

**University of Texas at San Antonio  
Office of Environmental Health, Safety and Risk Management**

**Risk Management and Insurance Plan**

i. Review and Signature Page

This Risk Management and Insurance Plan has been reviewed for regulatory compliance and best management practices by the undersigned individuals and is hereby adopted for use and compliance by all employees at The University of Texas at San Antonio.

PRINTED NAME	SIGNATURE	TITLE	DATE
J. Brian Moroney		Director, EHSRM	
John DeLaHunt		Risk and Life Safety Manager	

Reviewed: 11/01/2007

Revised: 11/26/2008 (addition of appendix E – Certificates)

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### iii. PROCEDURES

#### A. Reporting a Loss:

1. Contact UTSA Police Department dispatch, 458-4242 (x4242 from a campus phone) and request an incident report
2. Contact UTSA Risk Management, 458-5250 (x5250 from a campus phone)

#### B. CONTACT INFORMATION

For more information about this plan and its implementation, contact:

Primary:

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## I. OVERVIEW

### A. Policy

It is the policy of the University of Texas at San Antonio (UTSA) to comply with Texas Administrative Codes regarding insurance, and to conform to University of Texas System insurance requirements.

### B. Requirements

UTSA requires:

1. Coverage as an additionally insured party on major contracts,
2. A release of all claims as a condition of settlement of property damage and/or personal injury claims made against the university, excluding workers compensation, and
3. Supplemental insurance and/or comprehensive risk management plans for some exposures.

### C. Risk Management

UTSA actively engages in loss prevention, loss control and risk financing activities as means to manage risk. UTSA may apply risk consultation services, safety plan reviews, inspections, investigations, and permit processes to prevent and mitigate losses, in addition to providing insurance coverage.

### D. Insurance Coverage

UTSA carries coverage on the following lines of risk:

1. Property Damage (2 lines)
2. Workers compensation
3. Automobiles (5 lines)
4. Fine arts and insurance related to the Institute of Texan Cultures (3 lines)
5. Equipment, itemized
6. Athletics events and camps (3 lines)
7. Directors and Officers
8. Commercial Crime
9. Ocean Cargo

## II. SCOPE AND APPLICATION

### A. Scope

This plan provides an operational outline of the measures UTSA will implement to create and maintain insurance coverage for campus property and for certain activities of students, staff, faculty, and guests which expose the institution to legal liability.

### B. Application

This Plan applies to all UTSA facilities, whether leased or owned, to all buildings and improvements on any land owned by UTSA regardless of management, and to any activities that occur on UTSA land, in UTSA facilities, or as a result of partial or total sponsorship of any UTSA department, agency or group.

## III. REVIEWS

### A. Review Process

#### 1. Review period

- a. This plan shall be reviewed two years after initial issuance and every three years thereafter.
- b. This plan shall be reviewed, as necessary, as part of any after-action report or events review which occurs following property damage, personal injury, workers compensation or loss of life due to fire and/or life safety factors.
- c. This plan shall be reviewed when requested by the Associate Vice President for Administration, the Vice President for Business Affairs, and/or any member of the President's senior staff.

#### 2. Review participation and leadership

- a. Departments with operational responsibilities shall participate in the review.
- b. UTSA Environmental Health, Safety and Risk Management shall lead the review process
- c. Some campus and system agencies and departments shall have the option of participating in the review, though they do not have operational responsibilities under the plan. These agencies include:
  - 1) UTSA department of Internal Audit and Risk Management
  - 2) UTSA Staff Council
  - 3) UTSA Student Government Association
  - 4) UT System Office of Risk Management

## IV. RESPONSIBILITIES

### A. General Duty

All campus departments, staff, faculty and students have a general duty to create and maintain situations which reduce potential for loss, to respond to losses in ways which reduce their overall severity, and to engage the services of UTSA EHSRM and the UT System Office of Risk Management to finance recovery efforts through insurance.

### B. Oversight

1. The UTSA Environmental Health, Safety and Risk Management department (EHSRM) provides primary oversight of this plan.
2. Other campus and system departments provide operational support to this plan.

### C. Operational responsibilities

1. The Life Safety & Risk Management team in EHSRM provides primary responsibility for:
  - a. Securing and maintaining insurance policies purchased through the University of Texas System Office of Risk Management,
  - b. Coordinating new coverage with UT System ORM,
  - c. Updating all policies to include current assets under coverage,
  - d. Training staff and faculty on risk management and insurance,
  - e. Consulting with faculty and staff concerning insurance coverage,
  - f. Consulting with faculty, staff, students and guests concerning loss prevention and loss control related to their activities,
  - g. Creating, auditing and updating risk management plans with faculty, staff, students and guests, as necessary
  - h. Issuing and managing permits, as necessary, related to special activities involving campus assets, faculty, staff, students, and guests,
  - i. Reviewing major contracts to ensure adequate insurance and bonding,
  - j. Providing letters of indemnity to outside agencies, in lieu of certification of coverage as an additionally insured
  - k. Investigating property damage and personal injury claims to assess UTSA exposure, and
  - l. Reporting as required to UT System ORM
2. The Life Safety & Risk Management team and the Office of Legal Counsel share primary responsibility for:

- a. Settlement of property damage claims against the institution, including releases of all future claims
3. The Life Safety & Risk Management team and Facilities Services share primary responsibility for:
- a. Management and mitigation of campus facility risk issues, whether identified internally or externally
  - b. **Management and tracking of certificates of insurance for campus construction projects (see appendix E).**

## V. APPENDICES

- A. Standard Statement of Liability
- B. Events Management including Joint Sponsorship (in development)
- C. Vehicle Safety and Driver Training (in development)
- D. Field Trip Safety (in development)
- E. Management of Certificates of Insurance

## Appendix A

### Standard Statement of Liability

It is the stated policy of the State of Texas not to acquire commercial general liability insurance for torts committed by employees of the state who are acting within the scope of their employment. Rather, Chapter 101 of the Civil Practice and Remedies Code states 'that a governmental unit in the state is liable for property damage, personal injury and death proximately caused by the wrongful act or omission or negligence of an employee acting within his scope of employment...' Liability of the state government under this chapter is limited to money damages in a maximum amount of \$250,000 for each person and \$500,000 for each single occurrence for bodily injury or death and \$100,000 for each single occurrence for injury to or destruction of property.

## Appendix B

Events Management including Joint Sponsorship (in development)

## Appendix C

### Vehicle Safety and Driver Training (in development)

## Appendix D

Filed Trip Safety (in development)

## Appendix E

### Management of Certificates of Insurance (COI)

1. The UTSA Life Safety & Risk Management team provides:
  - a. Oversight and tracking of COI for institutionally managed construction projects where insurance for construction and design contractors is required by contract documents, including
    - i. Determination of insurance capacity relative to required limits
    - ii. Determination of currency of coverage
    - iii. Requests for evidence of continued coverage for certificates with expired policies (new certificates), as follows:
      1. EHSRM notifies Facilities of lapse in evidence of coverage
      2. Facilities acquires new COI from contractor, if necessary
      3. Facilities transmits new COI to EHSRM
      4. EHSRM adds new COI to oversight and tracking process
  - b. Collection of certificates of insurance for other contracts, as requested, and as those certificates become available.