

We are happy to provide you our publication for nonprofit risk managers, as part of our service to you. If you need to change the email address to which this is sent, please [contact us](#). Be sure to include your name, organization and address. You also are welcome to call us at 800.222.8920 for assistance. For risk management guidance between the quarterly issues of *VIS Connections*, we invite you to follow our blog at www.volunteerinsure.org.

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Older drivers – occupational therapists can help assess risk

If you have volunteer drivers – or family members -- who might have age-related impairments that affect their ability to drive safely, consider an evaluation by an occupational therapist who has a specialty in driving-skills assessment. Not only might such an evaluation help avoid a serious accident, it also offers objectivity that volunteer managers or family members do not have – which can make it easier for the elder to make the appropriate decision about driving.

“Just to prove I’m fine”...or not

Carolyn Rosenblatt is a registered nurse, retired personal-injury attorney and author on aging-related issues. (See AgingParents.com, in **Resources**, below) She notes that an elder might not be willing to listen to family members who say it is time to give up the keys. “But the elder might be persuaded to get a driving evaluation by an objective person, ‘just to prove I’m fine.’ That also takes the onus off the doctor, who may be reluctant to say an aging patient should stop driving when the doctor and patient have had a long relationship and the doctor has never witnessed the elder’s driving.”

What specialists can do, and how to find them

The [American Occupational Therapy Association](#) and the [Association For Driver Rehabilitation Specialists](#) can help you find members near you who have been trained to recognize the impact of aging, overall health, disabilities and various risk factors on one's ability to drive. They can make clinical assessments of vision; the ability to recognize and respond to situations quickly; strength; flexibility; and knowledge of traffic rules. A complete assessment also will include a behind-the-wheel test, either in a vehicle or a simulator.

The specialist will explain the results of the evaluation, provide a written copy, and make recommendations that might include retraining, rehabilitation, adaptive equipment for the vehicle, or other measures that can help the driver operate his or her vehicle more safely. In some cases, the recommendation could be to stop driving entirely. The process usually takes 2-3 hours, at a cost of \$250-\$600, depending on the kinds of tests conducted. Insurance, veterans' benefits, and discounts sometimes apply. If the evaluation is done on a doctor's referral, the doctor can be notified of the results.

Your Road Ahead – A Guide To Comprehensive Driving Evaluations was published by The Hartford, the MIT AgeLab and the American Occupational Therapy Association (AOTA), to help elders and their families understand the details of an evaluation, and know the questions to ask before selecting a specialist. AOTA also has a two-page document, *Spectrum of Driver Services and Driver Rehabilitation Program Services*, that can help identify the kinds of services most appropriate for a particular driver. If you would like a copy of either or both of those documents emailed to you in PDF format, please email VIS Executive Director [William Henry](#) or call him at 800.222.8920.

Time to give up the keys? Find clues in other behavior

Fender benders, near-collisions, confusion in traffic and erratic driving are not the only signs that an elder might be near the end of his or her driving life. Dr. Anne Dickerson, occupational therapy professor at East Carolina University, says volunteer managers should take note of other information that's sometimes available: "When a volunteer driver starts to have difficulties (maybe remarks that a son or daughter has taken over this task) with other instrumental activities of daily living like budgeting, medication management, finances, or learning new methods of doing something, I would say it is time to retire from driving. The driver may reassure the organization that driving is something they can do very well, but (delegating other tasks) just demonstrates the slowing of information processing – which will impact driving."

Elderly drivers – what is the increased risk?

The risk varies depending on the individual driver and a host of circumstances, but Dr. Dickerson has summarized some aggregated data from recent studies by the National Highway Traffic Safety Administration:

- The characteristics of merging, changing lanes, Interstate highways, and bad weather do **not** increase older driver risk; probably due to self-regulation.

- Higher older driver crash involvement is associated with two-lane and multilane roads with speed limits of 40-45 (roads associated with small towns and suburban areas).

- Drivers ages 60-69 have **slight** risk elevation with
 1. Navigating intersections with flashing lights
 2. Turning left at intersections with traffic signals.

- Drivers 70-79 have **increased** risk with
 1. Navigating higher speed
 2. Multilane roadways (suburban), especially at junctions.

- Drivers 80 years and up are at **higher risk**:
 1. Under a variety of conditions,
 2. For “at-fault” collisions, and
 3. When driving alone or with one other person.

- Who is **at fault** in a collision?
 - 60-69 years: Crash involvement ratio is 0.75, lower than average.
 - 70-79 years: Crash involvement ratio is 1.75, higher than average
 - 80 and above: Crash involvement ratio is 4.0, very high

Of 27 fatal crashes involving those age 80 and above in the study sample, 26 were errors at intersections with flashing signals or a yield sign.

If you would like Dr. Dickerson’s entire summary of the NHTSA data (two pages), email [William Henry](#) or call him at 800.222.8920. (See also **Resources**, below.)

Have the conversation

Elders and most others love their independence. But the risk that someone cannot safely control a heavy machine traveling at high speed demands that his or her family, or volunteer manager, take reasonable steps to address that risk. As Carolyn Rosenblatt puts it, “The safety of our loved ones, as well as everyone else on the road, needs to be a priority that overcomes the discomfort of talking about it. We can all take responsibility for this problem that grows ever larger as our population ages in greater numbers than ever before.”

Incident at the toll booth

To end this article on a high note -- <http://www.lohud.com/story/news/traffic/commuter-life/2014/07/23/thruway-toll-mgr-reunites-mamaroneck-man-son/13046459/>

Resources

[Winter 2014 issue of VIS Connections](#) – “Older drivers – new safety studies, resources...and possible restrictions down the road”

[September 2013 issue of VIS Connections](#) – Mayo Clinic’s safety tips for older drivers

AgingParents.com – “How To Handle a Dangerous Older Driver” --
<http://agingparents.com/products.aspx?id=22>

National Highway Traffic Safety Administration safety [videos](#)

Hartford Center for Mature Market Excellence:
www.safedrivingforalifetime.com/publications
<http://hartfordauto.thehartford.com/Safe-Driving>

American Automobile Association safety tips for older drivers -- <http://seniordriving.aaa.com>

National Mobility Equipment Dealers Association (adaptive equipment for vehicles) --www.nmeda.com

Personal risk management – uninsured motorist coverage

When one out of five or six drivers nationwide is propelling two tons of machinery down the highway with no liability insurance, you need protection in case you are in the way when that driver’s luck runs out. That’s why the “uninsured/underinsured motorist” coverage on your commercial or personal auto policy is critically important.

There are several instances in which the coverage can come into play:

- The other driver has no liability insurance, for whatever reason.
- The other driver’s limits of liability are insufficient for the damage caused, including the cost of medical care
- The other driver’s insurer contests the claim, and the at-fault driver has no other resources
- The other driver is an employee of a governmental entity that has sovereign immunity against liability claims

If you are in an accident that was the other driver’s fault...

- Get a police report if possible (police sometimes will not write reports for fender-benders).

- Get the other person's name, address, driver's license and vehicle license number, and current insurance information, including the phone number of the claims department. Check the expiration date to make sure the insurance is in force.
- Take photos of the positions of the vehicles, traffic signs, skid marks and anything else that might show what happened.
- Don't worry if the other driver denies responsibility; it isn't up to you to argue your case.
- If there were witnesses, try to get their names and contact information.
- Get a damage estimate on your vehicle, in writing, as soon as possible. Do not have the repairs made until you have authorization either from your own insurer or the other driver's insurer.
- Contact your own insurance carrier's claims department. Their toll-free numbers are on your policy. Even though you are not at fault, your carrier might have to pay the claim, then subrogate against the other driver's insurer for reimbursement. Procedures vary; your insurer's claims department will take your information, and let you know what else you need to do, if anything.

Top ten states for uninsured motorists

According to the Insurance Research Council, you are most likely to encounter an uninsured motorist if you live in:

- Oklahoma – 25.9% are uninsured
- Florida – 23.8%
- Mississippi – 22.9%
- New Mexico – 21.6%
- Michigan – 21%
- Tennessee – 20.1%
- Alabama – 19.6%
- Rhode Island – 17%
- Colorado – 16.2%
- Washington – 16.1%

To calculate these numbers, the Insurance Research Council compared the number of claims filed under the injury portion of uninsured motorist coverage with the number of claims filed under bodily injury liability coverage.

Coming up -- Risk management Webinar for VIS members

September 16, Volunteers Insurance Service will host a Webinar, “What could possibly go wrong? – Managing volunteers’ accident and liability risks.” Watch for an email in the coming days with start time and registration details. The event is free for VIS members.

“What could possibly go wrong?” has been very well received as a Webinar and onsite workshop for a variety of nonprofit organizations over the past three years.

In the Webinar, we will give examples of how volunteers sometimes are injured, accidentally injure someone else or damage someone’s property, and are at fault in vehicle accidents. The examples are based on actual claims incurred over the 40-plus years our Volunteers Insurance Service program has been in continuous operation. You will learn how to identify risk exposures in your own organization, how to address those risks in a practical and appropriate way, and how to develop and sustain a risk management system you can depend upon even as staff and volunteers come and go.

Directors and officers liability – consider separate limits

If a lawsuit against your nonprofit organization names individual employees as well as your directors and officers, your policy limits could be depleted in defense of the employee(s)...unless you have separate limits just for your directors and officers.

Reserving separate limits of liability for directors and officers can provide vital protection if, for example, an employment-practices lawsuit names the executive director and the human resources director, in addition to the board. Typically, the additional limits would apply once underlying limits have been exhausted.

From a recent issue of the publication *D&O Compass*: “If D&O coverage is written with a \$1 million limit, consider buying at least an additional \$1 million dedicated limit for directors and officers, especially if the D&O limit is shared with the policy's employment practices liability and fiduciary coverages.”

The insurance companies that CIMA and Volunteers Insurance Service Association represent offer such additional, separate limits on directors and officers liability insurance, for a very reasonable additional premium. For a recent new account, for example, the additional \$1 million limit reserved for directors and officers required only \$56 additional premium. For more information, please email [Aaron Jones](mailto:Aaron.Jones@cima.org) at CIMA, or call him at 800.222.8920.

Preventing volunteer injuries – a lesson from West Africa

Volunteer injuries rarely are life-threatening like the Ebola infections raging through Liberia, Sierra Leone and Guinea, but from that outbreak comes a lesson that volunteer managers anywhere can apply, to prevent common types of injuries – have volunteers use personal protective equipment appropriate for their work.

In Liberia, healthcare workers have become infected with the Ebola virus simply because they lacked rubber gloves. In the claims history of the Volunteers Insurance Service program, we have seen a number of accident claims that could have been prevented had the volunteers worn leather gloves, long sleeves and long pants, sturdy shoes, and protective eyewear for their work. Cuts, puncture wounds, insect stings and bites, poison-ivy rashes, and eye injuries all can be prevented, if the volunteer manager thinks through the tasks volunteers will be performing, identifies potential hazards, and requires the volunteer to have the right clothing or protective equipment before beginning work.

In the path of a riot...a commercial insurance primer

Watching televised coverage of property being damaged, destroyed and looted by rioters in Ferguson, MO, you might have wondered how you would recover, if the same thing should happen to your own office just because it is in the area where riots are occurring. You should check the terms and conditions of your insurance policies for specific answers, but here is how Loretta Worters of the Insurance Information Institute explained to *Business Insurance* how coverage generally would apply:

The standard Insurance Services Office (ISO) business property form includes coverage for losses caused by “riot and civil commotion.” The definition covers looting and vandalism, as well as fire. Separate coverage usually applies to breakage of plate-glass windows.

“Business interruption and extra expense” coverage is triggered if damage to covered property is extensive enough that the business must suspend operations or limit its hours, or if damage to nearby property prevents access to the insured property. Often a waiting period is required before business interruption coverage begins.

If the police, fire department or other civil authorities keep people away from an area, including by imposition of a curfew, the “civil authority” provision of business interruption and extra expense coverage comes into play. A 72-hour waiting period is common, before coverage begins.

Workers’ compensation coverage usually applies to employees injured by rioters, although there are state-specific regulations that could affect coverage.

“Volunteer” – Careful with that definition

In a recent discussion on LinkedIn, Susan Ellis of Energize, Inc. (www.energizeinc.com) had this to say about defining “volunteers” in an organization:

“Restrictive definitions and limiting silos are self-defeating. Fighting to delineate ‘volunteers’ from other sorts of help only reduces the role we play and misses enormous opportunities for tapping community resources.”

Rather than trying to define what a “volunteer” is or does, Susan goes on to say, the organization should keep its focus on “meeting the needs of clients, the community and the institution by mobilizing human talent that does not have to go on payroll...In other words, volunteer involvement is all about *solutions*.”

From a risk management point of view, volunteers should be selected, trained, supervised and held accountable just as paid staff are. Any lower standard can make it more likely that a volunteer will be injured, injure someone else, or damage someone’s property. Treating employees differently from how paid staff are treated also makes it difficult to use volunteers’ skills as effectively as possible to support the organization’s mission.

Resources

[Spring 2013 issue of VIS Connections](#) – The article on “mutual” volunteer experiences offers guidance on how to prevent poor communication among volunteers and staff, regarding goals, roles and responsibilities.

VIS® Commitment

Volunteers Insurance Service is committed to providing its members a complete resource for the nonprofit organization’s risk management needs. Our services include:

- Publishing *VIS® Connections* as one of our information resources for members;
- Maintaining for members’ use a library of information relating to management of risks in the nonprofit organization;
- Researching available and appropriate insurance relating to volunteer activities;
- Designing and administering insurance programs, and compiling underwriting information;
- Providing consultation on risk management issues at no additional charge to our members, via a toll-free line (800.222.8920 or 800.468.4200);
- Assisting members, on request, with matters relating to insurance.

Insurance and administrative services are provided to VIS® and its members by The CIMA Companies, Inc. and/or one of its affiliated companies.

VIS®'s Articles of Incorporation, Financial Information, and a list of the members of VIS®'s Board of Directors are available to VIS® Members upon request.

CIMA licensing information

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Volunteers Insurance Service Association, Inc. is a risk purchasing group formed and operating pursuant to the Liability Risk Retention Act of 1986 (15 USC 3901 et seq.)

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