

# TRUST NOTES



## MRM Workers' Comp /MRM Property & Liability Trust

### LORIE MERTZ, MRM's FINANCE ASSISTANT

It is with great sadness that we share the news that Lorie Mertz passed away on August 19th. Lorie was a crucial member of the Finance & Billing team for several years, having started with MRM in 2017. She was a true asset to the MRM family, and her presence will be profoundly missed.

Bonnie Morehead started working with MRM's Finance & Billing team earlier this year. She is assisting with the transition until a replacement can be hired for the Finance Department.



### 2024-25 PY WORKERS' COMP RATES

The Trust Actuary, Milliman, has calculated the new rates effective October 1, 2024. They determined that rather than having a 2.4% decrease across the board, it is more equitable to vary the rate changes by class code based on the loss experience of each individual class, as shown below. Please keep in mind that your premium contribution will be affected by changes in your payroll, experience modifier, losses and rates.

CLASS CODE	RATE CHANGE
980 Cities & Towns	-4.3%
985P Police	-1.9%
985F Paid Fire	-5.6%
951 Inspectors	+4.3%
953 Clerical	-6.7%
753 Waterworks	+4.2%
807 Paid EMT's	-4.6%
993 Volunteer EMT's	+1.9%
906 Volunteer EMT Support	+6.6%
890 Public Library	-11.7%
944 Club	-2.3%
969 Outdoor Amusement	-8.3%
862 Recycling	-6.0%
Weighted (by Premium) Manual Rate Change	-2.4%

## FROM THE CLAIMS TEAM:

This is a reminder that Work Status *in writing* (e.g., a “Work Excuse”) is required to account for *every day* an Injured Worker misses from work. This is a mandatory requirement under Pennsylvania Workers’ Compensation law. Days off cannot be counted/considered under the workers’ comp claim unless Work Status is addressed by a physician. Emergency rooms typically do not address work status unless it is requested by the patient.

Please remind all employees to have work status addressed at *every doctor’s* visit, including Urgent Cares and Emergency Rooms. Feel free to contact the Claims Department with any questions at WC-Claims@mrmtrust.com.

The following are helpful tips from the state, using common examples of problems employers encounter with



### **EMPLOYERS PANEL PROVIDER REQUIREMENTS**

Under the PA Workers’ Compensation Act, if you opt to establish a list of designated panel providers, your injured employee will be required to receive treatment by a medical provider from the list for 90 days.

However, if your panel doesn’t meet the required criteria or you don’t provide your employee with proper notice of their rights and duties, then your employee is free to choose a provider who is not on your panel.

#### **\*PROBLEM SCENARIO #1** **WRONG PANEL COMPOSITION**

- ⇒ Your panel must have at least six health care providers, no more than four of whom may be a coordinated care organization and at least three of the providers must be physicians
- ⇒ Your panel should include geographically accessible provider types that are often used to treat the types of injuries your employees might experience.

#### **\*PROBLEM SCENARIO #2** **PANEL LIST WASN’T POSTED PROPERLY**

- ⇒ Your list must be up-to-date and include the following information about the provider:
  - Name
  - Specialty/Provider Type
  - Address
  - Phone
  - Whether the provider is employed, owned, or controlled by you or your workers’ compensation insurance company.

## “Panels”, continued—

### **\*PROBLEM SCENARIO #2 (continued) PANEL LIST WASN'T POSTED PROPERLY**

⇒ Your list must be conspicuously posted at the workplace. Posting a panel where employees don't have access won't establish that the panel was properly posted. Some employers use areas where their employees frequently gather including, but not limited to:

- Break rooms
- Time clocks
- Locker rooms
- Employee communication boards
- Elevators
- First aid stations

### **\*PROBLEM SCENARIO #3 EMPLOYEE'S RIGHTS AND DUTIES NOT COMMUNICATED CORRECTLY**

⇒ Employees need to know how to use a panel provider list properly. The regulations require that employers provide employees with notice that treatment with a panel provider is required. The notice must be given:

- At the time of hire, **AND**
- Immediately after the injury or as soon as possible

⇒ Make sure your employees know that once the 90 days is over, they can choose to keep using panel providers or they can receive treatment from a non-panel provider.

⇒ Additional details about what must be included in the employee's notice of rights and duties can be found at 34 Pa. Code, § 127.755.

### **\*PROBLEM SCENARIO #4 IMPROPER USE OF THE PANEL**

⇒ Even if you properly post your panel and provide your employee with the required notices, you are still required to ensure that you are not directing the treatment of the employee by telling them which of the providers on the list they must see.

- Employees get to pick whomever they want from the list
- Employees can change between different providers on the list as many times as they want

⇒ Employers are responsible for knowing when their employee doesn't have to use the panel during the first 90 days:

- Emergencies
- If the type of specialist an employee needs is not on the panel
- If the panel provider recommends an invasive procedure, employees can get a second opinion from a non-panel provider
- If a panel provider refers the employee to a non-panel provider for treatment



## ARTICLE: "TIPS FOR BETTER ERGONOMICS AT WORK"

Every job presents its own set of physical and mental challenges. However, no matter what demands our ergonomics or how we use our bodies while interacting with our work environments and surroundings, it affects how we feel during and after the day. It can be helpful to think of our bodies as tools with specific jobs and purposes and should be used as efficiently as possible to prevent injury and pain.

Thinking about ergonomics from a few fundamental themes can help keep safety and efficiency at the forefront of our minds. Themes such as posture, positioning, and performance are married to ergonomics, and if we think of these ideas proactively, we can stay safe while at work.

### Posture

Whether you work a desk job on the computer, stand all day, or work in poorly lit conditions and small spaces, thinking of your body's posture during such tasks can help keep us healthy. The common yet less-than-ideal postures typically observed may include: a forward head and rounded shoulders, slouched sitting, curved or rounded back, and working up on toes while either lifting or squatting. These positions do not provide mechanic advantages to the musculoskeletal system and should be avoided. When done repetitively, poor posturing can result in chronic pain or acute injury. How is your body positioned during the day? Taking frequent breaks to stand, stretch, or change positions is the simplest recommendation to avoid prolonged periods of poor posture.

### Positioning

Different from posture, positioning yourself in space regarding your work environment is equally important. Imagine a circle drawn around yourself that does not extend beyond arm's length in any direction. This space is your base of support, and working within our base of support is a safe place to prevent injury. Exceeding the limits of this imaginary space, whether it is during reaching, lifting, or pulling away from our bodies' center, can greatly change the mechanics and the loads put on our bodies. Whether it is hundreds of repetitive times of poor habits or a single time, improper positioning regarding ergonomics can result in injury. Work within arm's reach to maximize core stability and minimize loads on the joints/muscles.

### Performance

The quality of movement and how we complete tasks are greatly affected by how we interact with our environment. Are we using proper lifting mechanics? Are we selecting a grip position that minimizes the load on soft tissue structures? Is our body properly conditioned? These performance factors, combined with using our bodies in space can impact our workday and longevity.

## “Ergonomics”, continued—

In summary, we can control several variables related to ergonomics to prevent injuries and pain. It is critical to consider good posture for all parts of our bodies, positioning within our workspace and not extending beyond our base of support and being physically prepared to match our job demands.

Keeping these three ideas in mind helps keep us working safely.

Source: [www.athletico.com](http://www.athletico.com)

### ATTENTION AUTHORITIES!

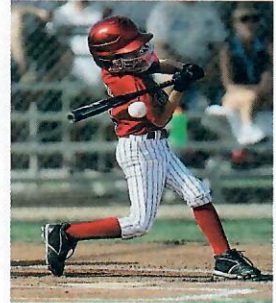
Will you be attending the Pennsylvania Municipal Authorities Association’s (PMAA) Annual Conference in Hershey, PA?



MRM will be there September 16-17, along with Mary Curran from HUB Three Rivers! Stop by and see us at **booth #29** in the Exhibit Hall, and enter our drawing for your chance to win a door prize. Hope to see you there!!

**MRM wishes to remind all of our members who own/maintain recreation areas such as ball fields, about the importance of conducting regular inspections to ensure safety and loss prevention.**

**Below are some specific items recommended by Optimus Risk Services:**



**SOCCER FIELDS, BALL FIELDS, GRASSY PLAY AREAS**

- Uneven playing surface on the skinned infield area
- Soil buildup between skinned area and turf area on the ball field
- Appropriate base pads and anchoring to minimize ankle injury
- Adequacy of buffer zones between playing field and bleachers, dugouts, fences
- Fence posts positioned on outside of fence
- Exposed wire ends on top of chain-link fence
- Field lighting — burned-out lamps, adjustment of light beam direction, irregularities in lighting grid pattern on the field
- Bleacher structural integrity
- Openings in bleacher seating areas (fall hazard)
- Soccer goals anchored
- Drainage
- Depressions or uneven surface in turf areas
- Tripping hazards, sprinkler heads, drainage gates, irrigation valve boxes
- Batting cages – Inspect the overall structural integrity, Netting, Entry and Exit Points, Protective Padding, Floor/Surface Conditioning, and general cleanliness. Maintain a routine inspection sheet to ensure a safe environment for users.

*If you have any questions, contact:*

Tyler Lukart, CWCA

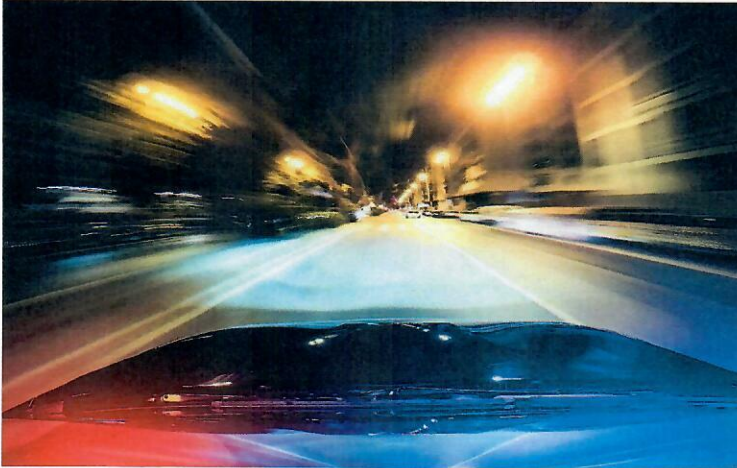
President/Risk Management Consultant



C: 724-787-6429 / [www.optimusrisk.com](http://www.optimusrisk.com) / [tlukart@optimusrisk.com](mailto:tlukart@optimusrisk.com)

### “Insights from Losses: Mitigating Collisions from Police Pursuits”

**P**olice pursuits are commonly used to apprehend suspects, but bystanders may be unintentionally harmed in the process.



Vehicle pursuits are inherently risky. Ironically, peace officers involved in vehicle pursuits face a public safety dilemma: apprehend the dangerous subject now or temporarily let them go.

Officers are consistently challenged to determine how to best protect the general public.

“All too often, these high-pressure pursuit decisions have tragic consequences, re-

sulting in life-altering injuries or fatalities,” said Ariel Jenkins, Assistant Vice President – Risk Control at Safety National. “Law enforcement agencies might consider adopting policies that reinforce minimal use of police pursuits. Existing technologies like drones or GPS tags can help reduce risks and potentially enhance effectiveness.”

Here, we review the outcomes of recent accidents involving police pursuits and the resulting case results.

#### **Police Pursuit Collisions**

In one instance, peace officers spotted a vehicle that had been carjacked by gunpoint earlier that day. After attempting to pull over the vehicle, it fled. Police pursued the vehicle for 10 to 15 minutes at speeds up to 85 miles per hour (mph), running 10 to 15 red lights and numerous stop signs. The suspect ran a red light and T-Boned a vehicle driven by a bystander, who was pronounced dead at the scene.

In another instance, a police department was alerted of a shoplifter who jumped into a vehicle with another driver. After the first responding department pursued the suspect for several minutes,

officers from a different police department joined the pursuit. The officer from the police

department that joined the pursuit reached speeds of 115 mph. After the officer realized that the suspects were not wanted on a felony or violent crime, the pursuit was suspended. However, before the pursuit was terminated, the suspect vehicle struck a third party head-on, causing the bystander victim to suffer severe injuries.

## ***Risk Management Article, continued –***

### **Resulting Settlements and Human Costs**

Both cases resulted in multimillion-dollar settlements. Not to mention the life-altering and permanent human costs of suffering and loss. According to the National Highway Traffic Safety Administration (NHTSA), fatal crashes involving police pursuits kill more than one person every day. In 2021, 525 people were killed, and in 2020, 545 were killed. According to Law Enforcement Management and Administrative Statistics (LEMAS) data from 2009 to 2013, 21% of those seriously injured in police pursuits are not involved in the pursuit.

### **Adjusting Policies to Reduce Accidents**

As vehicle pursuits continue to be very risky, law enforcement agencies should assess and ask themselves the following questions on an ongoing basis:

#### **1. Do our pursuit policies give our law enforcement officers too much discretion?**

Depending on the local community and jurisdiction, law enforcement agency policies can range from discretionary to prohibitive. The more densely populated the locality, the more prohibitive and restrictive vehicular pursuit policies should be, except in demanding circumstances. Agencies that have traditionally given their officers unbridled discretion may want to reconsider and make vehicular pursuits more prohibitive and restrictive. Supervisors can determine if a pursuit is necessary and when it should be terminated. Additional discretion is vital as local communities grow in population and public sentiment increasingly views vehicular police pursuits as an unnecessary risk. In some cases, this sentiment has extended into the outcomes of related litigation.

#### **2. Is it time to revise our pursuit policies?**

If your pursuit policies have not been updated in several years, it may be time to review them to ensure they are consistent with the relevant federal, state, and local laws and regulations. You may also consult your local Peace Officers Standard and Training (POST) or state agency for additional guidelines.

#### **3. At what point is it best to terminate a vehicle pursuit?**

Based on department policy, further guidance may be needed on how to balance overall public safety with the immediate need to apprehend the fleeing subject. Details such as identifying key factors may need to be added to determine if the risk to the public or officers outweighs the need to immediately apprehend the subject and whether generally terminating the pursuit is advised, except in exigent circumstances.





## **Risk Management Article, continued –**

### **4. What are viable alternatives to an immediate apprehension of a dangerous driver being pursued?**

The reality is that during vehicular pursuits, the officer may have a license plate number, but this likely will not identify the driver of the fleeing vehicle. However, technological advances are helping peace officers track down fleeing subjects using GPS tags and deploying drones or light aircraft. A viable alternative to light aircraft may be the use of drones. Drones can enhance the effectiveness of pursuits, while potentially reducing the risks to bystanders and law enforcement personnel. Agencies considering these technologies should weigh the pros, cons, and cost-benefits, including non-financial reasons.

**NOTE: The above questions and tips are not an exhaustive list regarding auto accident prevention and risk mitigation. You may need to contact a professional for comprehensive guidance.**

*The content contained in this publication is intended to be educational in nature and provided solely for informational purposes. This publication does not identify all possible hazards, and we are not responsible for any damages in connection with the use of any information provided on this page or your obligations under any law, rule, or regulation. Any opinions or information should only be considered as a resource to be used together with your professional insurance advisors in maintaining a loss prevention and claims management program and should not be construed or relied upon as specific legal, financial, or insurance advice.*

**Source: Safety National**



**Included in a separate attachment is information about**  
**Safety National's Crisis Protection program**—  
**a crisis management and extraction benefit that is available to all**  
**MRM WC Trust members.**

***We hope you have enjoyed this edition of Trust Notes! It is our pleasure doing business with you. Always feel free to reach out to our team with any questions.***

### **Membership Programs & Services**

Christine Caliguri  
*Trust Administrator*  
724-934-1595  
[chris@mrtrust.com](mailto:chris@mrtrust.com)

Meghan Graham  
*Director of Programs*  
724-719-2579  
[meghan@mrtrust.com](mailto:meghan@mrtrust.com)

Bonnie Moorhead  
*Finance & Billing*  
724-719-2591  
[bonnie@mrtrust.com](mailto:bonnie@mrtrust.com)

Marlene Stone  
*Secretary*  
724-934-9797  
[mstone@mrtrust.com](mailto:mstone@mrtrust.com)

***WWW.MRMTRUST.COM***

### **Workers' Compensation Claims**

#### **Claims Adjusters**

Donna Cox-Bird  
724-934-1597  
[donna@mrtrust.com](mailto:donna@mrtrust.com)

Rochelle Johnson  
724-934-1596  
[rjohnson@mrtrust.com](mailto:rjohnson@mrtrust.com)

Kathy Martin  
724-934-1598  
[kmartin@mrtrust.com](mailto:kmartin@mrtrust.com)

#### **Property & Liability Claims**

Sue Rim, HUB Three Rivers  
800-434-7760  
[sue.rim@hubinternational.com](mailto:sue.rim@hubinternational.com)

***Wishing all of you a happy  
& safe start to the new  
school year!***



# CRISIS PROTECTION WORKERS' COMPENSATION

Trusted  
**SAFETY NATIONAL**

Since 1942

**S**afety National Crisis Protection® is a crisis management and extraction benefit provided exclusively for Safety National's excess, large deductible and select guaranteed cost workers' compensation customers. If your business undergoes a qualifying "Domestic Crisis Event" that directly involves your business and involves the death of two or more of your employees, Safety National® will either pay one of our approved vendors to assist with crisis management or reimburse you directly for the approved costs incurred with a vendor of your choice. If you experience a qualifying "International Extraction Crisis Event" that requires international employee extraction, we will reimburse you directly for the approved costs.

## How Does It Work?

If a qualifying "Domestic Crisis Event" or "International Extraction Crisis Event" occurs, Safety National Crisis Protection will help you minimize post-crisis risk to the organization, its stakeholders and employees directly involved in the event (including immediate family of the involved employee). The annual, aggregate limit for these complimentary benefits, or any combination of the two, is \$50,000. These benefits are accessible when you need them and are provided by Safety National free of charge.

## "Domestic Crisis Events" Include:

Multiple employee deaths (two or more) resulting from the following man-made events:

- Explosion
- Arson
- Bombing
- Workplace Violence
- Structural Fire
- Vehicular Accident

Multiple employee deaths (two or more) resulting from the following natural disasters:

- Tornado
- Explosion
- Wildfire
- Structural Fire
- Earthquake and Any Resulting Tsunami Hurricane
- Flood

## "International Extraction Crisis Events" Include:

Employee extraction necessitated by the following:

### MAN-MADE EVENTS:

- Explosion
- Arson
- Bombing
- Riot
- Government Collapse & Political Unrest

### NATURAL DISASTERS:

- Tornado
- Explosion
- Wildfire
- Earthquake and Any Resulting Tsunami
- Cyclone/Typhoon/Hurricane
- Flood

## Benefits:

- Provided at no cost to policyholders, with a \$50,000 annual, aggregate benefit limit for a qualifying "Domestic Crisis Event," a qualifying "International Extraction Crisis Event" or any combination of the two.
- A 24-hour crisis hotline to preferred and approved "Domestic Crisis Event" vendors.
- Benefit extends to immediate family of an employee that is directly involved in the "Domestic Crisis Event."
- The benefit can be used for qualified "Domestic Crisis Events" to help with:
  - » Crisis Management
  - » Crisis Response
  - » Public Relations
  - » Emergency Psychological Treatment
- Includes crisis communication and media management.
- Short-term counseling and referral for directly involved employees and their immediate family.

## LEARN MORE

For more information about Safety National Crisis Protection, please visit [safenational.com/crisis-protection-WC](http://safenational.com/crisis-protection-WC). If you have additional questions about this free benefit, please contact us at [crisisprotection@safenational.com](mailto:crisisprotection@safenational.com).

