

63A-4-101 Risk manager -- Appointment -- Duties.

- (1) The executive director shall appoint a risk manager, who shall be qualified by education and experience in the management of general property and casualty insurance.
- (2) The risk manager shall:
 - (a) acquire and administer the following purchased by the state:
 - (i) all property, casualty insurance; and
 - (ii) subject to Section 34A-2-203, workers' compensation insurance;
 - (b) recommend that the executive director make rules:
 - (i) prescribing reasonable and objective underwriting and risk control standards for state agencies;
 - (ii) prescribing the risks to be covered by the Risk Management Fund and the extent to which these risks will be covered;
 - (iii) prescribing the properties, risks, deductibles, and amount limits eligible for payment out of the fund;
 - (iv) prescribing procedures for making claims and proof of loss; and
 - (v) establishing procedures for the resolution of disputes relating to coverage or claims, which may include binding arbitration;
 - (c) implement a risk management and loss prevention program for state agencies for the purpose of reducing risks, accidents, and losses to assist state officers and employees in fulfilling their responsibilities for risk control and safety;
 - (d) coordinate and cooperate with any state agency having responsibility to manage and protect state properties, including:
 - (i) the state fire marshal;
 - (ii) the director of the Division of Facilities Construction and Management;
 - (iii) the Department of Public Safety; and
 - (iv) institutions of higher education;
 - (e) maintain records necessary to fulfill the requirements of this section;
 - (f) manage the fund in accordance with economically and actuarially sound principles to produce adequate reserves for the payment of contingencies, including unpaid and unreported claims, and may purchase any insurance or reinsurance considered necessary to accomplish this objective; and
 - (g) inform the agency's governing body and the governor when any agency fails or refuses to comply with reasonable risk control recommendations made by the risk manager.
- (3) Before the effective date of any rule, the risk manager shall provide a copy of the rule to each agency affected by it.

Amended by Chapter 275, 2006 General Session