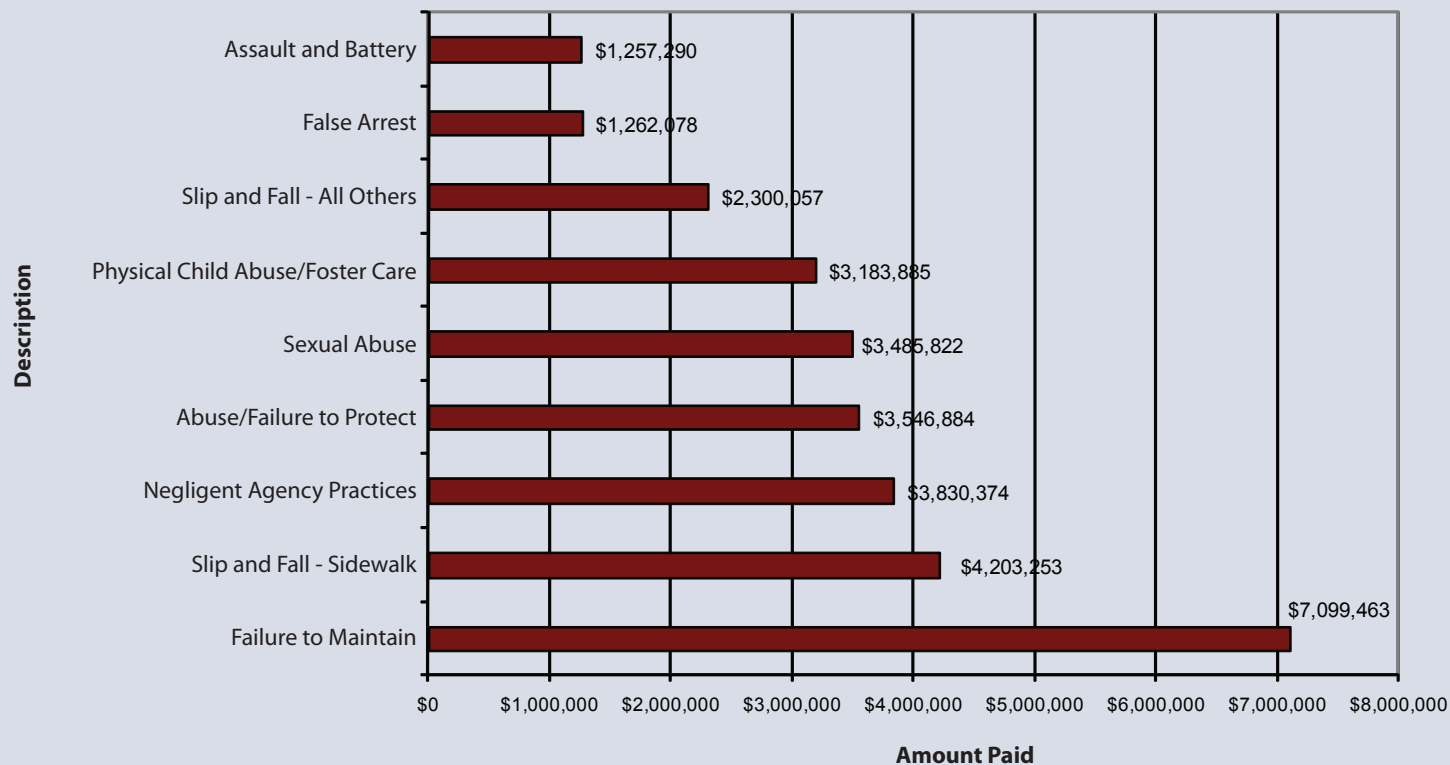
Frequency of General Liability Claims Reported for the Period 7/1/05 - 6/30/10



## GENERAL LIABILITY CLAIMS BY TYPE AND COST

The most costly general liability claims paid by the state are for the failure to maintain state owned property and are tracked in five-year increments. These claims can include failure to maintain such property as state buildings, roads, signage, parks and recreational areas.

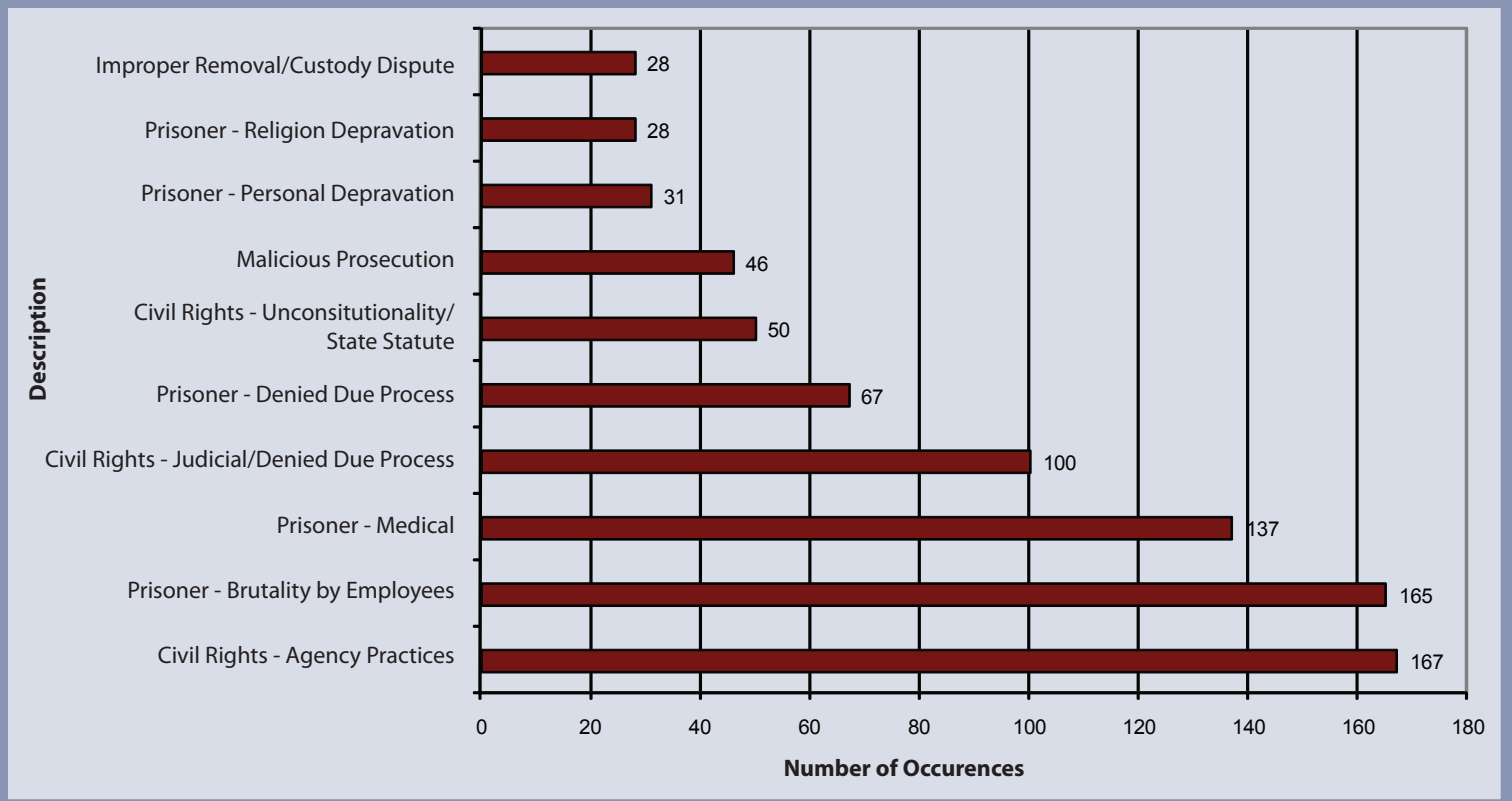
Cost of General Liability Claims Reported for the Period 7/1/05 - 6/30/10



**FEDERAL CIVIL RIGHTS CLAIMS BY TYPE AND FREQUENCY**

The state has custody over many individuals, including foster children, prisoners, juveniles in the custody of the Department of Juvenile Justice and the elderly and infirm housed in state-owned facilities. Federal civil rights claims arise from complaints that the state violated a person's federal constitutional rights while the person was in state custody or control. The frequency of federal civil rights claims is tracked in five-year increments. The most frequent combined federal civil rights claims are for violations of prisoners' rights to constitutionally adequate medical care and alleged employee brutality of prisoners while the prisoner is in state custody. The most frequent single occurring claims are for agency practices that violate an individual's federal civil rights.

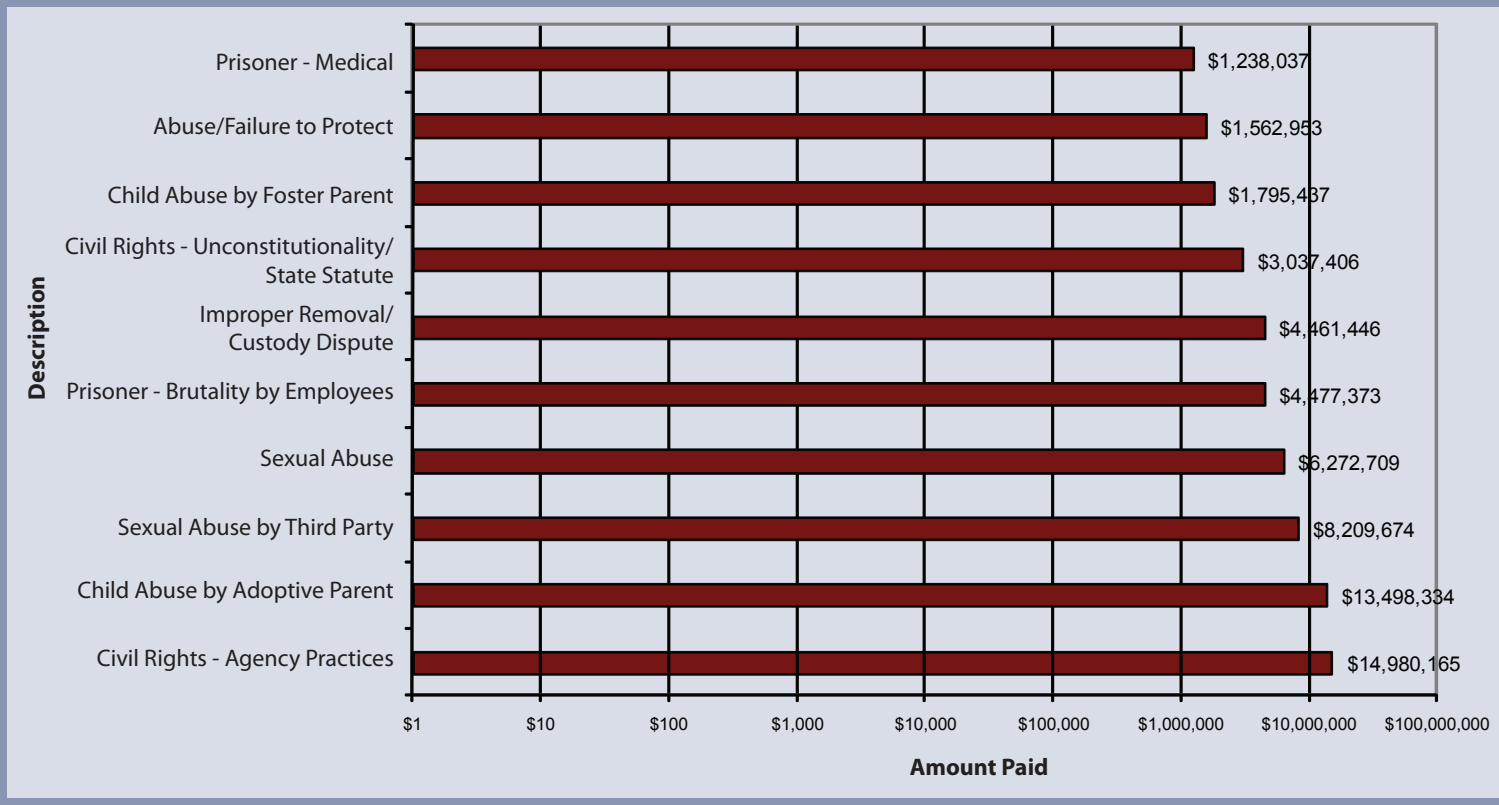
**Frequency of FCR (Non-Employment) Claims Reported for the Period 7/1/05 - 6/30/10**



## FEDERAL CIVIL RIGHTS CLAIMS BY TYPE AND COST

The most costly federal civil rights claims are for complaints that agency practices violated a person's civil rights and are tracked in five-year increments. The second most costly federal civil rights claims are for child abuse caused by an adoptive parent.

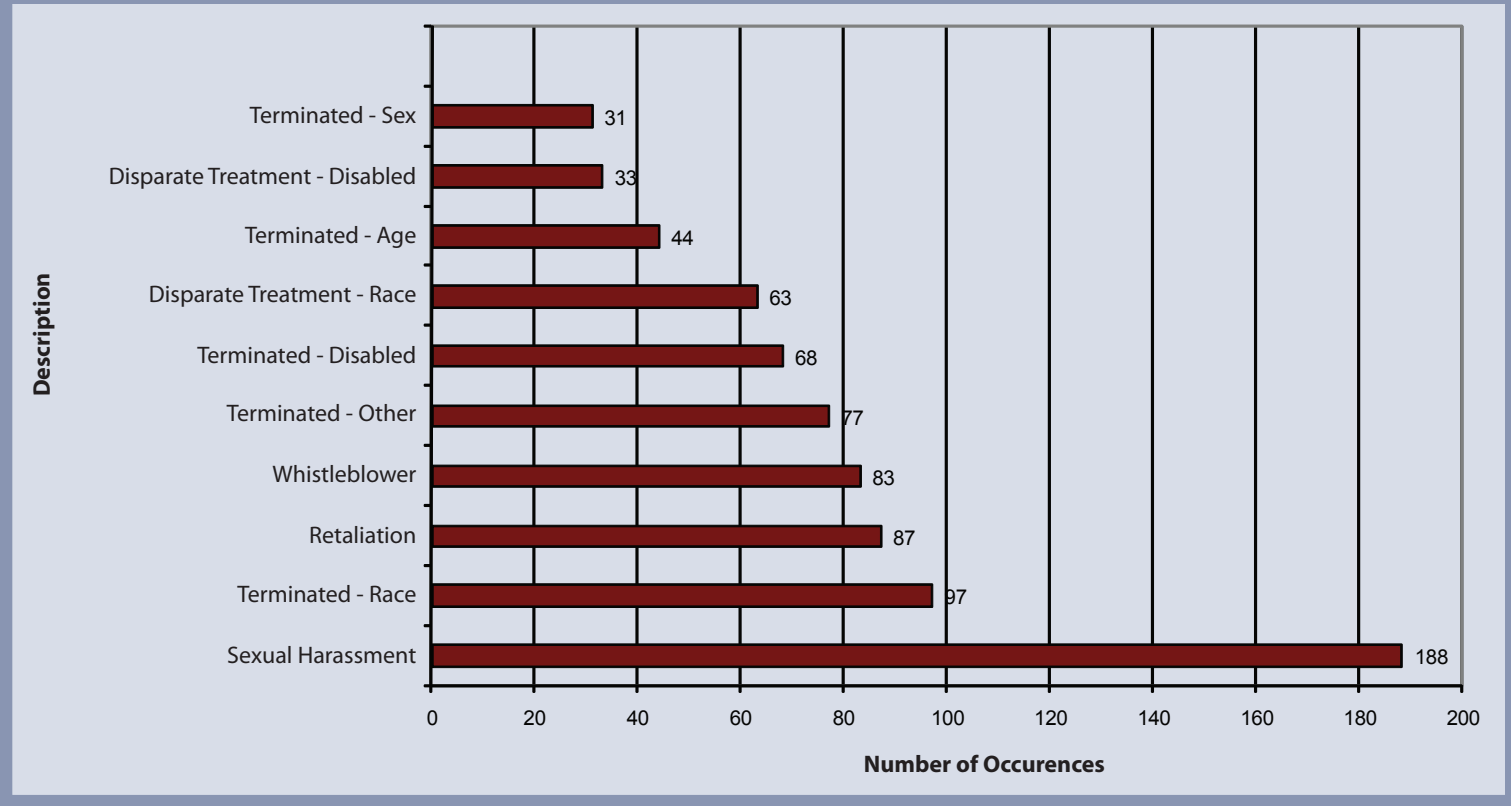
Cost of FCR (Non-Employment) Claims for the Period 7/1/05 - 6/30/10



### EMPLOYMENT DISCRIMINATION CLAIMS BY TYPE AND FREQUENCY

As the largest employer in the state, the state of Florida has broad exposure to employment discrimination claims. The frequency of employment discrimination claims is tracked by the type of claim and in five-year increments. Sexual harassment claims and claims of unlawful employment termination for race or other reasons are the most frequently occurring.

Frequency of Employment Claims Reported for the Period 7/1/05 - 6/30/10

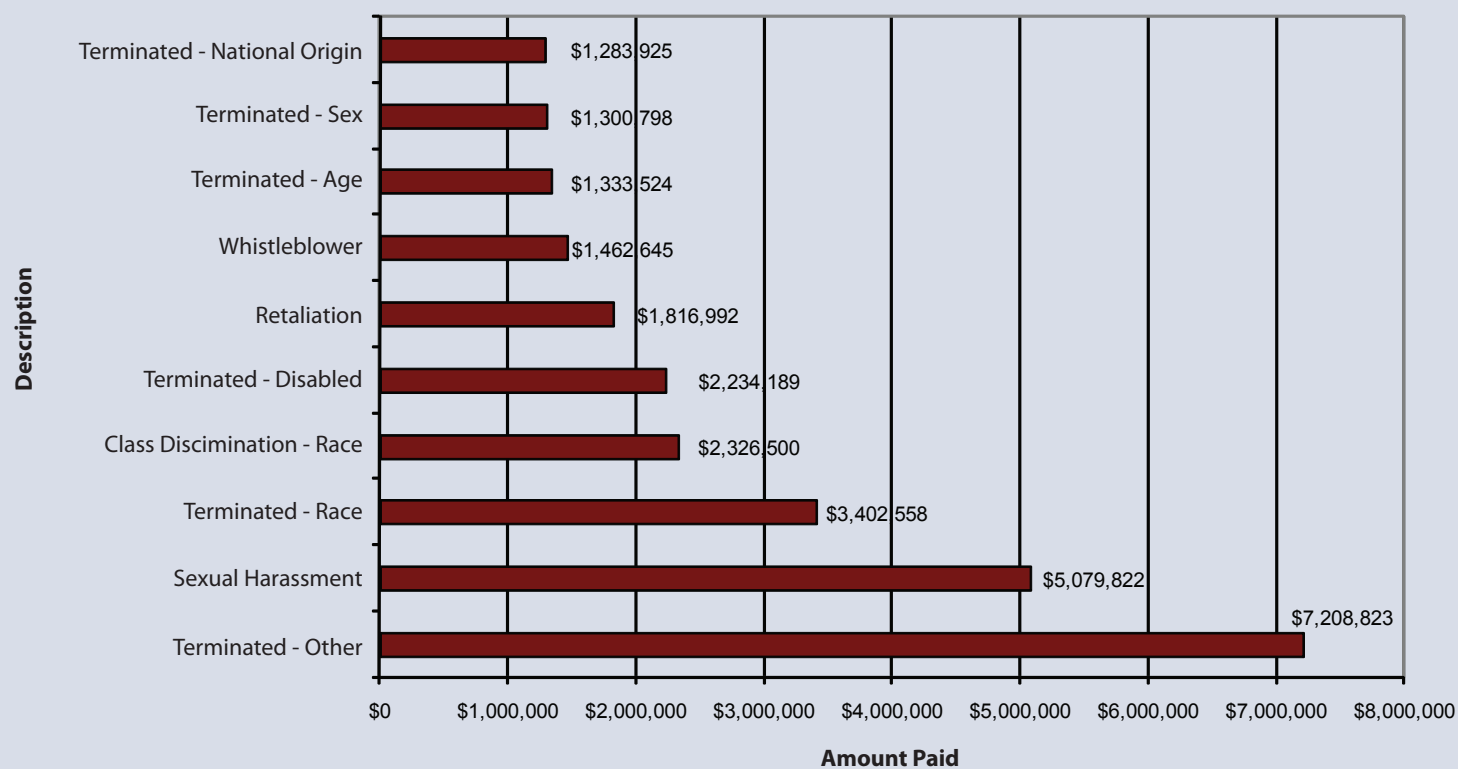




## EMPLOYMENT DISCRIMINATION CLAIMS BY TYPE AND COST

The cost of employment discrimination claims is also tracked by the type of claim and in five-year increments. The most costly employment discrimination claim is for termination for reasons other than those specified in the remainder of this chart. Employment discrimination claims for sexual harassment are the second most costly.

Cost of Employment Claims for the Period 7/1/05 - 6/30/10



# Department of Financial Services

## Division of Risk Management

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