1. **BACKGROUND INFORMATION**
   1. Third Party Administrator (“TPA” or “Contractor”) must have a current office in the State of Florida. Office location to be listed in Attachment 4 – Worksheet.
   2. Lake County currently provides workers comp coverage for the following entities:

|  |  |  |  |
| --- | --- | --- | --- |
| **Agency** | **Fulltime Staff** | **Part-time Staff** | **Volunteers** |
| Lake – BOCC | 928 | 39 | 210 |
| Lake County Clerk | 182 | 8 | 0 |
| Lake County Property Appraiser | 40 | 1 | 0 |
| Lake County Tax Collector | 128 | 3 | 0 |
| Lake County Supervisor of Elections | 19 | 21 (work 1-5 days per year) | 21 (work 1-5 days per year) |
| Lake Sumter MPO | 1 | 1 | 0 |
| **Totals** | **1298** | **73** | **231** |

1. **CONTRACTOR RESPONSIBILITIES FOR WORKERS COMPENSATION & EMPLOYER LIABILITY:** 
   1. Responsible for all claims reported with a date of accident on or after October 1, 2023, to provide a transition with no disruption or delay in the processing of claims. Provide a detailed work plan for the implementation and transition of claims incurred and reported prior to the effective date of the Contract to assure that the transition occurs with no delays in delivery of medical benefits or delays in payments to any claimants or clinicians or in the general handling of all claims. Contractor will indicate in the proposal if there is any fee for conversion of data or transfer of claim files from the previous TPA.
   2. Administer workers’ compensation benefits in accordance with established practice parameters and protocols of treatment as provided for in Chapter 440, Florida Statutes.
   3. Make initial contact with the employee and establish a claims file within twenty-four (24) hours of receipt of the Employers’ First Report of Injury or Illness for the County. Claim files will be available for review by the County at any time during the TPA’s regular business hours.
   4. Monitor treatment programs for injured employees to ensure that they receive proper care and to avoid over treatment situations.
   5. Meet state law utilization review guidelines and standards.
   6. Establish claim reserves and provide a continual review and update of reserves to reflect changes during the life of the claim.
   7. As necessary, complete Average Weekly Wage (AWW), 13-week salary computations, Medicare set-aside projections and other W/C indemnity payments.
   8. Provide on-going training to County employees as needed/requested to explain Division of Workers’ Compensation (DWC) benefit notices and other required letters, forms, and procedures.
   9. Acknowledge Lake County Human Resources staff inquiries within same workday and provide an update on forecasted issue resolution timeframe.
   10. All penalties incurred because of failure of the TPA to comply with statutory laws or administrative regulations will be the sole responsibility of the TPA.
   11. Maintain accurate and timely loss runs in a format system acceptable to the County and required by law.
   12. County will select defense and subrogation counsel.
   13. TPA is responsible for proceeding against responsible persons, agencies, or agents in subrogation actions to recover losses suffered by the County due to employee injuries.
   14. County reserves the right to approve, disapprove, or select any and all service providers including medical case managers, rehabilitation counselors, primary medical treatment impatient and out-patient facilities, physicians, specialists, chiropractors, legal services, etc.
   15. Recommend special, outside investigations for questionable claims with the coordination and assistance of the County.
   16. Provide advance notice and explanation to the County of any claim for workers’ compensation benefits that is contested and may be denied by the TPA.
   17. County and excess insurer reserve the right to, at any time, inspect, copy, or audit the files, including the right to conduct an independent claims audit paid for by the County, excess insurer, or State Managed Care Program.
   18. Provide viewing and reporting access to the TPA’s online claims tracking system.
   19. Closing of Claims
       1. All claims’ files remain the property of the County and will not be disposed of without the County’s prior authorization.
       2. Close files that meet closing criteria in a timely manner.
   20. Additional Services
       1. Attend Workers’ Compensation Appeals Board hearings, status conferences and trials along with depositions, conferences with legal defense counsel, and meetings with County staff as required.
       2. Provide all forms, posters, and pamphlets as required by Chapter 440, Florida Statutes, that are necessary for the processing of claim and benefit information at the TPA’s own expense.
       3. Prepare the Public Entities Self-Insured Annual Report, and any additional reports required by Federal or State law (e.g., OSHA 300 Log).
       4. Prepare DFS-F2-SI-17 Reports for submission to State of Florida.
       5. Coordinate with and report all claims meeting the County’s excess insurance carrier’s reporting criteria as established by the excess insurance carrier.
       6. Demonstrate knowledge of an Early Return to Work Program.
       7. Provide onsite education programs for employees on selected safety topics.
       8. Access and assignment of nurse advocates to case after approval by the County.
   21. Medical Cost Control
       1. Provide analysis and strategies for medical service/facility cost savings resulting from your Preferred Provider Network or other services.
       2. Employ strategies for cost savings due to TPA operation or contracted bill review activities.
   22. Litigation
       1. Discuss strategies for medical cost control on litigated claims with the County before allowing defense counsel to select a physician.
       2. Closely monitor litigation efforts and communicate regularly with the County. The County must authorize all depositions and investigations.
       3. The County must approve settlement authority on all claims.
       4. Prior to any settlement conference, hearing or trial, the claims administrator and defense counsel will provide a written analysis of the case, including options and recommendations of settlement. All permanent disability ratings must include the rating formula and dollar amount.
       5. Establish controls and procedures to manage and contain claim defense costs.
2. **CONTRACTOR RESPONSIBILITIES FOR PROPERTY & LIABILITY:**
   1. Establish reporting procedures which are compatible with the needs and organizational structure of the County.
   2. Provide necessary forms and instructions for use. Such forms are to include appropriate accident reports with mailing address of primary recipients preprinted thereon.
   3. Be available on a twenty-four (24) hour basis and provide immediate response to claims investigation requests through use of email or cellular telephones.
   4. Prepare and follow service instructions that have been approved by the County in the handling of the County claims.
   5. Receive and examine on behalf of the County all reports of third-party liability claims including claims by an employee of an insured against another insured.
   6. Within twenty-four (24) hours after the County has provided TPA with notification of a serious (one requiring more than first aid) third party bodily injury claim, contact the claimant by telephone or in person. Within two (2) working days after notification of any other third-party claim, contact the claimant by telephone or in person.
   7. Conduct such investigation as in the exercise of professional judgement would seem necessary. Follow specific written investigation procedures for any case for which the excess insurer requires specific notification.
   8. The County may select and employ outside professionals such as surveillance personnel, expert witnesses, and attorneys to assist in the investigation, adjustment, and defense of claims.
   9. Prepare and maintain files necessary for legal defense of claims and / or other litigation (such as actions for subrogation, contribution, or indemnity) or other proceedings.
   10. Where appropriate or desirable, attend hearings, depositions, mediations, and other proceedings. The attorney or other party representing the County shall provide a written report to the County within ten (10) working days after the hearing, deposition, mediation, or other proceedings. If the adjuster handling the claim attend the hearing, deposition, mediation, or other proceeding, adjuster will file and provide a report to the County within ten (10) working days after the hearing, deposition, mediation, or other proceeding.
   11. Pay in a timely manner all claims and expenses pertaining to the County claims.
   12. At the request of the County, provide a complete copy of all files involving litigation, potential or actual subrogation.
   13. Aggressively pursue all possibilities of subrogation, excess insurance reimbursement, third-party liens, contribution, or indemnity on behalf of the County. Services for Automobile Liability shall include the pursuit of subrogation on behalf of the County for Automobile Physical Damage losses.
   14. Periodically as appropriate, but at least every six (6) months, review all open cases to assist in the settlement of the cases. Such review shall include a review and verification of outstanding reserves. A written summary of the review shall be provided to the County within ten (10) working days after the end of the period for which the report is being made.
   15. The County will reserve the right to administer and adjust in-house any First Party Claims and Third-Party Property Damage Claim that the County deems can be resolved in-house.

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