

Procedure 1 - Claims Notification and Processing - Liability and Medical

Tort Claims Act and Excess Liability Claims

Because the submittal of a claim under the Tort Claims Act may entail a suit and litigation, claims of this nature are filed with the North Carolina Industrial Commission and are defended by the State's Attorney General's Office, Tort Claims Section. Although courtesy copies or directed copies of these claims may be forwarded to the University by the claimant, departments and employees who are aware of the potential for such a suit are to notify the University Counsel and the Office of Enterprise Risk Management.

Departments and employees are not to make any statements or representations to any outside interests without the approval and advice of legal counsel. Department and employees will cooperate in providing any necessary statements and evidence to assist the State in litigating a claim. The processing and litigation of these claims will be monitored by the University Counsel and the Office of Enterprise Risk Management, and briefed within the University as required.

Commercial Crime Losses

Any department or employee who has knowledge of the potential for or commitment of an act of public dishonesty and/or computer fraud that may cause loss or damage to money, securities, and negotiable or non-negotiable instruments will report such information to the University's Internal Auditor. The Internal Auditor will investigate or refer the reported activity to the appropriate activity for further research and resolution.

If a dishonest act has been found to have occurred for which there is "Honesty Bond" coverage, the Internal Auditor will notify the Office of Enterprise Risk Management. Based on the information and loss at hand, the Office of Enterprise Risk Management will file a claim against the University's commercial crime coverage. Departments and employees will cooperate in providing any necessary statements and evidence to support the claim. All reports of inappropriate activity and papers supporting the claim will be treated as "Confidential."

Master Crime Losses

Any department or employee experiencing a loss of financial instruments, whether inside or outside of the University, which results from robbery and/or safe burglary will immediately notify the appropriate police jurisdiction and the Office of Enterprise Risk Management. The Office of Enterprise Risk Management will obtain a copy of the police report of the incident and assemble the necessary papers. Based on the information and loss at hand, the Office of Enterprise Risk Management will file a claim against the University's coverage. Departments and employees will cooperate in providing any necessary statements and evidence to support the claim.

Medical Professional Liability Claims

Because of the potential for litigation and liability inherent with medical malpractice claims, it is extremely important that employees who may be sighted in such a suit immediately notify both the University Counsel and the Office of Enterprise Risk Management. Although a formal filing typically is made against the employee and University by the claimants counsel, the affected University employee should not delay in disclosing to the Legal Counsel the full facts of the circumstances which may lead to a claim. Statements or representations should not be made to any outside interests without the approval and advice of legal counsel. The affected employee will cooperate in providing any necessary statements and evidence to assist the University in litigating a claim. The processing and litigation of

the claim will be monitored by the University Counsel and the Office of Enterprise Risk Management, and briefed within the University as required.

Athletic Accident Claims

With the approval of the Office of Enterprise Risk Management, the Department of Athletics has appointed the University Head Trainer to execute all of the day-to-day responsibilities in filing and managing athletic injury claims. To maintain a proper perspective and overview of the athletic exposure and needs, the Department of Athletics and the Office of Enterprise Risk Management meet periodically to review and assess the insurance program. As well, the Head Trainer does semi-annually provide the Office of Enterprise Risk Management a "report of loss" history.

Note: The Office of Enterprise Risk Management will be immediately notified of any athletic accident of catastrophic nature. The University Police Department may provide a copy of any incident report regarding a claimed injury, especially for non-athletes, to assist in the claims review process.

Camps

Any University department offering extracurricular programs under the University's approval for which insurance is purchased are responsible for assembling any claims materials in their respective areas of responsibility for sports camps, Club Sports, intramural sports, and Piney Lake Recreation Center programs. The Office of Enterprise Risk Management will assist in making and monitoring the formal claim filing with the appropriate insurance company. The affected department will cooperate in providing any necessary statements and documents to assist in this process, to include:

- Name and address of injured person
- Date, time and place of accident
- Nature of injury
- Name of supervisor of activity
- Name and address of servicing hospital and attending physician
- Name, address and policy number of the injured person's primary insurance coverage

Non-University Policy Claims

Claims notification and processing under non-university policies are the responsibility of the insured individual or organization, and will not be accomplished by the University. These non-university policies' claims include those resulting from:

- Unaffiliated organizations' use of University facilities,
- Affiliated student activities outside of the authority delegated to a student governance or where the affiliated student activity is not a delegated governance,
- Student medical insurance,
- Outside organizations conducting programs on campus, and Study Abroad and international students programs.