

State of Idaho Insurance Coverage

This document is intended as an overview of the State Risk Management Program. Complete details of the State of Idaho insurance programs, claims, forms and FAQs can be found on the Risk Management website: <https://risk.adm.idaho.gov/>

All references in this document to water districts, agencies, or employees includes or applies to state water districts created by the Idaho Department of Water Resources (IDWR) pursuant to Title 42, Chapter 6, Idaho Code, and water district employees.

Overview of Basics

State Insurance Coverage Available to Water Districts

- General Liability and Auto Liability (auto liability is limited to the use of water district-owned vehicles, not the use of privately owned vehicles)
- Major Property Buildings & Contents
- Major Property Equipment
- Auto Physical Damage
- Employee Bond/Crime
- Inland Marine (portable business property owned by the water district)

Cost to Water Districts for State Insurance Coverage

There are no costs to water districts for state insurance coverage. However, deductibles for any claim are the responsibility of the Water Districts at the cost(s) identified below. IDWR will pay annual premiums for the coverage categories listed above.

Coverage Dates

Coverage will be effective within 30 days after water districts submit insurance information to IDWR. Water Districts will be notified when coverage is effective. *Do not cancel any private insurance policies until IDWR confirms State of Idaho coverage.*

Enrolling in the State Risk Management Insurance Program

To enroll in the State of Idaho Risk Management Insurance Program, complete each form for the coverage requested and return forms to Idaho Department of Water Resources:

Janet Garrett, IDWR Insurance Coordinator
janet.garrett@idwr.idaho.gov

Phone: 208-287-4821

Fax: 208-287-6700

or

Idaho Department of Water Resources

Attn: Janet Garrett

PO Box 83270

Boise, ID 83720-0098

Summary of Insurance

General Liability & Auto Liability

Deductible: No deductible for this coverage

Limits of Coverage: General/Auto Liability - \$500,000

Water District Employee Coverage for General and Auto Liability is automatically provided by Risk Management. No forms or reporting requirements are needed for this coverage.

The Idaho Statewide Liability Coverage is a retained risk program that provides protection to covered water districts and their employees for financial loss as a result of a covered claim alleging a wrongful act or for errors or omissions (subject to exclusions). It also provides coverage for Employment Practices Liability for claims brought by employees or potential employees alleging a Wrongful Employment Practice, harassment or discrimination.

Before operating a water district-owned (or leased) vehicle, all water district employees must call the IDWR Insurance Coordinator and provide the employee's contact and driver's license information and other information required in the attached Auto Physical Damage form.

What Is Covered?

- Money damages arising from negligent or wrongful acts, with certain limitations
- Automobile Liability
- The costs of defending or investigating a suit or claim against you, including court costs, witness fees, attorney's fees, and other related costs
- Judgments or settlements resulting from covered suits/claims including interest required on a judgment
- The premium on a court-mandated bond connected with a liability suit
- Medical malpractice

Additional Services Provided:

- Certificates of Insurance
- Contract language review
- Proactive tort claim management with expert adjudicators
- Automobile liability identification cards (vehicle package for glovebox)

Major Property Buildings & Equipment

Deductible: \$2000 per occurrence. *Water District is responsible for all deductibles.*

Fine Art Deductible: \$500 per occurrence. *Water District is responsible for all deductibles.*

Limits of Coverage: \$500 Million

Idaho's Statewide Property Insurance Program is designed to provide water districts the ability to transfer the financial burden that results from property damage. The Property Insurance Program allows each water district to customize its coverage to insure:

- Water District-owned buildings
- Leased buildings as required by contract
- Contents

- Business property
- Mobile equipment - motorized equipment not licensed for road use
- Supplies
- Fine Art
- Equipment with a value greater than \$2,000 (Use Major Property Equipment form for equipment valued greater than \$2,000 and not included on Major Property Buildings and Contents form).
- Business interruption

Coverage for personal property of employees with a value of \$2,000 or more can be provided under the following conditions:

- Items that are required or requested by the employee's supervisor and are needed to perform the employee's duties.
- All items must be included on the State of Idaho Major Property Buildings and Contents form or Major Property Equipment form.

What Is Covered?

Coverage is provided at replacement cost on an “all-risk” basis which covers a number of potential claims (subject to certain exclusions and limitations), including:

- Damage from severe weather: wind, hail, lightning, earthquake, flooding, and wildfire
- Damage from vandalism and arson
- Building fire, smoke, and water damage
- Theft of water district property

Additional Services Provided:

- Certificates of Insurance
- Contract and lease review for insurance requirements
- Appraisals for high value buildings

Auto Physical Damage

Deductible: \$500 per occurrence. *Water District is responsible for all deductibles.*

Limits of Coverage: Actual Cash Value

The Statewide Automobile Insurance Program is designed to provide automobile physical damage coverage to water districts for **water district-owned or leased vehicles**. This coverage is available to water districts that own or lease a vehicle. The coverage does not apply to vehicles owned by water district employees that are used for official water district business. Coverage will pay for loss or damage to covered vehicles owned or leased by water districts due to collision, including comprehensive losses such as fire, wind, hail, theft, riot, and vandalism.

What Is Covered?

Physical damage coverage applies only to water district-owned or leased motorized equipment licensed for road use. This may include but is not limited to: passenger vehicles, ATVs, motorcycles, trucks, buses, and trailers. The coverage pays for repair of the water district-owned or leased motorized equipment licensed for road use or actual cash value if the vehicle is totaled.

Additional Services Provided:

- Certificates of Insurance
- We pursue subrogation claims against negligent parties and reimburse the water district deductible when recovery is successful

Coverage is not provided for:

- Wear and tear
- Mechanical failure unless the failure is a result of a covered peril
- Freezing
- Intentional damage

Employee Bond/Crime

Deductible: \$2000 per occurrence. *Water District is responsible for all deductibles.*

Credit Card Deductible: \$500. *Water District is responsible for all deductibles.*

Limits of Coverage: \$10 Million

The Crime Insurance Policy is designed to protect against direct loss to the water district arising from employee theft of money, securities or other property of either the water district or their clients. Like other businesses, a water district's money and valuable property can provide attractive targets for theft – often by employees. Even the best internal controls frequently fall short of stopping a trusted employee from engaging in fraudulent activity, especially as employees are often uniquely placed in situations where they are able to circumvent such controls.

What Is Covered?

- Public employee theft
- Faithful performance of duties
- Forgery or alteration
- Theft of money and securities inside the premises
- Robbery or safe burglary inside the premises
- Funds transfer fraud
- Money orders and counterfeit paper currency
- Credit card forgery
- Claims expense

Common Exclusions:

- Known acts of employees before the policy period
- Third-party employee dishonesty
- Accounting or arithmetic errors
- Unauthorized disclosure of confidential information

Inland Marine

Deductible: \$50 per occurrence. *Water District is responsible for all deductibles.*

Limits of Coverage: Replacement Value

Optional Inland Marine Coverage (IM coverage) is designed for water district-owned portable business property with a replacement cost value of \$2,000 or less. Most water districts use this coverage to

insure property that is subject to theft or breakage, or property that is frequently transported. Only those items regularly taken out of the office or off the premises typically valued at \$2,000 or less should be declared for IM coverage. The coverage is similar to the coverage provided by the Major Property Policy but is limited to items valued at \$2,000 or less.

Coverage for personal property of employees with a value of \$2,000 or less can be provided under the following conditions:

- Items that are required or requested by the employee's supervisor and are needed to perform the employee's duties.
- All items must be scheduled on the Inland Marine Coverage form.

What Is Covered?

Coverage is provided at replacement cost on an "all-risk" basis which covers a number of potential claims (subject to certain exclusions and limitations), including:

- Damage from vandalism and arson
- Fire, smoke, and water damage
- Theft of water district property

Common Exclusions:

- Real property or buildings
- Automobiles
- Consumable property

Summary of Claim Procedures

This document is intended as an overview of the claim procedures. Complete Details of the State of Idaho insurance claims and claim forms can be found on the Risk Management website at: <https://risk.adm.idaho.gov/index.html>.

Filing a Claim

If you need to file a claim, **do not send claims directly to Risk Management**. All claim forms must be submitted to Idaho Department of Water Resources:

Janet Garrett, IDWR Insurance Coordinator	or	Idaho Department of Water Resources
janet.garrett@idwr.idaho.gov		Attn: Janet Garrett
Phone: 208-287-4821		PO Box 83270
Fax: 208-287-6700		Boise, ID 83720-0098

Types of Claims

Property

All property claims over \$2,000 must be filed by completing the Property Loss Report form as soon as the water district becomes aware of the loss.

When a property loss occurs, a water district should

- Secure emergency response (fire department, police, emergency clean up).
- Secure the property to prevent further damage from exposure to the elements.
- Report losses involving theft, vandalism, or similar crimes to local law enforcement authorities as soon as discovered. Risk Management requires a copy of the police report.
- Make a list of involved property and details of the occurrence causing the loss.
- Secure witness information and contact numbers.
- Secure information regarding other involved parties including contact names and telephone numbers.
- If possible, take photographs of the area and damaged property.
- Provide all supporting information including incurred expenses, quotes, estimates, or vouchers showing the replacement cost of the item(s) to the IDWR Insurance Coordinator. This information must be submitted before a loss will be paid.

Inland Marine

Inland Marine claims must be filed within 90 days of the loss. To file an Inland Marine claim, complete the Property Loss Reporting Form and return to the IDWR Insurance Coordinator. Before submitting the Property Loss Reporting form to IDWR, ensure the following information is included:

- Check the box noting coverage under the Inland Marine Program
- The Inland Marine Certificate number (if known)
- Serial number

- Property tag number of involved property

Automobile Accident

The following documents are required to be carried in the glovebox of all water district-owned vehicles:

- Auto Accident Report Guide
- Certificate of Financial Responsibility
- Citizen Claim Procedure Form

If an accident occurs, follow the steps below:

- Request any necessary emergency services.
- Notify the police and exchange vehicle and driver information.
- Take photographs of the accident and the surrounding area, if safe to do so.
- Do not accept responsibility for the accident.
- Provide the other party with the Citizen's Claim Procedure Form (if they feel the state driver is at fault), which gives them instructions on how to file a claim with the State.
- Promptly complete the Accident Report Guide and turn it into the supervisor and the IDWR Insurance Coordinator.

If the vehicle is not safe to drive, have it towed to the nearest state facility or lot. If that is not possible, notify the IDWR Insurance Coordinator immediately, so storage charges can be kept to a minimum.

*If the vehicle **is** covered by the state's Auto Physical Damage Program, obtain two estimates of repair costs and forward them to the IDWR Insurance Coordinator. The water district should not pursue the claim directly with the other party's insurer.*

*If the vehicle **is not** covered by the state's Auto Physical Damage Program, the water district may submit a claim to the other driver's insurance carrier if it believes the other driver is at fault.*

Employee Dishonesty

If you find a loss apparently caused by employee dishonesty, follow the steps below:

- Contact IDWR's Deputy Attorney as soon as loss is discovered. Until you talk with IDWR's attorney, do not let anyone interview or demand an explanation of the employee, and do not start any personnel actions. Note any advice your legal counsel provides on conducting an in-house investigation and inform the IDWR Insurance Coordinator.
- Promptly report the loss to the IDWR Insurance Coordinator immediately after discovery. Discuss the steps you feel are needed to prove the extent of loss and to prevent further loss. Reporting delayed for more than 30 days can cause a forfeit of the state's bond coverage. It can also lead to further losses and may expose you to personal liability as well.
- Protect any known documentary evidence.
- Write a summary of your investigation including the employee's statement and employee contact information, witness statements and witness contact information, and documentation generated during the course of investigating allegations.

Citizen Claim Procedure

Idaho Code, Title 6, Chapter 9, known as the Idaho Tort Claims Act, makes provisions for tort claims against the State or employees of the State.

A Notice of Claim must be filed within 180 days from the date the claim arose or reasonably should have been discovered (Idaho Code, Section 6-905). Idaho Code Section 6-906A provides for time to present a claim from or on behalf of a minor child.

The tort claim is required to have the following accurate information:

- Name and residence of the person making the claim
- Date, time, and location of the occurrence
- Description of circumstances, actions, and conduct giving rise to the occurrence
- Description of any damage or injury resulting from the occurrence
- Documentation of damages claimed

A tort claim must be submitted by letter or form to the Secretary of State at:

Secretary of State
State of Idaho
P.O. Box 83720
Boise, ID 83720-0080
Fax: 208-334-2282
Email: claims@sos.idaho.gov

The citizen and/or legal representative are responsible for the proper and timely filing of claims with the Secretary of State in accordance with the Idaho Tort Claims Act. The water district should provide any citizen or third party inquiring or seeking to file a claim for damages against the State of Idaho, the water district, or its employees with a copy of Citizen's Claim Filing Procedure Form.

Use of Personal Vehicles

Privately-Owned Vehicles

IDWR does not pay insurance premiums or deductibles for privately owned vehicles. Privately owned vehicles must be adequately covered by public liability and property damage insurance, pursuant to Idaho Code. IDWR requires privately owned vehicles used to perform work for water districts to have liability coverage of at least \$500,000 per occurrence and \$500,000 aggregate per year for both bodily injury and property damage. Employees are also required to advise their private automobile insurance carrier prior to using a personal vehicle for state business, particularly when using the personal vehicle on a regular basis to perform state job duties. Mileage reimbursement or other water district budget line items (if necessary) are intended to cover all operating costs of the vehicle, including insurance, while on state business.

Coverage is not provided if an accident occurs during working hours when you are in a private vehicle. Employees using private vehicles to conduct official state business are not covered under the State's insurance.