



BOARD OF COUNTY COMMISSIONERS

DATE: November 27, 2012

AGENDA ITEM NO. 76.

Consent Agenda ☒

Regular Agenda ☐

Public Hearing ☐

County Administrator's Signature

Subject:

Receipt and File - Quarterly Report of Claim Settlements

Department:

County Attorney and Risk Management

Staff Member Responsible:

James L. Bennett and Virginia E. Holscher

Recommended Action:

I RECOMMEND THAT THE BOARD OF COUNTY COMMISSIONERS RECEIVE AND FILE THE QUARTERLY REPORT OF CLAIM SETTLEMENTS FOR THE PERIOD OF APRIL THROUGH JUNE 2012, FOR CLAIMS REQUIRING THE MUTUAL CONSENT OF THE COUNTY ATTORNEY AND RISK MANAGEMENT IN THE SETTLEMENT RANGE OF \$25,001.00 - \$50,000.00.

Summary Explanation/Background:

Attached is a memo dated November 7, 2012, which provides the details of two workers' compensation claim settlements. There were no general liability claim settlements reported for this quarter that required mutual consent.

Fiscal Impact/Cost/Revenue Summary:

Total for claims paid - \$80,000.00

Exhibits/Attachments Attached:

Memo from Virginia E. Holscher, Bureau Director, Risk Management, to James Bennett, County Attorney, dated November 7, 2012.

Department of Risk Management

Virginia Holscher
Bureau Director

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MEMORANDUM

To: James Bennett, County Attorney
Mark Woodard, Assistant County Administrator

From: Virginia E. Holscher, Bureau Director of Risk Management VEH

Subject: County Attorney's Office Quarterly Report for April 1 through June 30, 2012 on claims settled between \$25,001 and \$50,000

Date: November 7, 2012

This is the Quarterly Report that goes to The Board of County Commissioners to be received and filed for informational purposes only.

Claim of Harold Sutton, Claim #0897343

On April 23, 2008, Harold Sutton filed a claim for low back/groin injury while he was working on a back hoe. He was diagnosed with chronic low back pain and L4-5 herniation. On 7-9-2012 he had a lumbar decompression of L4-5 and recovered. Following his recovery he was eventually placed on in-active service based on his work restrictions and lack of positions that the County had at that time which he may have qualified for within his restrictions. He did eventually obtain authorization through the State for a vocational rehabilitation program. Following a term of education he and his attorney engaged in settlement negotiations and the claim eventually settled for \$30,000. Our future exposure for Mr. Sutton was continued medical treatment, possible additional surgeries and there was a potential for permanent total disability.

Claim of Mona Sala, Claim 1102923

On February 25, 2011 Mona Sala filed a claim for a low back injury while working in the mail area sorting court files and moving boxes for the Clerk's Office. She went to the walk-in clinic for an initial evaluation and she was eventually seen by an orthopedic surgeon who diagnosed her with low back pain. It was noted that she had 2 prior lumbar surgeries. Dr. Pigeon eventually placed her at MMI with a 0% rating relating to this aggravation. On December 6, 2011 we were notified that Ms. Sala had accepted inactive

service. Prior to 12/6/2011 Ms. Sala also treated and had surgery on her right knee and missed a brief amount of time from work. She was eventually released to return to work and placed at MMI. Her attorney eventually engaged in settlement discussions with us and based on the potential for continued care for her low back and treatment for her right knee the cases were settled for a total of \$50,000 (43,000 for the back and \$7,000 for the knee).

There are no General Liability claim settlements to report for the quarter that required our mutual consent for the settlement range of \$25,001 - \$50,000.