

CENTRAL STATE HOSPITAL
POLICY

SUBJECT: **NOTICE OF POSSIBILITY OF CLAIM**

ANNUAL REVIEW MONTH: December

RESPONSIBLE FOR REVIEW: Risk Management Director

LAST REVISION DATE: September 2009

It is the policy of the hospital to promptly notify the Commissioner of the Department of Behavioral Health and Developmental Disabilities (DBHDD) when an accident or incident occurs that may result in a claim or lawsuit being filed against the state, department, division, hospital or individual employees. This policy is in compliance with DBHDD Online Directive Information System (ODIS) Policy #6001-101, Section III, A. and B (Reporting of Consumer Deaths and Critical Incidents).

Any occurrence that may result in a lawsuit against the state, the hospital or a hospital employee will be reported through normal channels to the appropriate service chief, department head or office director. The service chief, department head or office director will then make a report to the Facility Risk Management Director.

The Facility Risk Management Director will have an investigation completed by appropriate individuals/organizations, and report the possible lawsuit and the results of the investigation to the Legal Services Officer, DBHDD with a copy of the report to the DBHDD Office of Insurance Programs and Claims.

Any time a representative of the Department of Administrative Services (DOAS), or a subcontractor acting on behalf of DOAS, requests to investigate a claim or potential claim, the contacted employee shall refer the individual to the Director of Legal Services/Risk Management. The Legal Services/Risk Management Director shall request a written letter/memorandum from the Attorney General's Office which authorizes the investigation by DOAS. Subcontractors acting on behalf of DOAS shall also provide a letter/memorandum from DOAS which authorizes the subcontractor to conduct the evaluation. The contacted employee shall report the request for investigation by DOAS and the referral to the Facility Risk Management Director to the service chief, department head or office director as appropriate. No access to staff, clients or records shall be allowed until the Facility Risk Management Director notifies the appropriate service chief, department head or office director that the required documentation has been received.

In cases in which an accident/incident occurs that results in a person(s) filing a claim which is covered by state insurance, the police chief shall send a copy of claim and all supporting reports to the DBHDD Office of Insurance and Claims with a copy to the Facility Risk Management Director.

In cases in which an accident/incident occurs that results in a person(s) filing a claim that is not covered by state insurance, the police chief shall provide person(s) with a copy of the Officers Initial Report. The person filing the claim should call the Claims Advisory Board, telephone (404) 656-2899 and the Claims Advisory Board will have appropriate form(s) forwarded to the requesting person.

If a claim is not paid through the DBHDD Office of Insurance Programs and Claims, the claimant may file a claim, in writing, with a member of the Georgia House of Representatives in claimant's district. Awards will not duplicate any benefits received from any other source or apply to any amount covered by insurance.

This policy does not include damage to wearing apparel which should be processed in accordance with CSH Policy/Procedure, #2.19 - COMPENSATION FOR DAMAGE/DESTROYED WEARING APPAREL.

Approved:

This policy has been approved by the CEO and CMO in September, 2009.