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Memo

To Board of Education

From Tara Gard, Chief Talent Officer
Rebecca Littlejohn, Risk Management Officer *RL*

Date June 27, 2018

Subject Blanket Accident Insurance for Students – Premium for 2018-19 – Risk Management

Action Requested Authorization to support funding of Blanket Student Accident Insurance

Background Myers-Stevens & Toohy & Company Inc. has arranged Basic Student Accident Insurance coverage (underwritten by SCS Insurance Company) at a cost of \$77,859.00 (K-12).

This provides coverage to the students for all injuries that occur during school hours and days when the schools regular classes are in session, including one hour before and one hour immediately after regular classes, while continuously on the school premises; while participating in or attending school-sponsored and directly supervised school activities including interscholastic athletic activities; while traveling directly (without interruption) to or from residence and school for regular attendance or from school to off campus site to participate in school sponsored and directly supervised school activities (provided the travel is arranged by the District) and/or traveling in school vehicles at any time.

The benefit maximum per student per accident is \$25,000 with a \$0 deductible. This program would act as an excess or secondary insurance for students who are already covered under another valid and collectible insurance or health agreement. For students not covered under a valid or collectible insurance program or health agreement, this would act as a primary coverage. Examples of coverage include but are not limited to: hospital/facility services (inpatient and outpatient), physician services (surgical, assistant surgeon, anesthesiologist, etc), other services (prescriptions, lab tests, x-ray, air and ground ambulance, dental, durable medical, etc).

Discussion State Law (EC 35330) and District policy (AR 6153) require that school districts conducting field trips or excursions provide or make available medical and/or hospital services for students injured while participating in field trips or excursions. Both state law (EC 32221 and District policy (AR 6153) also require that students participating in certain high risk activities, including but not limited to interscholastic athletic activities have insurance coverage. Further, both law and District policy provide that students may not legally be excluded from activities due to an inability to pay.

Coverage for Student Accident Insurance began in fiscal year 2016-17 and



continues to be a success. The coverage offered by Myers-Stevens & Toohy & Company is a low per pupil cost and is more comprehensive, providing coverage to students for injuries that occur during school hours and days when school is in session and while attending or participating in school sponsored and supervised activities on or off school premises. In addition, the coverage includes all school sponsored interscholastic sports (such as tackle football).

The District continues to expand opportunities for students to participate in work based learning off site as well as inception of the Middle School Sports League, which allows middle school students to participate in interscholastic athletic activities. These are exciting opportunities for students, however they carry increased risk of injuries to students, some of which could result in significant costs for medical treatment.

There is also a growing concern related to certain playground and sports injuries such as head injuries and concussions and this coverage would provide a significant benefit to students suffering those injuries and could decrease government code claims filed by families who cannot afford medical expenses.

Both the District and our families are better served by the assurance of some accident insurance to cover all students. Requiring families who do not have medical insurance to pay for accident insurance can pose a significant financial hardship for many of our families. This is also out of step with changes in the law generally prohibiting pupil fees in public schools and with our mission to serve the whole child, including facilitating access to healthcare and eliminating inequity. This coverage would significantly benefit our students while enabling the District to comply with its legal and policy requirements at a low per pupil cost.

Recommendation

Authorize Risk Management to support funding of Basic Student Accident Insurance 2018-2019

Fiscal Impact

\$77,859.00 (\$0 Deductible with 100% Usual and Customary charges)

Attachments

Blanket Student Accident Insurance 2018-2019



CONTRACT JUSTIFICATION FORM

**This Form Shall Be Submitted to the Board Office
With Every Consent Agenda Contract.**

Legislative File ID No. _____

Department: Risk Management

Vendor Name: Myers Stevens & Tohhey & Co., Inc.

Contract Term: Start Date: July 1, 2018 End Date: June 30, 2019

Annual Cost: \$ 77,859.00

Approved by: _____

Is Vendor a local Oakland business? Yes No

Why was this Vendor selected?

Comprehensive insurance coverage.

Summarize the services this Vendor will be providing.

Blanket Student Accident insurance covers all enrolled students for injuries caused by covered accidents occurring on school premises during the hours and days when school is in regular session, including one hour immediately before and one hour immediately after regular classes;

While participating in school sponsored and supervised activities;

While traveling directly (without interruption) to or from residence and school for regular attendance or off campus at a school sponsored activity.

Was this contract competitively bid? Yes No

If No, answer the following:

1) How did you determine the price is competitive?

Reviewed other coverage.

2) Please check the competitive bid exception relied upon:

- Educational Materials**
- Special Services** contracts for financial, economic, accounting, legal or administrative services
- CUPCCAA exception** (Uniform Public Construction Cost Accounting Act)
- Professional Service Agreements** of less than \$86,000 (increases a small amount on January 1 of each year)
- Construction related Professional Services** such as Architects, DSA Inspectors, Environmental Consultants and Construction Managers (require a "fair, competitive selection process)
- Energy** conservation and alternative energy supply (e.g., solar, energy conservation, co-generation and alternate energy supply sources)
- Emergency** contracts
- Technology** contracts
 - electronic data-processing systems, supporting software and/or services (including copiers/printers) over the \$86,000 bid limit, must be competitively advertised, but any one of the three lowest responsible bidders may be selected
 - contracts for computers, software, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus, including E-Rate solicitations, may be procured through an RFP process instead of a competitive, lowest price bid process
 - Western States Contracting Alliance Contracts (WSCA)
 - California Multiple Award Schedule Contracts (CMAS) [contracts are often used for the purchase of information technology and software]
- "Piggyback" Contracts** with other governmental entities
- Perishable Food**
- Sole Source**
- Change Order for Material and Supplies** if the cost agreed upon in writing does not exceed ten percent of the original contract price
- Other, please provide specific exception**



Myers-Stevens & Toohy & Co. Inc. est.1970

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T: 800.827.4695 F: 949.348.0963 E: srg@myers-stevens.com

Blanket Student Accident Insurance 2018-2019 School Year

APPLICATION TO BCS INSURANCE COMPANY and PARTICIPATION AGREEMENT

Application for participation is hereby made by the undersigned Participating Organization for insurance under Policy Number **MST-01001-066** issued to PNC Bank, Trustee for the Family Insurance Trust.

1. Name of Participating Organization: **Oakland Unified School District**

Address: 1000 Broadway Suite 680 Oakland CA 94607

Coverage Term – 12:01 a.m. 7/1/18 through 11:59 p.m. 6/30/19

2. The Participating Organization elects to participate in the Trust identified above.

The Participating Organization has signed this Application on 6/28/18 (date)

Kyla Johnson-Trammell

Superintendent

School District Official's Name - please print

Aimee Eng

President, Board of Education 6/28/18

Signature

28.103PA

SCOPE OF COVERAGE:

School-Time Accident-Only Coverage covers all enrolled students for injuries caused by covered accidents occurring:

- On School premises during the hours and on days when the School's regular classes are in session, including one hour immediately before and one hour immediately after regular classes, while continuously on the School premises;
- While participating in or attending School-sponsored and directly supervised School Activities including interscholastic athletic activities;
- While traveling directly and without interruption to or from residence and School for regular attendance; or School and off campus site to participate in School-sponsored and directly supervised School Activities, provided such travel is arranged by and is at the direction of the School; and while traveling in School Vehicles at any time.

BENEFITS:

Excess Accident Medical Expense Benefits: Payable at 100% of Usual, Customary and Reasonable Charges to a maximum of \$25,000 per Injury; \$0 deductible.

Accidental Death and Dismemberment Benefit: Loss of Life \$10,000; Loss of Sight One Eye, or Single Dismemberment: \$20,000; Loss of Sight Both Eyes, Double Dismemberment, or Paralysis: \$30,000.

Emergency Sickness Benefit: \$2,500 Maximum

Felonious Assault Counseling Benefit: \$5,000 Maximum

PPO Networks: Directed network - *First Health* – Wrap network – *TRPN*

OAKLAND UNIFIED SCHOOL DISTRICT

Office of the General Counsel
APPROVED FOR FORM & SUBSTANCE

By: Jenine Lindsey

Jenine Lindsey

PREMIUM SCHEDULE

\$77,859.00

► The Policy has complete details of the provisions, limits and exclusions. ◀

REQUIREMENTS AND LIMITATIONS:

Aggravations of injuries which did not occur while insured under this plan are paid up to \$500 maximum benefit per policy term. Injuries sustained as a result of riding in or on, entering or alighting from or being struck by a Motor Vehicle are limited to a \$5,000 maximum benefit (up to \$10,000 if vehicle is a School Vehicle). Some Motor Vehicle injuries are not covered - see exclusions below for details. School related injuries must be reported to the School within 60 days of the date of Injury. The first Physician's visit must be within 120 days after the Accident occurs. This insurance does not apply to the extent that trade or economic sanctions or regulations prohibit us from providing insurance, including but not limited to, the payment of claims. A claim form must be filed with Myers-Stevens & Toohey & Co., Inc. within 90 days after the date of loss. The plan pays for covered expenses incurred within up to 2 years from the date of injury. Each covered condition may be subject to a deductible - see plan details.

EXCLUSIONS:

1. Damage to or loss of dentures or bridges or damage to existing orthodontic equipment.
2. War or any act of war, declared or undeclared.
3. Participation in a riot or civil disorder; fighting or brawling, except in self-defense; commission of or attempt to commit a felony or violating or attempting to violate any duly enacted law.
4. Suicide, attempted suicide or intentionally self-inflicted Injury while sane or insane.
5. Injury or Sickness contributed to by the use of alcohol or drugs unless taken in the dosage and for the purpose prescribed by the Covered Person's Physician.
6. Injury or Sickness covered by Worker's Compensation or Employer's Liability Laws, or by any coverage provided or required by law including, but not limited to group, group type, and individual automobile "No Fault" coverage (excluding School Vehicle coverage).
7. Treatment, services or supplies provided by the School's infirmary or its employees, or Physicians who work for the School, or by any member of the Covered Person's immediate family; or for which no charge is normally made.
8. Mental or nervous disorders (except as specifically provided by the Policy).
9. Treatment of Sickness, ailment, or infections except pyogenic infections or bacterial infections which result from the accidental ingestion of contaminated substances or Emergency Sickness as defined within the policy.
10. The diagnosis and Treatment of non-malignant warts, moles and lesions, acne or allergies, including allergy testing.
11. Injury sustained as a result of riding in or on, entering or alighting from, a two or three-wheeled motor vehicle.
12. Treatment of osteomyelitis, pathological fractures and hernia.
13. Detached retina (unless directly caused by an Injury).
14. Any expenses related to the Treatment of tonsils, adenoids, epilepsy, seizure disorder or congenital weakness; or expenses for Treatment of congenital anomalies and conditions arising or resulting directly there from.
15. Supplies, except as otherwise provided in the Policy.