

# RISK MANAGEMENT PLAN

CLERMONT COUNTY BOARD OF DEVELOPMENTAL DISABILITIES  
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The goal of the Clermont County Board of DD referred to as “the Board” Risk Management Plan is to “Promote Quality Services and Manage Risk Effectively”. The Board is to protect itself against accidental loss or losses which would significantly affect the Board’s clients, personnel, property, budget, or its ability to continue to fulfill its responsibilities.

It is the Board’s policy for every employee to act to reduce risk of accidental loss or injury to the greatest extent feasible, consistent with carrying out the Board’s mission of helping people with disabilities shape their own future, while recognizing that for every individual there is a right to experience life and take risk.

To accomplish the goal of effective management of risks, areas of exposure are identified and tracked through Business Operations Department with the assistance of all divisions of the organization.

Risk management includes actions taken before and after a loss occurs and is directed towards reducing risks and reducing the frequency and severity of losses. When analyzing a loss exposure and its treatment the impact on the Board, as well as the individual department is evaluated.

The Board is exposed to many risks in the course of daily operations. Most fall into one of the following categories:

- General Liability
- Professional Liability
- Employee Liability
- Liability to Persons Served
- Property Loss
- Vehicle Related Loss
- Contractual Liability
- Loss of Reputation

The Board utilizes various methods to manage risk as outlined in the Risk Management Control System Grid. The Board’s management team is responsible for the review and upkeep of the system.

### **Risk Avoidance**

The Board may elect to avoid undesirably high risks by refusing to undertake business ventures that are unsafe and unsuitable for employees and clients.

### **Loss Prevention and Loss Reduction**

Risks inherent in the existence and operation of the Board can be reduced, resulting in a decrease in both frequency and severity of accidental losses. It is the responsibility of each employee to conduct business in such a way as to

reduce or prevent hazards to individuals and property and to evaluate the risk cost potential when developing new programs.

### **Risk Retention**

It is the policy of the Board to retain the financial responsibility for its risk of accidental loss to the maximum extent possible without jeopardizing the financial positions of the Board or the continuation of essential programs.

### **Risk Transfer**

The financial responsibility for risks may be transferred to others through contractual agreement or through the purchase of insurance. The Board will purchase insurance at appropriate levels; however this does not alter the responsibility of the Board's personnel for compliance with required and appropriate safety and security standards.

## **Clermont County Board of DD Risk Management Controls System**

Goal: TO PROMOTE QUALITY SERVICES AND MANAGE RISK EFFECTIVELY. Risk Management Plan incorporates systems of checks and balances that clearly define accountability and monitor critical performance variables. Control systems are designed to minimize risks and prevent and detect illegal or unethical activity and or fraud, waste and abuse. Access to critical information is on a need to know basis.

### **General Liability**

General liability refers to the amount of loss payable to others outside the agency for injury or damage arising from operations. It applies to personal injury, bodily injury and property loss or damage to a third party resulting from the negligence of the program operations or the employees.

The Board manages general liability risk by maintaining general liability insurance. The Board reviews insurance annually with the insurance broker for adequacy of coverage and limits.

In addition, the Board has established a safety committee for each building owned and occupied by the Board to discuss safety issues and limit risk. The Safety Committee consists of labor and management and is responsible for:

- Establishing procedures for handling suggestions and recommendations of the committee.
- Conducting regular systematic workplace inspections to discover and report unsafe conditions and practices.
- Review circumstances and causes of accidents and recommend corrective measures.
- Conduct monthly meetings to discuss accident and illness prevention methods, safety and health promotion, hazards noted on inspections, injury and illness records, and any other safety issues.
- Recommend changes to improve protective clothing, equipment, administrative controls, or engineering controls.
- Develop and revise rules, policies or procedures to comply with all current safety and health standards.
- Monitor and evaluate all safety related drills.
- Promote and champion all safety training to employees.

The safety committee's overall goal is to make the Clermont County Board of DD a safer work environment.

<b>Exposure</b>	<b>Control Mechanism</b>	<b>Responsibility</b>	<b>Review Date</b>	<b>Status Report</b>
Employees, and clients with disabilities and behavior problems, out in the community <ul style="list-style-type: none"> <li>• Behavior can escalate, causing harm</li> <li>• General Administrative litigation risks</li> <li>• Medical Needs</li> </ul>	<ul style="list-style-type: none"> <li>• Close supervision of clients by the employees.</li> <li>• Departments conduct orientation training</li> <li>• Liability Insurance</li> <li>• Crisis Training Staff Trained in CPR</li> </ul>	<ul style="list-style-type: none"> <li>• Program Services Director</li> <li>• Director of Business Operations</li> <li>• All Staff</li> </ul>	<ul style="list-style-type: none"> <li>• Weekly Staff meetings, Monthly Safety Committee meetings</li> <li>• Annually at renewal</li> <li>• Annual Training</li> </ul>	<ul style="list-style-type: none"> <li>• Staff Meeting Minutes/Safety Committee Minutes</li> <li>• Insurance Policy</li> <li>• Training Documentation</li> </ul>

**Professional Liability (Including Directors and Board Member Coverage)**

Liability is most prevalent in areas of hiring, treatment and termination of employees. In terms of Directors and Board Member liability, consumers and guardians rightfully expect a high level of character, professionalism and ethical conduct. Directors and Board Members must exercise reasonable care in diligence in carrying out their tasks. Negligence in fiscal management is the most common target of Directors and Board Members liability. Failure to comply with the Americans with Disabilities Act (ADA) opens yet another arena for possible liability exposure.

The Board manages professional liability risk by maintaining professional liability insurance. The Board reviews insurance annually with the insurance broker for adequacy.

Exposure	Control Mechanism	Responsibility	Review Date	Status Report
The Board has financial assets. All cash and investments are maintained by the Clermont County Treasurer. There were no exceptions noted in audit reports.	<ul style="list-style-type: none"> <li>• Segregation of duties are strictly implemented.</li> <li>• The Directors and Director of Business Operations sign all Purchase Orders.</li> <li>• The Board approves expenditures at Board meeting</li> <li>• The County Auditor signs all checks</li> </ul>	<ul style="list-style-type: none"> <li>• Board</li> <li>• Director of Business Operations</li> <li>• Directors</li> <li>• Account Clerk</li> <li>• Clermont County Auditor</li> </ul>	<ul style="list-style-type: none"> <li>• Ongoing purchase orders approved daily</li> <li>• Monthly Director of Business Operations balances each month</li> <li>• All financial reports approved by Board monthly</li> <li>• Audited Annually</li> </ul>	<ul style="list-style-type: none"> <li>• Board minutes balanced monthly</li> <li>• Unqualified opinion on annual audit.</li> </ul>
Hiring, treatment and termination of employees	<ul style="list-style-type: none"> <li>• Positions are approved by Board</li> <li>• Superintendent authorizes hiring and termination</li> <li>• HR Department ensures proper hiring and termination procedures</li> <li>• Consult labor attorney as needed</li> <li>• Board follows Sanctuary model</li> </ul>	<ul style="list-style-type: none"> <li>• Board</li> <li>• Superintendent</li> <li>• HR Department</li> <li>• Payroll Account Clerk</li> <li>• Employees</li> </ul>	<ul style="list-style-type: none"> <li>• Each payroll period</li> <li>• Monthly Board Meeting</li> <li>• Sanctuary meetings on going</li> </ul>	<ul style="list-style-type: none"> <li>• Board meeting minutes</li> <li>• Sanctuary minutes</li> </ul>

### Liability to Employees

The Board’s liability to its employees includes compensation for job related accidents or occupational illnesses. Three types of loss exposure are workers compensation claims, employer liability claims, and non-compliance with applicable occupational safety and health regulations.

The Board manages employee liability risk by maintaining workers compensation insurance and safety committee meetings. The Board reviews insurance annually with the insurance broker for adequacy.

<b>Exposure</b>	<b>Control Mechanism</b>	<b>Responsibility</b>	<b>Review Date</b>	<b>Status Report</b>
Employees who work for the Board are exposed to various occupational accidents- <ul style="list-style-type: none"> <li>• Employees being injured by a client.</li> <li>• Straining back while lifting</li> </ul>	<ul style="list-style-type: none"> <li>• Reviews on injury\accident log to determine trends and methods</li> <li>• On-going employee safety training</li> </ul>	<ul style="list-style-type: none"> <li>• Superintendent</li> <li>• Program Coordinators</li> <li>• Safety Committee</li> <li>• Employees</li> </ul>	<ul style="list-style-type: none"> <li>• Weekly staff meetings</li> <li>• Monthly Safety Committee Meetings</li> </ul>	<ul style="list-style-type: none"> <li>• Staff meeting minutes</li> <li>• Injury/Accident Log</li> <li>• Safety Committee minutes</li> </ul>
Exposure to hazardous and infectious diseases	<ul style="list-style-type: none"> <li>• The Board emphasizes and trains workers on universal precautions</li> </ul>	<ul style="list-style-type: none"> <li>• Business Operations</li> </ul>	<ul style="list-style-type: none"> <li>• Annually</li> </ul>	<ul style="list-style-type: none"> <li>• Ohio Public School Works</li> </ul>

**Liability to Persons Served**

The Board is responsible for the mental, physical and fiscal health of its clients.

<b>Exposure</b>	<b>Control Mechanism</b>	<b>Responsibility</b>	<b>Review Date</b>	<b>Status Report</b>
Administrative litigation on abuse and neglect. Due to the variety of cognitive and physical disabilities individuals served, staff members have encountered liability risk while performing their duties.	<ul style="list-style-type: none"> <li>• All incidents are reported in accordance with ORC MUI reporting</li> <li>• Proper staff to client ratios are maintained</li> <li>• Staff receive crisis intervention training SURE</li> <li>• High Risk Committee</li> </ul>	<ul style="list-style-type: none"> <li>• ODODD</li> <li>• Director of Program Service</li> <li>• Investigations Manager</li> <li>• Program Coordinators</li> <li>• Direct Care Staff</li> <li>• SSA's</li> </ul>	<ul style="list-style-type: none"> <li>• Daily review of incident reports</li> <li>• Trends and Patterns reviewed monthly</li> </ul>	<ul style="list-style-type: none"> <li>• MUI tracking reports</li> </ul>

**Property Loss**

Physical property at risk includes real and personal property of the Board, employees and clients. The loss may be a result of accident or theft. Property may be destroyed, damaged or lost, causing an interruption in normal operations. The Board manages property loss by maintaining property insurance with the Clermont County Commissioners and safety committee meetings.

<b>Exposure</b>	<b>Control Mechanism</b>	<b>Responsibility</b>	<b>Review Date</b>	<b>Status Report</b>
The Board has smoke detectors in all buildings and sprinkler systems in various rooms.	<ul style="list-style-type: none"> <li>• The Board conducts fire safety inspections.</li> <li>• The Board conducts fire safety drills</li> </ul>	<ul style="list-style-type: none"> <li>• Facilities and Safety Coordinator</li> <li>• Superintendent</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly Safety Committee meetings.</li> <li>• Ongoing as needed</li> </ul>	<ul style="list-style-type: none"> <li>• Fire Drills</li> <li>• Safety Committee minutes</li> </ul>

**Vehicle Related Loss**

Risks include property damage to the vehicle itself, in addition to liability claims for personal injury and property damage as a result of vehicle accidents. The Board transports clients to enclaves and community outings. Vehicle insurance is held on vehicles and driver training is required for all drivers as well as background checks.

<b>Exposure</b>	<b>Control Mechanism</b>	<b>Responsibility</b>	<b>Review Date</b>	<b>Status Report</b>
Vehicles are maintained on a schedule	<ul style="list-style-type: none"> <li>• All vehicles are equipped with a fire extinguisher, first aid kit, flashlight and seat belt cutter.</li> <li>• Implement vehicle maintenance system with scheduled maintenance and pre and post trip vehicle inspection checklist.</li> </ul>	<ul style="list-style-type: none"> <li>• Safety Committee</li> <li>• Program Coordinators</li> <li>• Drivers</li> <li>• Business Operations Administrative Assistant</li> </ul>	<ul style="list-style-type: none"> <li>• Monthly by Safety Committee</li> <li>• On going</li> </ul>	<ul style="list-style-type: none"> <li>• Vehicle checklists</li> <li>• Safety Committee Minutes</li> </ul>

**Contractual Liability**

When risk is contractually transferred from one party to another, loss exposures can be increased or decreased. Contractual liabilities can arise out of leases, rental agreements, special service agreements, joint use agreements, cooperative adventures, and contractual labor.

Contractually liability is managed through indemnification clause within contracts. Additionally, contracts are reviewed by and approved as to form by the Clermont County Prosecutors Office.



<b>Exposure</b>	<b>Control Mechanism</b>	<b>Responsibility</b>	<b>Review Date</b>	<b>Status Report</b>
Risk transfer through contractual relationships	<ul style="list-style-type: none"> <li>• Indemnification clauses</li> <li>• Legal review</li> </ul>	<ul style="list-style-type: none"> <li>• Business Operations</li> </ul>	<ul style="list-style-type: none"> <li>• On going</li> </ul>	<ul style="list-style-type: none"> <li>• Prosecutor approval</li> </ul>

**Business Loss / Interruption**

Loss or reductions of funding and major losses of facilities all create risk. Risk is managed through various committees to include long range planning committee and the finance committee.

<b>Exposure</b>	<b>Control Mechanism</b>	<b>Responsibility</b>	<b>Review Date</b>	<b>Status Report</b>
Changes in funding would impact the Board services long-term and business stability.	<ul style="list-style-type: none"> <li>• Strategic Planning Committee</li> <li>• Finance Committee</li> </ul>	<ul style="list-style-type: none"> <li>• Board</li> <li>• Superintendent</li> <li>• Director of Business Operations</li> </ul>	<ul style="list-style-type: none"> <li>• On going</li> </ul>	<ul style="list-style-type: none"> <li>• Board meeting finance reports.</li> </ul>

**Loss of Reputation**

Loss of reputation could result from negative publicity arising from negligent or unethical behavior of staff and/or organization. Loss of reputation is managed through the long range planning committee, the Public Relations Department and Directors.

<b>Exposure</b>	<b>Control Mechanism</b>	<b>Responsibility</b>	<b>Review Date</b>	<b>Status Report</b>
Loss of CARF accreditation. State accreditation Abuse or neglect by staff. Negative press.	<ul style="list-style-type: none"> <li>• CARF Accreditation</li> <li>• State Accreditation</li> <li>• Staff training</li> <li>• PR relations with media</li> </ul>	<ul style="list-style-type: none"> <li>• Superintendent</li> <li>• All staff</li> <li>• Program Coordinators</li> <li>• Public Relations Department</li> </ul>	<ul style="list-style-type: none"> <li>• Annually</li> <li>• On going</li> </ul>	<ul style="list-style-type: none"> <li>• CARF Certification</li> <li>• State Accreditation</li> <li>• Surveys</li> </ul>

The Clermont County Board of Developmental Disabilities administrative team met on June 14, 2018 to review and discuss the Risk Management Plan. All areas of the plan were reviewed and updated as needed. In addition, during 2018 the Safety Committee met on a monthly basis to analyze all aspects of safety and how to mitigate various risk.