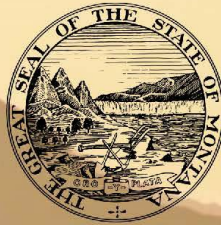


STATE OF MONTANA



PROPERTY / CASUALTY INSURANCE

FY 2022

Department of Administration
Risk Management & Tort Defense Division

P.O. Box 200124 | Helena, MT 59620-0124
406.444.2421 | www.rmtd.mt.gov



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Program Information

The Risk Management & Tort Defense Division (RMTD) provides a broad array of services designed to protect state agencies and universities from the adverse effects of unexpected losses.

We Consult with state agencies and provide loss prevention training and guidelines to mitigate risk and reduce exposure to claims and losses.

We Administer a cost effective and comprehensive property/casualty insurance program for state agencies and universities. Most coverage, except workers' compensation and employee benefits, are centrally purchased by RMTD.

We Evaluate and resolve claims filed against the state in a timely and cost-effective manner.

We Provide cost-effective, quality legal defense.

<i>Administration</i>	<i>Ext.</i>
Division Administrator - Brett Dahl	3687
Chief Defense Counsel - Bill Gianoulas	2438
Administrative Support - Linda Cronholm	3600
Accounting Technician - Danica Boe	3168
Legal Secretary - Mardi Slocum	4516
<i>Legal Defense</i>	
Associate Counsel - Ford Hayes	2485
Associate Counsel - Mike King	2403
Associate Counsel - Vacant	
Associate Counsel - Vacant	3562
Associate Counsel - Vacant	
Legal Investigator - Robin Coon	2512
<i>Loss Control</i>	
Property - Aric Curtiss	3486
Auto, Other - Julie Ouzts	0106
Generalist - Mike Anderson	2617
<i>Insurance/Finance</i>	
Division Administrator - Brett Dahl	3687
Risk Finance Specialist - Kristie Rhodes	4509
<i>Property/Liability Claims</i>	
Senior Claims Specialist - Gordon Amsbaugh	2422
Senior Claims Specialist - Jennie Younkin	7996
Senior Claims Specialist - Kirk Barfuss	6498
Claims Specialist - Kathleen McElwain	4995
<i>All extensions begin (406) 444-XXXX.</i>	

Insurance Procurement & Administration Overview

In accordance with §2-9-201, MCA, the Risk Management & Tort Defense (RMTD) Division administers a comprehensive insurance plan for state agencies.

The plan includes auto, aviation, liability, property, and any other policies of insurance that the division deems reasonable after consultation with state agencies. Agencies should not purchase insurance without the prior approval of RMTD.

Commercial insurance is periodically bid on a competitive basis through an insurance agent. The inception date of the state's commercial insurance policies coincides with the fiscal year (i.e. July 1st). Most insurance policies expire on June 30th but 'rollover' to the next fiscal year on July 1st.

Primary and Excess Insurance

Losses that are limited in size and are unlikely to occur in large numbers are self-insured. In order to maintain cost-effective insurance protection, the state purchases some commercial insurance on an 'excess basis'.

Excess insurance 'sits above' a high deductible and features broader coverage and high policy limits. Excess insurance is specifically designed to protect the state from catastrophic losses such as flood or earthquake.

A detailed summary of insurance coverage, policy limits, and deductibles may be found on page 6.

General Provisions

The insurance policies described in this booklet cover claims subject to the general conditions of coverage, covered locations, causes, activities, deductibles, and limits as indicated hereafter. Coverage is mandatory and requires agency participation UNLESS otherwise indicated.

The information provided in this booklet is intended to assist state agencies to understand 'general' concepts and principles. The information does not alter or limit

the provisions of the state's insurance policies or statutes. Do not attempt to interpret policy provisions.

More specific information about insurance may be obtained from the division's website at <http://rmtd.mt.gov/insurance>.

Please contact our insurance staff at (406) 444-2421 if you have additional questions.

1. **Assignment:** State agencies shall not prejudice the state's interest in a claim by assigning the state's financial interests to any other person or entity.
2. **Notification:** State agencies shall notify the Risk Management and Tort Defense Division of the claim within 24 hours if the claim involves personal injury and 5 business days for all other claims. Claims not reported within 60 days may not be paid.
3. **Defense:** State agencies shall cooperate reasonably in the defense of a case.
4. **Remittance:** Premiums, co-insurance, and deductible billing information will be sent to each state agency at the beginning of the biennium. State agencies shall remit paid premiums to the Risk Management and Tort Defense Division by September 1st of each fiscal year.
5. **Renewal:** All self-insurance programs are continuous unless notice is otherwise provided to state agencies. All commercial insurance policies are subject to renewal annually.
6. **Territory:** Coverage is generally provided for state agencies in the U.S. and Canada, provided that claims are made, or suits are settled within these territories. For coverage outside of these territories, please contact the Risk Management & Tort Defense Division at (406)444-2421.
7. **Course and Scope of Employment:** In accordance with §2-9-305, MCA, a state employee is not be covered under the state's insurance plan if the conduct upon which the claim is based constitutes a criminal offense, the employee compromises or settles the claim without the consent of the state, or the employee fails to cooperate in the defense of the claim.

Glossary of Terms

Actual cash value means the historical purchase price of property less accumulated depreciation.

Aircraft means any fixed wing aircraft or rotorcraft reported by a state agency and includes propulsion, operating, navigation, and radio systems usually attached thereto.

Airport means an airport reported by a state agency, the ways and means immediately adjoining thereto, including other premises used by the state in connection with the business of the state.

Automobile means a land motor vehicle, trailer, or semi-trailer designed for travel on public roads including any attached machinery or equipment and “mobile equipment” if reported.

Claim §2-9-101, MCA means a claim against the state for monetary damages, which any person is legally entitled to recover as damages because of personal injury or property damage caused by a negligent act or wrongful act or omission committed by any employee of the state of the state while acting within the course and scope of employment under circumstances where the state, if private person, would be liable to the claimant for damages under the laws of the state. For purposes of this section and the limit of liability contained in §2-9-108, MCA, all claims that arise from personal injury or death of a single person, or damage to property of a person regardless of the number of persons or entities claiming damages are considered one claim.

Deductible means the amount paid by a state agency or the Risk Management & Tort Defense Division before a commercial insurance payment is applied to a loss.

Disappearance for purposes of aircraft insurance means missing and not reported within 30 days after commencing the last known flight for purposes of aviation insurance.

Employee §2-9-101, MCA means an officer, employee, or servant of the state including elected or appointed officials and persons acting on behalf of the state in any official capacity temporarily or permanently in the service of the state with or without compensation.

Exclusion means an activity, event, or asset that is not covered by insurance.

Fine art means any object of rare and historic value including, but not limited to, bronzes, statues, paintings, clothing, furniture, valuable papers, artifacts, etc.

Limit means the amount of insurance coverage that is available to pay a claim for a specified risk.

Market value means the price a willing buyer would pay for an object given its fair market value and considering depreciation and other factors.

Mobile equipment means a land vehicle, to include machinery or any apparatus attached thereto, whether or not self-propelled, which is not subject to motor vehicle registration, maintained for use exclusively on premises owned by or rented to the State of Montana.

Money means currency, coins, bank notes in current use and having a face value, traveler’s checks, register checks and money orders held for sale to the public.

Personal injury §2-9-101, MCA means any injury resulting from libel, slander, malicious prosecution, false arrest, bodily injury, sickness, disease, or death sustained by any person and caused by an occurrence for which the state may be held liable.

Property damage §2-9-101, MCA means any injury or destruction to tangible property including the loss of use thereof, caused by an occurrence for which the state may be held liable.

Replacement cost value means the lesser of the cost to repair or replace an object with like and similar kind and quality to comply with current building code.

Special risk for purposes of foreign insurance means coverage provided for kidnap & extortion including ransoms and other reasonable expenses to locate and repatriate victims.

State §2-9-101, MCA means the state or any office, department, agency, authority, commission, board, institution, hospital, college, university, or other instrumentality of the state.

[illegible]

NOTE: This schedule is a summary of main elements only, and is not all inclusive of all limits, and deductibles. If you have a question, please contact the Risk Management & Tort Defense Division.

Accidental Injury/Death/Dismemberment (University Volunteers Excess of Personal Insurance)

A summary of insurance coverage is provided below. The coverage provided under this policy only applies to volunteers who provide direct service for sponsored events or activities in the Montana University System. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmtd.mt.gov/insurance/addsummary> or contact the Risk Management & Tort Defense Division at (406)444-2421. To apply for insurance coverage, please contact your insurance coordinator at <http://rmtd.mt.gov/insurance/insuranceprocurementadministration>.

1. **Insurer:** National Union Fire of Pittsburgh PA
2. **Broker:** Alliant Insurance Services.
3. **Term of Coverage:** 7/1 to 6/30 each fiscal year subject to annual renewal.
4. **Accidental Injury:** reasonable medical expenses incurred while participating in a volunteer activity sponsored by a university, excluding lost wages.
5. **Accidental Death:** indemnity benefit while participating in a volunteer activity sponsored by a university.
6. **Accidental Dismemberment:** indemnity benefit for injury or loss of a body member while participating in a volunteer activity sponsored by a university.
7. **Exclusions:** This policy does not cover any loss caused in whole or in part by, or resulting in whole or in part from the following:
 - A. Suicide or any attempt at suicide or intentionally self-inflicted injury or any attempt at intentionally self-inflicted injury.
 - B. Sickness, disease or infections of any kind; except bacterial infections due to an accidental cut or wound, botulism or ptomaine poisoning.
 - C. The insured's commission of or attempt to commit a felony.
 - D. Declared or undeclared war, or any act of declared or undeclared war.
 - E. Full-time active duty in the armed forces, National Guard or organized reserve corps of any country or international authority.
 - F. Travel or flight in or on (including getting in or out of, or on or off of) any vehicle used for aerial navigation, if the insured is:
 - i. Riding as a passenger in any aircraft not licensed for the transportation of passengers for hire.
 - ii. Performing, learning to perform or instructing others to perform as a pilot or crew member of any aircraft.
 - G. Any condition for which the insured is entitled to benefits under any Workers' Compensation Act or similar law.
 - H. The insured being under the influence of drugs or intoxicants, unless taken under the advice of a physician.
8. **Limit:** \$50,000 per claim for accidental injury, \$10,000 accidental death benefit, % of the accidental death benefit for dismemberment depending upon body part dismembered.
9. **Deductible:** The deductible is paid by the volunteer unless otherwise agreed upon with the respective university campus.

Aircraft Insurance Summary

A summary of insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmt.d.mt.gov/insurance/aircraftsummary> or contact the Risk Management & Tort Defense Division at (406)444-2421. To apply for insurance coverage, please contact your insurance coordinator at <http://rmt.d.mt.gov/insurance/insuranceprocurementadministration>.

1. **Insurer:** ACE Property Casualty Insurance Company
2. **Broker:** Mountain Air Aviation Services.
3. **Term:** 7/1 to 6/30 each fiscal year.
4. **Coverage Territory:** This policy applies to insured events worldwide.
5. **Liability Coverage:** Bodily injury & property damage, including defense costs, which the state is legally obligated to pay others as a result of the negligent operation of an owned aircraft (10 seats or less) or non-owned aircraft (40 seats or less).
6. **Physical Damage Coverage:** Physical damage for state-owned aircraft including disappearance and search & rescue efforts associated with recovery of the aircraft. Physical damage for non-owned aircraft up to 90 days for legal liability only.
7. **Special Conditions:** In order for full coverage to be in effect, state-owned aircraft must be reported to the Risk Management & Tort Defense Division immediately. Newly acquired aircraft are automatically covered up to 30 days subject to a policy limit of \$1,500,000. Non-owned aircraft are automatically covered up to 90 days for legal liability subject to a limit of \$13,000,000. Owned and non-owned aircraft used beyond 90 days must be reported in order for coverage to apply.
8. **Exclusions:** Coverage will not apply if the aircraft is piloted by a pilot not approved by the state, the pilot is not properly certified/qualified/rated by the FAA, the airworthiness certificate is not in full force, or losses arise from war, invasion, insurrection, riot, contamination, pollution, noise, electrical interference, etc.
9. **Limit:** Liability: \$10,000,000 liability per occurrence, excess of the state's tort damage cap of \$750,000 per claim, \$1,500,000 per occurrence. Physical Damage Coverage: Values reported by state agencies.
10. **Deductible:** Paid by the Risk Management & Tort Defense Division for liability coverage. There is an agency deductible of \$1,000 for hull coverage. The additional deductible for hull damage is paid by the Risk Management & Tort Defense Division.

Airport Liability Summary

A summary of insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmt.d.mt.gov/insurance/airportssummary> or contact the Risk Management & Tort Defense Division at (406)444-2421. To apply for insurance coverage, please contact your insurance coordinator at <http://rmt.d.mt.gov/insurance/insuranceprocurementadministration>.

1. **Insurer:** ACE Property Casualty Insurance Company.
2. **Broker:** Mountain Air Aviation Services.
3. **Term:** 7/1 to 6/30 each fiscal year.
4. **Coverage Territory:** This policy applies to insured events worldwide.
5. **Liability Covered:** Bodily injury or property damage arising from operation of an airport, construction or demolition, hangar keeper's liability, products and premises.
6. **Defense, Settlement, and Payments:** Defense costs, court costs, reimbursements, and other reasonable expenses.
7. **Exclusions:** Obligations of other insurers, use of alcohol, property owned/occupied/rented/leased except elevators, property installed by contractors to be used in construction, property relinquished to others by the state, bodily injury or property damage caused by an automobile while off an airport unless responding to an aviation emergency, delay in performance of contract, etc.
8. **Deductible:** The deductible is paid by the Risk Management & Tort Defense Division for liability coverage.
9. **Limits:** \$25,000,000 excess of the state's tort damage cap of \$750,000 per claim, \$1,500,000 per occurrence.

Auto Insurance Summary

A summary of insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. When state or university owned vehicles are not available, employees are encouraged to utilize their state purchasing cards to lease vehicles from Enterprise or Hertz in order to obtain the free insurance coverage offered under the state's term contracts

<http://rmtd.mt.gov/insurance/autofreesummary>. For a comprehensive review of coverage and insurance requirements, please visit our website at <http://rmtd.mt.gov/insurance/tortliability> or contact the Risk Management & Tort Defense Division at (406)444-2421. To view the state vehicle use rule, please visit our website at

<http://rmtd.mt.gov/aboutus/statutesrulespolicies>. To apply for insurance coverage, you may access the name of your insurance coordinator in the document found at

<http://rmtd.mt.gov/insurance/insuranceprocurementadministration>.

1. **Insurer:** The State of Montana is self-insured.
2. **Broker:** Not applicable.
3. **Term:** Continuous.
4. **Coverage Territory:** See Section III. of the document found at <http://rmtd.mt.gov/insurance/tortliability.mcpX>, Section 4.
5. **Liability Covered:** Defense against claims or lawsuits arising from property damage or personal injury to third parties arising from the operation of state vehicles. For liability coverage outside of the United States, see Section III. of the document found at <http://rmtd.mt.gov/insurance/tortliability.mcpX> Section 5.
6. **Agencies Covered:** All state agencies as defined in §2-9-101, MCA.
7. **Acts Covered:** All negligent acts of state employees provided they arise while using the state vehicle in an official capacity on behalf of the state (§2-9-305, MCA).
8. **Acts Excluded:**
 - A. Any personal injury or property which may be covered under a separate workers' compensation, auto, fire, property, or general liability policy.
 - B. The conduct of the employee constitutes a criminal offense.
 - C. The conduct upon which a claim is based constitutes oppression, fraud, or malice, or for any other reason does not arise out of the course and scope of employee's employment (§2-9-305, MCA).
 - D. Liability assumed under contract.
 - E. The employee failed to cooperate reasonably in the defense of the case.
 - F. The employee compromised or settled the claim without the consent of the Risk Management & Tort Defense Division.
9. **Comprehensive/Collision Coverage:** See Section III. of the document found at <http://rmtd.mt.gov/insurance/tortliability> Section 9.
10. **Limit:** Statutorily defined at \$750,000 per claim, \$1,500,000 per occurrence for liability (§2-9-108, MCA). For comprehensive/collision coverage the limit is a reasonable determination of the market value (actual cash value) of the vehicle by the Risk Management & Tort Defense Division.
11. **Deductible:** No deductible liability (i.e. personal injury or property damage to third parties). There is a \$250 deductible for comprehensive/collision coverage on state owned or leased vehicles.

Boilers & Machinery Insurance Summary

A summary of insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmt.d.mt.gov/insurance/boiler-machinerysummary> or contact the Risk Management & Tort Defense Division at (406)444-2421. To apply for insurance coverage, please contact your insurance coordinator at <http://rmt.d.mt.gov/insurance/insuranceprocurementadministration>.

1. **Insurer(s):** Various Lloyd's of London and domestic insurance carriers
2. **Broker:** Alliant Insurance Services (Newport Beach, CA.).
3. **Term of Coverage:** 7/1 to 6/30 each fiscal year.
4. **Cause of Loss Covered:** Sudden and accidental breakdown of an insured object or part of the object, with physical damage that requires repair or replacement.
5. **Property Covered:** Insured objects are:
 - A. Boilers, fired vessels, unfired vessels normally subject to vacuum or internal pressure other than weight of contents, refrigerating and air conditioning vessels and any metal piping and its accessory equipment.
 - B. Mechanical or electrical machine or apparatus used for the generation, transmission or utilization of mechanical or electric power (i.e. air conditioners, furnaces, and production machinery).
6. **Perils Excluded:** Exclusions are as indicated below, but are not all included. See policy form.
 - A. Nuclear hazard.
 - B. War and Military action.
 - C. Explosion, except from an explosion from a state object.
 - D. Earth movement.
 - E. Testing of equipment.
 - F. Lack of power.
 - G. Loss covered by other insurance.
 - H. Due diligence for loss for failure to use reasonable means to resume business.
7. **Valuation of Property:** At the time of accident the cost to repair or replace the property with like size, kind and quality of equipment. Business income lost for the time to repair or replace equipment and resume operations.
8. **Limits of Liability**
 - A. \$100,000,000 Breakdown, Extra Expense, etc.
 - B. \$10,000,000 Service Interruption.
 - C. \$10,000,000 Water Damage.
 - D. \$10,000,000 Consequential Damage.
 - E. \$10,000,000 Demolition/Debris Removal.
 - F. \$2,000,000 Electronic Data Processing Media
 - G. \$10,000,000 Ammonia Contamination.
 - H. \$10,000,000 Water Damage.
 - I. \$1,000,000 Hazardous Substances.
 - J. \$1,000,000 Ordinance or Law.
 - K. \$1,000,000 Perishable Goods.
9. **Deductibles:** Varies by object and type of property. \$1,000 per agency/university

Crime (Fidelity) Insurance Summary

A summary of insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmt.d.mt.gov/insurance/crimeinsurancesummary> or contact the Risk Management & Tort Defense Division at (406)444-2421. To apply for insurance coverage, please contact your insurance coordinator at <http://rmt.d.mt.gov/insurance/insuranceprocurementadministration>.

1. **Insurer:** National Union Fire Insurance Company of Pittsburgh, Pennsylvania, and Zurich American Insurance Company
2. **Broker:** Alliant Insurance Services
3. **Term:** 7/1 to 6/30 each fiscal year
4. **Coverage Territory:** This policy applies to insured property and insured losses anywhere in the world.
5. **Cause of Loss:**
 - A. Losses caused by state employees, university employees, or employees of other organizations who are temporarily furnished to the state or university system.
 - B. Employee dishonesty for loss or damage to money, securities, and other property.
 - C. Losses arising from faithful performance of duty.
 - D. Forgery or alteration of checks, drafts, promissory notes, or similar written promises.
 - E. Theft, disappearance, damage, and destruction of money, securities, and other property on state or university premises.
 - F. Theft, disappearance, damage, and destruction of money and securities outside of state or university premises in the care/custody of a messenger services, or in the care/custody of an armored motor vehicle company.
 - G. Direct loss or damage to money, securities, and other property caused by computer fraud. Reasonable expenses to restore or replace computer programs and/or electronic data.
 - H. Direct loss of money and/or securities caused by fund transfer fraud
 - I. Identity theft reimbursement associated with fraudulent activity on personal accounts.
 - J. Expenses associated with preparing a claim.
6. **Property Covered:** Money, securities/other convertible instruments, and other property as defined in the state's policy.
7. **Major Coverage Exclusions:**
 - A. War, insurrection, rebellion, or revolution.
 - B. Seizure or destruction of property by a government authority.
 - C. Loss of income.
 - D. Indirect or consequential loss including fines, penalties, multiples, or punitive damages.
 - E. Loss or damage to microfilms, tapes, manuscripts, records, accounts, or other records whether written or electronic.
 - F. Loss of inventory or loss of profit.
 - G. Losses arising from fire, except damage to money, securities, and money vaults.
 - H. Nuclear risks, radioactive contamination, or biological or chemical contamination.
 - I. Kidnap, extortion, or ransom payments.
 - J. Accounting or mathematical errors.
 - K. Loss or damage from money operated devices.
 - L. Damage to property arising from vandalism or malicious mischief.
 - M. Diminution in the value of money, securities, or other property.
 - N. Loss arising from debit or charge cards.

8. **Valuation of Property:** Face value of money of the money issued in that country, the dollar equivalent of money or securities as determined by the rate of exchange by Wall Street on the day the loss was discovered.
9. **Limits of Liability:**
- \$10,00,000 Public Employee Dishonesty/Fidelity
 - \$10,000,000 Forgery or Alteration
 - \$10,000,000 On Premises
 - \$10,000,000 In Transit
 - \$10,000,000 Computer Crime
 - \$10,000,000 Funds Transfer Fraud
 - \$10,000,000 Faithful Performance
10. **Deductibles:** \$500,000 per incident, \$1,000 per agency/university

Cyber/Data Security Insurance

A summary of data/information security insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmt.d.mt.gov/insurance/cyberdatasecurityinsurance> or contact the Risk Management & Tort Defense Division at (406)444-2421. To apply for insurance coverage, please contact your insurance coordinator at <http://rmt.d.mt.gov/insurance/insuranceprocurementadministration>.

1. **Insurer:** Beazley Insurance Company and Greenwich Insurance Company
2. **Broker:** Alliant Insurance Services, Inc.
3. **Term:** 7/1 to 6/30 each fiscal year
4. **Coverage Territory:** This policy applies to insured events worldwide
5. **Data/Information Security Liability**
 - A. Damages and claims expenses associated with theft, loss, and unauthorized disclosure of private, non-public information.
 - B. Damages and claims expenses associated with alteration, corruption, and deletion of private, non-public information caused by malicious code and/or service denial failure.
 - C. Damages and claims expenses associated with unauthorized sharing and unauthorized selling of private, non-public information.
 - D. Failure to administer an identity theft protection program
6. **Exclusions:** A summary of exclusions is hereby provided
 - A. Bodily Injury or Property Damage
 - B. Any employer-employee relations policies and practices
 - C. Contractual liability or obligation
 - D. Unlawful collection or acquisition of personally identifiable non-public information
 - E. Anti-trust violations
 - F. Unfair trade practices
 - G. Incidents occurring prior to retroactive date of coverage
 - H. Securities Act violations
 - I. Fair Labor Act violations
 - J. Discrimination
 - K. Patent infringement
 - L. Money/securities/funds transfer
 - M. Broadcasting, publications, and advertising
 - N. War and terrorism
 - O. Pollution
 - P. Nuclear events
 - Q. Radioactive contamination
7. **Co-Insurance:** There is no deductible. However, each agency is responsible for 10% of reasonable and necessary expenses incurred by the Risk Management & Tort Defense Division to investigate, evaluate, and resolve data/information security claims to the insurance policy deductible of \$250,000. The division will bill agencies for their fair share of co-insurance payments after the loss.
8. **Limits:** \$7,000,000 per occurrence Information Security & Privacy Liability
\$7,000,000 per occurrence Privacy Notification Costs

\$7,000,000 per occurrence Regulatory Fines and Penalties

\$7,000,000 per occurrence Website Content & Media

\$10,000,000 annual aggregate All coverage combined

Note: Losses that fall outside of commercial insurance limits are the responsibility of each agency/university

Fine Arts Insurance Summary

A summary of insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmt.d.mt.gov/insurance/fineartsummary> or contact the Risk Management & Tort Defense Division at (406)444-2421. To apply for insurance coverage, please contact your insurance coordinator at <http://rmt.d.mt.gov/insurance/insuranceprocurementadministration>.

1. **Insurer:** Iron shore Indemnity and Axis Insurance Company
2. **Broker:** Alliant Insurance Services
3. **Term of Coverage:** 7/1 to 6/30 each fiscal year
4. **Coverage Territory:** This policy applies to insured property on a 'wall to wall' basis from the time the property is removed from its normal repository to return shipment, except prior notification and approval of the Risk Management & Tort Defense Division is required for any shipment by ocean going marine vessel. For coverage outside these territories please contact the Risk Management and Tort Defense Division.
5. **Cause of Loss Covered:** All risk of direct physical loss from any external cause except as excluded within the policy form.
6. **Property Covered:** Paintings, etchings, drawings, rare books, manuscripts, rugs, tapestries, statuary, and other bona fide works of art, or rarity, historic value, or artistic merit of all kinds, which is:
 - A. Property of the state.
 - B. Property of others on loan to the state.
 - C. Property of others offered as gifts to the state.
 - D. The state's interest in residuary gifts.
 - E. Property of others loaned to the state for which the state has been instructed to insure and while in transit.
7. **Liability Coverage:** This policy covers the liability of the state as bailee of all loaned properties for which the state has been instructed to insure.
8. **International Transportation Coverage:** The policy covers property of state and others that the state has been instructed to insure while at locations outside of the United States and Canada and while in transit. See policy for policy terms and conditions for shipment.
9. **Major Exclusions:** The policy has the following primary exclusions amongst others within the policy itself.
 - A. Wear and tear, gradual deterioration, moths, vermin, inherent vice, or loss sustained due to or resulting from any repairing, restoration, or retouching process.
 - B. Hostile or warlike action.
 - C. Loss or damage to property shipped under "on deck" Bills of Lading.
 - D. Nuclear loss.
 - E. Shipments by mail unless by registered first class mail.
10. **Valuation of Property:** In the event of loss the valuation of property will be; Property of the State; Current market value at the time the damage occurs. Property acquired: Current market value at time of loss. Property on loan: Value agreed upon between owners and state provided it does not exceed market value.
11. **Limits of Liability:**

\$400,000,000 Named locations.
\$100,000,000 Unnamed locations.

\$100,000,000 Legal liability.
\$100,000,000 Transit worldwide.

12. **Deductibles:** \$25,000 any one loss except no deductible for legal liability. \$1,000 per agency/university.

Foreign Insurance Summary

A summary of foreign insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmt.d.mt.gov/insurance/foreigninsurance> or contact the Risk Management & Tort Defense Division at (406)444-2421. To apply for insurance coverage, please contact your insurance coordinator at <http://rmt.d.mt.gov/insurance/insuranceprocurementadministration>.

1. **Broker:** Alliant Insurance Services.
2. **Insurance Carrier:** State agencies and universities are insured under separate foreign insurance policies through Chubb Insurance. State agencies and the university system are both insured under the same insurance policy for foreign special risks through Great American Insurance.
3. **Term of Coverage:** 7/1 to 6/30
4. **Parties Covered:** Directors, officers, and employees but excluding students.
5. **Coverages and Exclusions:**
 - Foreign Auto Liability and Physical Damage - See Sections III. c. through III.g. of the document found at <http://rmt.d.mt.gov/insurance/foreigninsurance> Section 5. for a summary of free insurance coverage provided outside of the United States for state and university employees that charge their entire fare on a procurement card through VISA and/or rent Enterprise or Hertz vehicles <http://rmt.d.mt.gov/insurance/autofreesummary>. Note: Various terms and conditions may apply. In addition the division purchases a contingent auto insurance policy which provides coverage above and beyond other coverage offered through VISA, Enterprise, Hertz, or a local foreign jurisdiction. For a summary of contingent auto insurance coverage, please visit the document found at <http://rmt.d.mt.gov/insurance/foreigninsurance> Section 5.
 - Foreign General Liability – Please see the document found at <http://rmt.d.mt.gov/insurance/foreigninsurance> Section 5. for additional information..
 - Foreign Special Risk – Please see the document found at <http://rmt.d.mt.gov/insurance/foreigninsurance> Section 5. for additional information..
 - Travel to countries with trade or economic sanctions is not covered. To obtain information about such countries please visit the U.S. Department of the Treasury website at <http://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx>.
6. **Claim Reporting:** To obtain claims assistance for foreign insurance or foreign special risk claims, please contact a staff member at the Risk Management & Tort Defense Division <http://rmt.d.mt.gov/claims/contactus.mcp.x>. If you are unable to reach us, you may contact the insurance carrier(s) directly by accessing the documents found at <http://rmt.d.mt.gov/insurance/foreigninsurance> Section 6.
7. For questions regarding travel abroad and international assistance, please click [here](#). For additional information on foreign travel, the following links are provided:
 - View the [U.S. Department of State - Travel Information](https://travel.state.gov/content/travel/en.html) at. <https://travel.state.gov/content/travel/en.html>
 - View the <https://www.dhs.gov/keywords/travel-security>
 - View the [U.S. Customs & Border Protection - Know Before You Go](https://search.usa.gov/search?query=know+before+you+go&affiliate=cbpgov) at <https://search.usa.gov/search?query=know+before+you+go&affiliate=cbpgov>

Notary Bond

The Risk Management & Tort Defense Division offers a low cost notary bond alternative in response to numerous requests from our clients for a convenient one source stop for all insurance coverage needs.

The notary bond protects the public from a notary's failure to correctly validate the identity of parties to an agreement/contract. The general requirement is that a Montana notary bond must be for at least 4 years and \$10,000.

Since the notary bond protects the public, not the notary, it is recommended that state and university notaries obtain at least \$10,000 in additional errors and omissions coverage. The errors and omissions coverage protects the notary from negligent acts or omissions.

State agency or university system notaries may now obtain a notary bond through the state's insurance broker, Alliant Insurance Services Inc. Alliant has agreed to place this coverage with a qualified insurance company at the rate schedule found at <http://rmtd.mt.gov/insurance/notarybond>.

For additional information about how to become a notary or to renew your notary commission, please visit the Secretary of State's website at <http://sos.mt.gov/Notary/New/index.asp>. To apply for notary bond coverage please complete the electronic application found at <http://rmtd.mt.gov/insurance/notarybond/notarybondapplication>.

The application MUST be printed out and faxed to Alicia Cortez, Alliant Insurance Services at 619-699-0906 for formal review. Your agency will be billed directly for the cost of the notary bond. In addition, the notary bond will also be sent to the billing address indicated on the application.

You may contact Alicia, Alliant Insurance Services, at 949-260-5099 with any additional questions about your notary bond

Professional Liability Insurance Summary

(Montana University System Only)

A summary of professional liability insurance coverage, exclusions, and policy information for students of the Montana University System in experiential (medical and non-medical related internships) and physician faculty/medical residents at the University of Montana Family Medicine Residency Program is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. Specific exclusions, limitations, or conditions may apply. To obtain insurance program requirements or an application for insurance coverage, please contact the Risk Management & Tort Defense Division at (406)444-2421.

SUMMARY

1. **Insurer(s):** American Casualty Company of Reading Pennsylvania (medical Interns), Great American Insurance Group (non-medical interns), and Hudson Insurance Company (physician faculty and medical residents at the University of Montana Family Medicine Residency Program).
2. **Broker:** Alliant Insurance Services.
3. **Term of Coverage:** 7/1 to 6/30 each fiscal year.
4. **Coverage Territory:** The policy applies to claims brought in the United States (its territories and possessions). For coverage outside these territories please contact the Risk Management and Tort Defense Division.
5. **Cause of Loss Covered:** Negligent acts or omissions of students that arise from participation in internships that are required for graduation (medical and non-medical interns), approved academic projects (non-medical interns), and physician faculty or medical residents associated with the University of Montana Family Residency Program.
6. **Liability Coverage:** Personal injury, bodily injury, and property damage.
7. **Limits of Liability:**

Medical Interns Professional Liability

- General Limit - \$1,000,000 per occurrence/\$5,000,000 aggregate per year
- Grievance Proceedings - \$1,000 per proceeding/\$10,000 aggregate per year
- Defendant Expense Benefit - \$10,000 aggregate per year
- Deposition Representation - \$1,000 per incident/\$25,000 aggregate per year
- Assault - \$1,000 per incident/\$25,000 aggregate per year
- Medical Payments - \$2,000 per person/ \$25,000 aggregate per year
- First Aid - \$500 per incident/ \$25,000 aggregate per year
- Damage to Property of Others - \$250 per incident/\$10,000 aggregate per year

Non-Medical Intern Professional Liability

- General Limit - \$1,500,000 per occurrence all coverages
- Personal Injury/Property Damage - \$1,500,000 per occurrence
- Public Officials Errors & Omissions - \$1,500,000 per occurrence/\$5,000,000 aggregate year
- Broadcaster's Liability - \$1,500,000 per occurrence/\$1,500,000 aggregate per year

Physician Faculty/Medical Resident Professional Liability

- General Limits - \$1,000,000 occurrence/\$3,000,000 per loss/\$3,000,000 aggregate per year
- HIPAA - \$25,000 per proceeding/\$50,000 aggregate per year.
- Medicare/Medicaid Billing Errors - \$25,000 per proceeding/\$50,000 aggregate per year.
- Privacy Liability Reimbursement - \$50,000 per privacy claim/\$50,000 aggregate per year.
- Medical Board Hearings - \$10,000 per proceeding/\$20,000 aggregate per physician per year.

8. **Deductibles:**

- Medical Interns Professional Liability - \$0
- Non-Medical Interns Professional Liability - \$1,000 per occurrence
- Physician Faculty/Medical Resident Professional Liability - \$25,000 per claim

Property Insurance Summary

A summary of insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmt.d.mt.gov/insurance/propertysummary> or contact the Risk Management & Tort Defense Division at (406)444-2421. To apply for insurance coverage, please contact your insurance coordinator at <http://rmt.d.mt.gov/insurance/insuranceprocurementadministration>.

1. **Insurer(s):** Various Lloyd's of London and domestic insurance carriers
2. **Broker:** Alliant Insurance Services
3. **Term:** 7/1 to 6/30 each fiscal year.
4. **Coverage Territory:** The United States, (including its territories and possessions), and Puerto Rico. For coverage outside these territories please contact the Risk Management and Tort Defense Division.
5. **Cause of Loss Covered:** All risk of direct physical loss, subject to exclusions. Coverage applicable includes, but is not limited to; fire, explosion, windstorm, hail, riot, vandalism and malicious mischief, earthquake, and flood.
6. **Property Covered:** All real and personal property owned or leased by the state or for which the state is legally obligated to insure. Coverage includes vehicles garaged at state locations, business income, electronic data processing media/equipment, landscaping, golf courses, athletic fields, tunnels, bridges, catwalks, dams, jewelry, furs, precious metals, stones, watercraft, and rolling stock.
7. **Perils Excluded:** The policy does not insure against loss resulting by any of the following:
 - A. Loss or damage caused by or resulting from moth, vermin, termites or other insects, inherent vice, latent defect, faulty workmanship, error in design or materials, wear and tear and gradual deterioration, contamination, pollution, corrosion, rust, wet or dry rot, mold, dampness of atmosphere, smog or extremes of temperature.
 - B. Delay or loss of markets.
 - C. Infidelity or any dishonesty on part of the insured, including inventory shortage or unexplained disappearance.
 - D. Loss from nuclear perils.
 - E. Loss from war, rebellion, insurrection or by order of any government or public authority.
 - F. Loss or damage to personal property caused by processing, renovating, repairing or faulty workmanship.
 - G. Loss or damage to personal property resulting from shrinkage, evaporation, loss of weight, exposure to light or change of color, texture or flavor.
 - H. Loss or damage to property due to changes of temperature or changes in relative atmosphere, humidity where personal property is left in the open.
 - I. Loss or damage to steam boilers, pipes, turbines, or engines directly caused by bursting, rupture, cracking, or explosion originating therein.
8. **Property Excluded:** The policy excludes the following types of property:
 - A. Aircraft, watercraft and vehicles licensed for road use (except when garaged in or within 1000' of building).
 - B. Railroad rolling stock, except that of Montana Heritage Commission.
 - C. Land, bodies of water, standing timber, and growing crops.
9. **Valuation of Property:** The actual expenditure for repair or replacement of damaged or destroyed property for real and personal property and with regard to loss of income, the loss incurred for the time to rebuild, replace or repair the property. For vehicles damaged, the actual cash value, except for fire engines.

10. Limits of Liability:

\$ 1,000,000,000	All perils, per occurrence
\$ 400,000,000	Earthquake
\$ 1,000,000,000	Business Income (rental value included)
\$ 100,000,000	Flood (\$20,000,000 Flood Zone A)
\$ 600,000,000	Terrorism (PEPIP Members combined)
\$ 50,000,000	Course of Construction
\$ 50,000,000	Expediting Expenses
\$ 50,000,000	Extra Expense
\$ 50,000,000	Errors & Omissions
\$ 25,000,000	Automatic Acquisition
\$ 25,000,000	Transit
\$ 25,000,000	Increased Cost of Construction
\$ 25,000,000	Off-Premises Service Interruption
\$ 10,000,000	Contingent Business Interruption
\$ 10,000,000	Service Interruption (Time Element)
\$ 5,000,000	Business Income Toston Dam Only
\$ 5,000,000	Scheduled Landscaping
\$ 2,500,000	Money & Securities
\$ 2,500,000	Unscheduled Fine Arts
\$ 2,500,000	Watercraft up to 27 feet
\$ 2,500,000	Research Animals
\$ 1,000,000	International property
\$ 500,000	Jewelry, Furs, Precious Metals, and Stones
\$ 1,000,000	Claims Preparation Expenses
\$ 1,000,000	Personal Property Outside the U.S.

11. Deductibles:

- A. \$2,000,000 per occurrence all risk.
- B. \$1,000 per agency, per occurrence for all perils, including specially trained animals.
- C. 24 hour waiting period for Service interruption.

Special Event Liability Insurance Program

A summary of insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmt.d.mt.gov/insurance/tulip> or contact the Risk Management & Tort Defense Division at (406)444-2421.

State agencies and universities are the stewards of valuable properties including buildings, equipment, land, water, and recreational sites. Public and private organizations outside of Montana State Government often request permission to use these facilities for official functions and/or recreational activities. State facilities or universities occasionally sponsor fundraisers, recreational activities, or gala events that may further the state's mission. However, some of these activities may present an unusually high degree of risk and result in claims or lawsuits. Such events may warrant special events liability insurance as opposed to insurance provided under the state's self-insured program.

Please follow these steps to secure liability coverage:

1. Complete TULIP Application

For events sponsored by a tenant/user, please complete the Tenant/User Liability Insurance Application found on our website at <http://rmt.d.mt.gov/insurance/tulip> Section 1. and send it to Danica Boe, Risk Management & Tort Defense Division, P.O. Box 200124, Helena, Montana, 59620-0124, Danica.Boe@mt.gov, (406)444-3600. For special events or high risk activities sponsored by a state agency that may fall outside the scope of the state's self-insured program such as fireworks, parades, athletic events, and concerts, please complete the Nominee Event Application found on our website at <http://rmt.d.mt.gov/insurance/tulip> Section 1. and send it to Brett Dahl, Risk Management & Tort Defense Division, P.O. Box 200124, Helena, Montana, 59620-0124, bdahl@mt.gov, (406)444-3687. Please submit the appropriate TULIP application at least 15 business days in advance of an event to allow enough lead time to secure coverage.

2. Notification of Coverage

You will be notified by the Risk Management & Tort Defense Division in writing of the insurance carrier's decision to approve or deny insurance coverage for each event within 5 business days. Each event will be rated in accordance with the schedules provided in the Special Event Liability Insurance Guidelines and Procedures Manual found on our website at <http://rmt.d.mt.gov/insurance/tulip> Section 2. and the insurance premium will be determined from the hazard schedule therein. If the event is not approved for insurance coverage, you must instruct your tenant/user/instructor to secure his/her own coverage through a licensed insurance agent in Montana. The state must be named as an additional insured on the tenant's/user's/instructor's insurance for any use of state premises. Any exception must be approved by the Risk Management & Tort Defense Division.

3. Insurance Premium Payments

For tenant/user events, each agency is responsible to collect the insurance premium from its tenant/user before each event commences. Agencies will be billed on a quarterly basis for tenant/user and nominee event premium in accordance with the Special Event Reporting Schedule found on our website at <http://rmt.d.mt.gov/insurance/tulip> Section 3. Agencies must remit payment to the Risk Management & Tort Defense Division by April 5th, July 5th, October 5th, and January 5th each year. Failure to make payment will result in cancellation of your coverage and disqualification from the state's TULIP program. The Risk Management & Tort Defense Division will remit quarterly premiums to Alliant Insurance Services, Special Events, P. O. Box 6450, Newport Beach, CA 92658 by April 15th, July 15th, October 15th, and January 15th of each year.

4. Certificates of Insurance

Certificates of insurance will be issued by Danica Boer, Risk Management & Tort Defense Division. Your agency will receive a copy of each certificate that is issued.

5. Acknowledgement of Risk

Waivers of liability are illegal in Montana; however, your agency must prepare an "Acknowledgement of Risk

Form" to be signed by participants in all athletic events. Please contact the Risk Management & Tort Defense Division, Risk Finance Specialist or Division Administrator. Signed "Acknowledgement of Risk Forms" for all athletic events must be sent to Danica Boe, Risk Management & Tort Defense Division.

Tort Liability Insurance Summary

A summary of insurance coverage is provided below. This summary does not alter or amend coverage provided in statute or under the state property/casualty insurance program. To learn more about this coverage or to obtain program requirements, please visit our website at <http://rmt.d.mt.gov/insurance/tortliability> or contact the Risk Management & Tort Defense Division at (406)444-2421. To apply for insurance coverage, please contact your insurance coordinator at <http://rmt.d.mt.gov/insurance/insuranceprocurementadministration>.



1. **Insurer:** The State of Montana is self-insured.
2. **Broker:** Not applicable.
3. **Term:** Continuous.
4. **Coverage Territory:** See Section III. of the document found at <http://rmt.d.mt.gov/insurance/tortliability> Section 4.
5. **Liability Covered:** Defense against claims or lawsuits arising from property damage or personal injury to third parties arising from the operation of state vehicles. For liability coverage outside of the United States, see Section III. of the document found at <http://rmt.d.mt.gov/insurance/tortliability> Section 5.
6. **Agencies Covered:** All state agencies as defined in §2-9-101, MCA.
7. **Acts Covered:** All negligent acts of state employees provided they arise while using the state vehicle in an official capacity on behalf of the state (§2-9-305, MCA).
8. **Acts Excluded:**
 - A. Any personal injury or property which may be covered under a separate workers' compensation, auto, fire, property, or general liability policy.
 - B. The conduct of the employee constitutes a criminal offense.
 - C. The conduct upon which a claim is based constitutes oppression, fraud, or malice, or for any other reason does not arise out of the course and scope of employee's employment (§2-9-305, MCA).
 - D. Liability assumed under contract.
 - E. The employee failed to cooperate reasonably in the defense of the case.
 - F. The employee compromised or settled the claim without the consent of the Risk Management & Tort Defense Division.
9. **Comprehensive/Collision Coverage:** See Section III. of the document found at <http://rmt.d.mt.gov/insurance/tortliability>.
10. **Limit:** Statutorily defined at \$750,000 per claim, \$1,500,000 per occurrence for liability (§2-9-108, MCA). For comprehensive/collision coverage the limit is a reasonable determination of the market value (actual cash value) of the vehicle by the Risk Management & Tort Defense Division.
11. **Deductible:** No deductible liability (i.e. personal injury or property damage to third parties). There is a \$250 deductible for comprehensive/collision coverage on state owned or leased vehicles.

Certificates of Insurance

State agencies are often requested to furnish proof of insurance in contracts or leases in order to satisfy contractors, lessors, or other parties. Managers, supervisors, and employees ultimately have responsibility for contacting the Risk Management & Tort Defense Division to procure a certificate of insurance when it is required by law or by contract.

Auto Liability Insurance

Most state-owned vehicles typically contain a Certificate of Insurance for Auto Liability in the glove box. If your vehicle does not have one, it may be downloaded from the Risk Management & Tort Defense Division's website at <http://rmt.d.mt.gov/insurance/certofins1>. For leased or courtesy vehicles, agency personnel are responsible to download the certificate of auto liability insurance from the division's website <http://rmt.d.mt.gov/insurance/certofins1> and assure that it is in the vehicle.

DEPARTMENT OF ADMINISTRATION RISK MANAGEMENT AND TORT DEFENSE DIVISION		
 BRIAN SCHWITZER, GOVERNOR STATE OF MONTANA TELEPHONE (406) 444-2421 FAX (406) 444-2592 HELENA, MONTANA 59620-3024		
CERTIFICATE OF INSURANCE FOR AUTOMOBILE LIABILITY		
<small>This certificate is issued by the Department of Administration under the authority granted by § 2-9-307, MCA (as amended) and § 2-9-308, MCA (as amended) to the Department of Administration. This certificate is not a contract of insurance and does not constitute an offer of insurance. It is a statement of the insurance coverage provided by the Department of Administration. It is not a contract of insurance and does not constitute an offer of insurance. It is a statement of the insurance coverage provided by the Department of Administration.</small>		
Kind of Insurance	Effective Date	Limits
Tort Liability (includes Auto)	continuous	Per Claim \$ 750,000
Automobile	na	Per Occurrence \$1,500,000
Physical Damage	na	Comprehensive/Collision ACV less \$250.00
Property	na	Per Occurrence \$500,000.000
<small>Coverage is in accordance with the Tort Claims Act, Title 2, Section 2, Chapters 1-3, Montana Code Annotated and ARM 2-2-2-28 as respects vehicles owned, leased, owned by the State of Montana, its officers, officials, employees, and agents and servants on the above dates.</small>		
<small>Should any material change occur, the Department of Administration will endeavor to notify the certificate holder of such changes by mail at least thirty (30) days prior to such change, but failure to do so shall impose no obligation or liability of any kind upon the State.</small>		
<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 5px; width: 40%;"> <small>State & Address of Certificate Holder in State of Montana. If officers, officials, employees, officials and agents in accordance with 2-9-307 through 30.5 MCA and ARM 2-2-2-28.</small> </div> <div style="width: 55%;">  <small>Kevin R. Rhodes, Risk Finance Specialist State of Montana Department of Administration</small> </div> </div>		

Other

All other certificates of insurance must be obtained from the Risk Management and Tort Defense Division. Certificates are not available for activities or employees that the Risk Management and Tort Defense Division does not insure. Example(s): State employees using personal vehicles must carry evidence or proof of their own personal vehicle insurance since this insurance coverage is primary. To request a certificate of insurance, please complete the Certificate of Insurance Request Form found at <http://rmt.d.mt.gov/insurance/certofins1>.

Please contact the Risk Management & Tort Defense Division at (406)444-2421 if you have additional questions.

Insurance Premium Allocation

2023 Biennium

In accordance with §2-9-202, MCA, the Risk Management & Tort Defense Division is responsible for the allocation of insurance premiums to state agencies subject to appropriations by the legislature. The philosophy of the Risk Management & Tort Defense Division is that each state agency should bear a proportionate share of premium commensurate with its loss experience and exposure.

The Risk Management & Tort Defense Division incurs significant expense in the investigation, defense, and settlement of claims and lawsuits. Agencies with higher losses will pay higher insurance premiums. No one agency is expected to bear the burden of paying for total costs of unexpected losses from its authorized budget. The Risk Management & Tort Defense Division allocates insurance premium as provided in the 2019 Biennium Decision Package Summary as follows:

Auto

Total auto premium collections of \$1,820,313 each year of the biennium is comprised of two separate insurance coverages:

	FY 2022	FY 2023
Auto comp/collision	\$ 833,869	\$ 854,732
Auto liability premium	\$ 986,444	\$ 965,581

Auto comp/collision premiums for FY 2022 and FY 2023 are based upon total values of reported vehicles. Auto liability insurance premium for the 2023 biennium will be based upon agency losses for the past 4 years as well as the number of vehicles reported by each agency and will vary by agency.

Aviation

Aviation premium of \$169,961 in FY 2022 and FY 2023 is allocated to those agencies that have aircraft based upon charges from commercial insurance carriers for each aircraft, depending on the year, make, model, and value of the aircraft. Airport premium is apportioned to those agencies that have airports based upon the number of airports.

General Liability

Total general liability premium of \$14,613,042 each year of the biennium is comprised of commercial coverage and self-insured coverage as follows:

	FY 2022	FY 2023
Commercial coverage	\$ 402,366	\$ 414,371
Self-insured coverage	\$14,210,676	\$14,198,671

Commercial coverage charges are negotiated with commercial insurance carriers. General liability rates for each agency will increase for the 2023 biennium; however, premiums by agency may vary slightly to changes in exposure (i.e. # of FTE's)

Property

Property insurance premium of \$9,009,000 is allocated to each agency based on its percentage of reported exposures (i.e. building replacement cost values, boilers & machinery, etc.).

Notice of Election Form
FY 2021 Automobile Insurance Premium Discount Program
Risk Management & Tort Defense Division
Department of Administration

Purpose & General Provisions:

The Risk Management & Tort Defense Division (RMTD) offers an auto insurance premium discount of 10 percent for state agencies and universities that participate in recognized defensive driving training and implement the State Vehicle Use Rule. The discount shall be applied against budgeted premium for auto insurance coverage in FY 2022.

Requirements & Documentation:

Your agency must do the following during FY 2021 to be eligible for the discount in FY 2022:

- 1) Deputy Agency Director or higher (or equivalent position) must sign and return this notice of election form to Julie Ouzts at RMTD by **June 15, 2020**.
- 2) Agency must review its auto liability and auto physical damage claims for FY 2021 and its claim trends for the last four years, by **October 1, 2020**. Reviewers must include at least one person of Deputy Agency Director or higher (or equivalent position), who must sign a statement informing RMTD that the review is complete. The goal of this review is to identify claim trends with an eye to develop ways to reduce the likelihood or severity of future claims, and to identify drivers who need training. (To obtain reports, access State Agency Loss Reports through RMTD's website. Select Standard Reports. Under Auto Liability, select Detailed – Auto Liability Claims. Under Auto Physical Damage, select the same report.)
- 3) Agency must have at least 5 percent of its employees complete defensive driving training sponsored or approved by RMTD by **June 1, 2021**. Percentage of employees is based upon reported FTE count. Any driver involved in a vehicular accident that resulted in a new claim must participate in the training unless excused by RMTD (contact JOuzts@mt.gov for excusals).

RMTD Responsibilities:

- 1) Notify Risk Coordinators of the dates, times, and locations of RMTD training offered throughout FY 2021. Training sponsored by RMTD is offered free of charge.
- 2) Maintain a list of employees who have completed RMTD sponsored defensive driver training during FY 2021.
- 3) Recognize on a case-by-case basis other safe driving courses not sponsored by the division. Note: Participants should consult RMTD prior to enrolling employees in such courses.

-Notice of Election-		
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> hereby elects to participate in RMTD's FY 2021 Auto Insurance Premium Discount Program.		
<small>(Organization)</small>		
<small>(Authorized Signature)</small>	<small>(Title)</small>	<small>(Date)</small>

Contact Julie Ouzts at (406) 444-0106 or JOuzts@mt.gov with any questions or for additional information.

Each participant will be notified of their eligibility by July 1, 2021 as indicated below:

RMTD USE	
<input type="checkbox"/> Discount Approved <input type="checkbox"/> Discount Disapproved	
Comments: _____	

Notice of Election
FY 2021 High Deductible Insurance Premium Discount Program
Risk Management & Tort Defense Division
Department of Administration

Purpose & General Provisions:

The Risk Management & Tort Defense Division (RMTD) offers a high deductible insurance premium discount on auto physical damage (comprehensive/collision) and property insurance. The purpose of the discount is to give state agencies and universities the opportunity to realize insurance premium savings through cost sharing and loss prevention.

Requirements and Documentation:

Standard deductibles for state agencies are \$250 per occurrence for auto physical damage claims and \$1,000 for property claims. In order to be eligible for a premium discount in FY 2021, your agency must do the following:

- 1) Complete, sign, and return this "Notice of Election" form to Kristie Rhodes, RMTD by June 15, 2020.
- 2) Select a deductible below. Note: Participants are responsible to pay claims to the deductible level selected. Participants making no election will be assessed the standard deductible. Historical claims reference information may be obtained from your risk coordinator.

	<u><i>Elected Deductible</i></u>	<u><i>Premium Discount</i></u>
<input type="checkbox"/> Auto Physical Damage Standard	\$250	N/A
<input type="checkbox"/> Auto Physical Damage Option #1	\$500	5%
<input type="checkbox"/> Auto Physical Damage Option #2	\$1,000	10%
<input type="checkbox"/> Auto Physical Damage Option #3	\$2,500	20%
<input type="checkbox"/> Property Standard	\$1,000	N/A
<input type="checkbox"/> Property Option #1	\$2,500	5%
<input type="checkbox"/> Property Option #2	\$5,000	10%

- 3) Report all auto physical damage claims \$250 and above, and all property claims \$1,000 and above to RMTD for immediate evaluation regardless of deductible selected. Instructions and forms for filing claims may be found at the RMTD website <http://rmt.d.mt.gov/claims/agenciesreportclaims.asp>.

Contact Kristie Rhodes, RMTD at (406) 444-4509 with any questions or for additional information.

-Notice of Election-	
_____ hereby elects to participate in RMTD's FY 2021 High	
<i>(Organization)</i>	
Deductible Insurance Premium Discount Program as selected above.	
_____	_____
<i>(Signature)</i>	<i>(Date)</i>

Termination:

A participant may terminate its participation by providing written notice to the Risk Management & Tort Defense Division. The termination is effective as of the date of the written notice. This election is for FY 2021 only. A separate election must be made in each subsequent year.

Each participant will be notified of their eligibility for the discount on July 1, 2020 as indicated below:

☐ Discount Approved ☐ Discount Disapproved

Comments: _____

**Notice of Election Form – State Agencies
FY 2021 General Liability Insurance Premium Discount
Risk Management & Tort Defense Division
Department of Administration**

Purpose & General Provisions:

The Risk Management & Tort Defense Division (RMTD) offers a general liability insurance premium discount of 2.5 percent for state agencies that participate in online Cyber/Information Security Insurance Training approved by the State of Montana Information Technology Services Division. The discount shall be applied against budgeted premium for general liability insurance in FY 2022.

Requirements & Documentation:

Your agency must do the following during FY 2021 to be eligible for the discount in FY 2022:

- 1) Deputy Agency Director or higher (or equivalent position) must sign and return this notice of election form to Kristie Rhodes, Risk Management & Tort Defense Division, P.O. Box 200124, Helena, Montana 59620-0124 by **June 15, 2020**.
- 2) Your agency must review its cyber/information security claims for FY 2019 and FY 2020 by **October 1, 2020**. Reviewers must include at least one person of Deputy Agency Director level or higher (or equivalent position), who must sign a statement informing RMTD that the review is complete. The goal of this review is to identify claim trends with an eye to develop ways to reduce the likelihood or severity of future claims. To obtain reports, go to RMTD's website at <http://rmtd.mt.gov> and click on the Claims section. Select State Agency Loss Reports, Custom Reports, Database Activity Report, Coverage Code, select D-Cyber, enter Start and End Dates, and specified fiscal year(s). Under Classification/Coverage Code, select D-Cyber. Please contact Jennie Younkin at (406) 444-7996, jyounkin@mt.gov if you can't access your claims reports.
- 3) Your agency must have at least 75 percent of its employees complete the online cyber/information security training by **June 1, 2021**. Any employee involved in a cyber/information security data incident that results in a claim during FY 2021 must participate in the training during FY 2021 unless excused by the Department of Administration (contact Jennie Younkin jyounkin@mt.gov for excusals).

Responsibilities:

- 1) The state Information Technology Services Division will maintain a list of employees who have completed online cyber/information security training during FY 2021. Agencies that are not under the state's training contract must provide Andy Hanks, State's Chief Information Security Officer, with a list of employees trained by **June 1, 2021**.
- 2) The state Information Technology Services Division will approve on a case by case basis those online cyber/information security training courses that are not sponsored by the Department of Administration. Note: Participants should consult with Andy Hanks (406)444-9127 prior to enrolling in such courses.

-Notice of Election-		
	hereby elects to participate in RMTD's FY 2021 General Liability Insurance Premium Discount Program.	
<i>(Organization)</i>		
<i>(Authorized Signature)</i>	<i>(Title)</i>	<i>(Date)</i>

Contact Kristie Rhodes at (406) 444-4509 or krhodes@mt.gov with any questions or for additional information.

Each participant will be notified of their eligibility by July 1, 2021, as indicated below:

RMTD USE	
<input type="checkbox"/> Discount Approved <input type="checkbox"/> Discount Disapproved	
Comments:	<div style="border-bottom: 1px solid black; height: 1.2em;"></div> <div style="border-bottom: 1px solid black; height: 1.2em;"></div> <div style="border-bottom: 1px solid black; height: 1.2em;"></div> <div style="border-bottom: 1px solid black; height: 1.2em;"></div>

Notice of Election Form
FY 2021 Property Loss Management Insurance Premium Discount Program
Risk Management & Tort Defense Division
Department of Administration

Purpose & General Provisions:

The Risk Management & Tort Defense Division (RMTD) offers a property insurance premium discount of up to 10% to state agencies and universities that establish and maintain a comprehensive and effective Property Loss Management Program. The discount shall be applied against the participant's budgeted property insurance premium in FY 2022.

Requirements and Documentation:

Premium discount of up to 10% will be based on participant's completion of the following during FY 2021:

- 1) **By June 15, 2020**, a Deputy Director, Vice President, Institutional Director, or person of equivalent position must sign this Notice of Election form returning it to Aric Curtiss, RMTD, to initiate their agency's/university's voluntary election to participate in this program. The named contact will receive a Program Binder* by July 15, 2020.
- 2) **Prior to October 1, 2020**, assemble a panel to review your reported commercial property schedule. Upon review of this schedule this panel shall develop a strategic plan to ensure identifying property details are reported by January 15, 2021. Submit this plan to Aric Curtiss, RMTD, **by October 31, 2020**.
- 3) **By October 1, 2020**, assemble a panel and review your property claims activity report identifying trends and common factors. This panel shall develop a basic plan to address the occurrence of property claims incorporating property loss management strategies. Submit reviewed property claims activity report and basic plan to Aric Curtiss, RMTD, **by October 31, 2020**.
- 4) **By June 1, 2021**, submit the following written documentation to Aric Curtiss, RMTD. Documentation should be organized within your Program Binder provided by RMTD and be applicable to the program year FY 2021.
 - Schedule of preventative maintenance completed for key buildings.
 - Checklists for self-inspections completed on key buildings.
 - Policies and procedures for hot works; impairment testing of fire protection equipment; pre-fire emergency planning; and cold weather precautions in force.
- 5) Submit blueprints, plans, and specifications for renovations or new construction involving or affecting fire suppression systems within insured buildings.
- 6) Submit timely written response to recommendations contained in Property Loss Management letters issued by RMTD and/or its consultants. Responses must indicate that a reasonable effort to comply with recommendations is made.

** Reference Program Binder for additional details including required panel membership, directions to obtain property schedule and claims activity report, program evaluation criteria, and other important information.*

Contact Aric Curtiss, RMTD, at 444-3486 or ACurtiss@mt.gov with any questions or for additional information.

~ Notice of Election ~		
_____ (Organization) hereby elects to participate in RMTD's FY 2021 Property Loss Management Insurance Premium Discount Program.		
Our contact person for this program is: _____ / _____ (Name) (E-mail)		
_____ (Authorized Signature)	_____ (Printed Name)	_____ (Title)

Each participant will be notified of its eligibility for a discount by July 1, 2021 as indicated below:

RMTD USE	
<input type="checkbox"/> Discount Approved ____%	<input type="checkbox"/> Discount Disapproved
Comments: _____	

Loss Prevention

Agency and university losses stem from a variety of causes, but typically fall into five broad categories:

1. **Damage to Property** - Physical damage to aircraft, boilers & machinery, buildings, vehicles, and other state property.
2. **Liability to Others** - Legal liability to others arising from negligent acts or omissions.
3. **Loss of Income or Increased Costs** - Loss of revenue from income producing operations.
4. **Worker's Compensation Claims** - Employee accidents and injuries.
5. **Enterprise Risks** - Enterprise Risk Management (ERM) is a new and emerging discipline in risk management that is gradually being assimilated and adopted in the culture of some public and private entities. An enterprise risk is an activity or event that prevents an organization from achieving its objectives. An organization may fail to reach its objectives through failure to manage its finances through economic boom or recession, failure to take advantage of strategic opportunities, damage to its reputation, and unexpected political events either at home or abroad, to name a few. For additional information about ERM, please visit <https://rmtd.mt.gov/aboutus/enterpriseriskmanagement>.

Through effective loss prevention programs, state agencies and universities can reduce the underlying risk factors that often precede claims or losses; thus saving tax dollars and other resources.

For additional information about our services, please visit our loss prevention home page at <https://rmtd.mt.gov/safetylosscontrol>. Please contact our [Loss Prevention Staff](#) for additional information.

Claims Reporting

In accordance with §2-9-303, MCA, the Risk Management & Tort Defense Division (RMTD) may settle any claim for personal injury/property damage in behalf of state agencies. Timely and accurate reporting of claims is critical in order to protect the interests of the state and its employees. Please follow these procedures to report a claim.

In accordance with §2-9-303, MCA, the Risk Management & Tort Defense Division (RMTD) may settle any claim for personal injury/property damage in behalf of state agencies. Timely and accurate reporting of claims is critical in order to protect the interests of the state and its employees. Please follow these procedures to report a claim.

1. For reporting purposes, claims fall into one of four categories:
 - a. **Vehicle** - losses arising from the use of state owned, leased, or courtesy vehicles, mobile equipment, and watercraft.
 - b. **Personal Injury** - losses to 'non-state parties' arising from personal injury or property damage other than vehicles.
 - c. **Property** - losses to state property other than automobile and personal injury arising from perils such as hail, windstorm, earthquake, fire, theft, etc.
 - d. **Data Breach/Other** - losses arising from data/information security breaches and other losses.
2. After an agency or university has suffered a loss, the employee most familiar with the incident should immediately notify his/her supervisor and complete the Report of Incident form found at <http://rmt.d.mt.gov/claims/reportincidentform>. For vehicular accidents, guidelines about what information to collect and what to say and do at the accident scene may be found at <http://rmt.d.mt.gov/claims/incaseaccidentform> or in the Accident Form located in the vehicle glove box.
3. The immediate supervisor or his/her designee must conduct an investigation to determine what happened, why it happened, and how the claim can be prevented from recurring.
4. Any catastrophic property loss, data breach, or other loss which involves a fatality or bodily injury, should be telephoned to RMTD claims staff at (406)444-2421 by the immediate supervisor or his/her designee as early as possible the day of the incident, or, if after normal business hours (i.e. 8:00 a.m. to 5:00 p.m.), the next day. The 'Report of Incident' must be signed by the supervisor and submitted to RMTD within 24 hours.
5. For all other losses, the immediate supervisor or designee must assure that a Report of Incident form is accurately completed, signed, and sent to RMTD within 5 business days. Claims that are not reported within 60 days may be denied.
6. A Report of Incident form should be initiated even if no injury or property damage resulted from the incident. An incident that occurs today with little consequence for the agency involved, may have serious consequences for others at some future date.
7. The Report of Incident form must contain only factual information. State personnel who are completing the reports **should exercise caution not to place blame on other state employees or admit liability**.
8. Do not furnish information on claims or lawsuits to unauthorized persons other than law enforcement officials. Obtain names and address of witness. Refer all other questions to RMTD.
9. In the event of a claim involving theft of money, securities, or other property, notify the police immediately and call RMTD claims staff as soon as possible.
10. Copies of the Report of Incident form shall be distributed as follows:

ORIGINAL

Risk Management and Tort Defense Division
1625 11th Avenue
P.O. Box 200124
Helena, MT 59620-0124

COPIES

Department of Transportation, Organizational Development Bureau for claims involving motor pool vehicles. One copy of each report shall be maintained by the respective agency. If possible, photographs and diagrams of the losses should also be provided.

11. Contact us. If a loss occurs during normal business hours you may reach any of our staff at their phone extensions <http://rmtd.mt.gov/aboutus/organizationstaff> or call (406)444-2421. In the event of an emergency, after normal business hours call (406)444-2421 and press 1. for Jennie Younkin, 2. for Gordon Amsbaugh, 3. for Kirk Barfuss or 4. for Brett Dahl. Your phone call will then be transferred to a live person. Follow the instructions at <http://rmtd.mt.gov/claims/agenciesreportclaims> for filing a claim and send the Report of Incident and other appropriate documentation to our office immediately.



STATE OF MONTANA
RISK MANAGEMENT & TORT DEFENSE
DEPARTMENT OF ADMINISTRATION
P.O. BOX 200124 - HELENA, MT 59620-0124
(406) 444-2421 FAX (406) 444-2592

REPORT OF INCIDENT

Reporting Person:	Job Title:	
Department:	Division:	Phone:
Date/Time of Incident:	Location of Incident:	

COMPLETE ONLY THE SECTION THAT APPLIES TO YOUR LOSS

VEHICLE ☐ PERSONAL INJURY ☐ PROPERTY DAMAGE ☐ DATA BREACH/OTHER ☐

VEHICLE

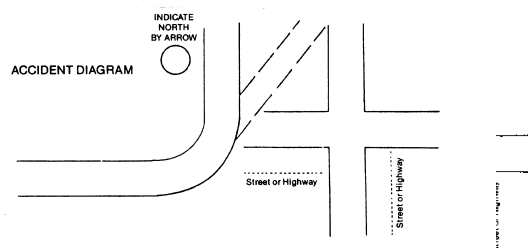
ACCIDENT INFORMATION

Were Police Notified? Yes <input type="checkbox"/> No <input type="checkbox"/>		Police Department Name:
Investigating Officer's Name:		Investigation Officers Phone Number
Were Citations Issued? No <input type="checkbox"/> Yes <input type="checkbox"/> STATE Vehicle Driver <input type="checkbox"/> OTHER Vehicle Driver <input type="checkbox"/>		
Weather Conditions: Clear? <input type="checkbox"/> Rain? <input type="checkbox"/> Snow? <input type="checkbox"/> Other? <input type="checkbox"/> Describe		
Roadway Conditions: Dry? <input type="checkbox"/> Wet? <input type="checkbox"/> Icy? <input type="checkbox"/> Snow packed? <input type="checkbox"/> Other? <input type="checkbox"/> Describe		
Light Conditions: Daylight? <input type="checkbox"/> Darkness? <input type="checkbox"/> Dusk? <input type="checkbox"/> Dawn? <input type="checkbox"/> Other? <input type="checkbox"/> Describe		
Vehicle Speed: STATE Vehicle? OTHER Vehicle?		
License No. _____ Est. Repair _____	Attachment No. _____ Est. Repair _____	Attachment No. _____ Est. Repair _____

Describe Accident/Incident in detail:

Accident Diagram

INDICATE
NORTH
BY ARROW



(use blank paper for additional information)

Signature of Driver:		Date:
STATE VEHICLE INFORMATION		
Department Owning Vehicle:		Phone No.
Driver's Name:		Phone No.
For What Purpose was the Vehicle Being Used?		
Plate No.	VIN No.	Make/Model/Year:

Location Where Vehicle May Be Seen (Address)?					Equip. No.			
OTHER VEHICLE INFORMATION								
Plate No./State:		VIN No.:		Make/Model/Year:				
Owner Name:								
Address:					Phone No.:			
Driver's Name:								
Address:					Phone No.:			
Insurance Co.:			Policy No.:		Phone No.:			
OCCUPANTS								
Name:		Address:		Age	State Veh.	Other Veh.	Injured Y - N	Describe Injury
					<input type="checkbox"/>	<input type="checkbox"/>		
					<input type="checkbox"/>	<input type="checkbox"/>		
WITNESSES								
Name:		Address:			Phone:			

PERSONAL INJURY					
Name of Injured:		Address:		Phone:	
Nature of Injury:					
Describe clearly how accident/injury occurred:					
(use blank paper for additional information)					

PROPERTY DAMAGE	
Describe clearly how the loss occurred and give a brief description of the property (i.e. make, model, serial number when applicable)	
(use blank paper for additional information)	

DATA BREACH/OTHER	
Describe clearly how the loss occurred:	
(use blank paper for additional information)	

Date	Reporting Person's Signature:
Date	Supervisor's Signature:
Date	Department Official's Signature: