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Non-Owned Auto Insurance: Important Protection For Your Agency

Home care agencies often have employees using their own vehicles or client vehicles on company business. Is your agency adequately protected if there is a serious accident involving your worker?

Business auto policies normally only protect against losses that involve company-owned vehicles, which is why it is important to secure a non-owned auto insurance policy. Employers non-owned auto liability insurance protects your agency from risks associated with employees who are driving their vehicles or a client's vehicle on agency business.

In the event of an accident, an employee's auto insurance policy will respond first, and that policy could also respond on behalf your agency, provided there is no exclusion for business use.

However, in the event of a serious accident with considerable bodily injury to the occupants of the other vehicle, the limit of coverage on the employee's policy might not be sufficient to cover both the employee's and the agency's liability.

That is why maintaining Employers Non-Owned Auto Liability Coverage makes good sense for home care providers. Coverage can be purchased either as a stand-alone policy or as an endorsement to your Commercial Package policy that provides General Liability and Business Property protection for your agency.

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Through either option, the cost of this coverage is relatively inexpensive, and ultimately depends upon the number of agency employees that regularly use their vehicles or client vehicles on agency business.



In addition to securing non-owned auto coverage, it is important to put risk management tools in place to ensure your agency is adequately protected. This includes periodically checking employees' personal automobile limits of protection. If relatively low limits of coverage are maintained by the majority of employees, then purchasing a non-owned automobile liability policy becomes more of a priority.

Whether your agency has one or dozens of employees using their personal autos for agency business, it only takes one serious accident to create a significant loss for your agency.

For more information about InPro Non-Owned Auto Insurance coverage, contact InPro at 518.640.1399. ♦♦

Auto Safety Tips

Fall Driving Presents Unique Hazards for Drivers

While many agencies focus on winter driving safety, driving in the Fall presents its own colorful set of problems. Decreasing daylight and wet leaves create challenges for the unsuspecting driver. Patches of fallen leaves can be just as treacherous as patches of ice. Fallen leaves retain large amounts of water and can create a slippery surface. Drive slowly through them and avoid hard or panic braking.



Fall also brings the first frost. Be aware of slippery conditions that occur with frost and/or thin patches of ice that form on the roads, particularly in the early morning hours. At freezing or near freezing temperatures, the moisture on bridges and overpasses will become icy much more quickly than roadways. The roadways hold heat and the bridges do not, and drivers can go from a wet roadway to ice in just a fraction of a second.

Rain, fog, sleet and wet snow require full driver attention. When following other drivers, remember the "two-second rule" regarding spacing between cars. In severe weather, increase your following distance. If you are being tailgated, let the other driver pass.



During the Fall the sun rises later and sets earlier. In the early morning and late afternoon you may be driving directly into the sun. Be sure your windows are clean, inside and out, and have sunglasses handy. When you lower your visor, push it all the way forward, then pull it back to the proper position. If you are driving away from a low sun, glare will not be a problem, but it can be for drivers approaching from the other direction. It may help to use your low beam headlights, allowing you to be seen more readily.

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Establish a Seat Belt Policy

Include a seat belt use policy in your employee handbook for use by all employees who travel for business purposes. The simple act of buckling up reduces the chance of serious injury by up to 50%. This translates to fewer and less severe workplace injuries.



Your policies and procedures should include recognition that seat belt use is an important factor in keeping your most important asset, your staff, healthy. It should state that seat belts are mandatory while on the job, and strongly encouraged during off hours. The policy should apply to all employees and passengers, and should include personal, agency owned and rental vehicles.

If your agency owns vehicles, a seat belt maintenance policy should be included with other maintenance procedures for these vehicles. Enforcement of this policy with all employees should include the same wording as that of any other policy in your handbook, including use of discipline for repeated failure to comply. Seat belt use is such a common, healthy practice, not to mention that it is required by law in New York State, that the need to enforce this policy should be rare.

The Dangers of Distracted Driving

Many lives could be saved if drivers stop using cell phones and other electronic devices when they are behind the wheel. However, there's more to driver distraction than just electronics.

Distraction is not simply a technology problem. The National Highway Traffic Safety Administration (NHTSA) research reports that driver distraction consists of:

- Visual distraction - something requiring the driver to look away from the road to visually obtain information.
- Manual distraction - something that requires the driver to take a hand off the steering wheel and manipulate a device.
- Cognitive distraction - a task that involves thinking about something other than driving.



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While most people are aware of the dangers of texting, which involves all three types of distraction, many dangerous driver behaviors don't involve technology at all.

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Professional Liability Insurance

Insurance that covers liability lawsuits arising from providing home and community-based or related services.

Directors and Officers Liability Insurance

Financial protection for directors and officers of your organization if they are sued in conjunction with the performance of duties related to the business.

General Liability Insurance

Insurance covering negligent acts and/or omissions that result in bodily injury and/or property damage outside of the provision of professional services.

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Insurance that protects employers from employment-related claims, including sexual harassment, hiring discrimination, wrongful termination and a range of broader employment-related acts.

Property Insurance

Property insurance covers loss or damage through fire, theft, floods, storms and other specified risks.

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Auto Safety Tips (continued)

Virginia Tech Transportation Institute's "100 Car" study reported several activities that increased the risk of a crash more than using a handheld device, according to the NHTSA:

- Reaching for a moving object in the car is the most risky behavior, increasing crash risk by more than eight times than "just driving."
- Dealing with an insect in the car increased crash risk by more than six times.
- Reading increased the crash risk by more than three times, as did applying makeup.
- Dialing a handheld device increased risk 2.8 times.

The NHTSA's data shows that 5,870 people died and approximately 500,000 people were injured in crashes that were reported to have involved distraction in 2008. One national accident database shows that of nearly 7,000 crashes between 2005 and 2007, internal distractions were a critical reason in about 11 percent of crashes studied. About 0.2 percent of drivers were dialing or hanging up phones, about 0.9 percent were adjusting radios/CDs or other controls and about 12 percent were conversing with passengers or were on cell phones.

So while public awareness campaigns continue to emphasize the impact of cell phones, texting and other technologies, drivers must take responsibility for all that happens inside their vehicles and minimize all distractions while they are on the road. ♦♦

A Practical Guide to Help Prevent Back Injuries in Home Care Workers!

The Back Injury Prevention Guide for Home Care Providers is the only safety guide written specifically to help home care agencies prevent one of the most common injuries in the industry.

The Back Injury Prevention Guide is an essential resource for home care providers. Its user-friendly content is divided into three sections for easy access and reference: 1) Recommendations for Owners, Administrators and other Senior Managers, 2) Recommendations for Field Employee Supervisors, and 3) Recommendations for Direct Care Employees.

The *Guide* addresses fundamentals of worker safety and the crucial role management plays in supporting a safe environment, reducing injuries, and lowering the associated costs of workers' compensation. It also includes expert instruction, training tips, charts, diagrams, statistics, equipment, checklists, and forms aimed at improving worker safety among home care agency staff.



Order your copy today online at the HCP Shoppe, or call 518.463.1118, ext. 817.

Corner

Certificates of Insurance and Workers' Compensation Insurance

Certificates of insurance are forms that represent the insurance coverage provided, their inception and expiration dates, limits, and the insurance company or companies providing coverage. They are usually the standard ACORD form signed by the insurance agent. Contrary to some assumptions and popular opinion, it does not confer any legal rights to the certificate holder. It is "point in time" certification that the coverage indicated was in force on the date the certificate was signed.

Function and Purpose of Certificates

A principal agency's workers' compensation insurance policy automatically extends to injuries incurred by employees of a subcontractor that does not provide workers' compensation insurance or otherwise comply with workers' compensation laws. This is the approach that most states employ to ensure that injured workers receive statutory benefits.

Agencies obtain a certificate of insurance from the subcontractor or its insurance agent to verify that it provides workers' compensation coverage on its employees. Although the certificate is only a "point in time" document, it is evidence from an outside source that coverage exists.

The certificate of insurance is used at two important times:

- When a loss occurs. It is proof that the subcontractor's insurance must respond to the loss and the general contractor can make sure the appropriate proof of loss is filed.
- When a general contractor's workers' compensation policy's payroll is being audited. The workers compensation policy's final adjusted premium is based on the insurance company auditor's findings when reviewing the insured's payroll records. The agency is responsible for the full payroll for each uninsured subcontractor's employees. A subcontractor is considered uninsured if the agency does not have a certificate of insurance for it on file. This means that agencies that subcontract large volumes of work will be charged unexpected large additional earned premiums if certificates of insurance for workers' compensation coverage from each subcontractor are not on file and available at the time of the auditor's review.