

# SSCIP 'r



## Liability insurance crisis set the stage for SSCIP

Dorothy Kret, Dave Byers and Ralph Romero have different perspectives of the liability insurance crisis in 1987 that set the stage for the creation of the Social Service Contractors Indemnity Pool (SSCIP).

Twenty years later, these individuals took the time to look back on the conditions that prompted the birth of Arizona's largest insurer of social service providers and its initial operations.

### The crisis

"I hadn't been dropped, but it was really hard to get coverage because the insurance companies couldn't get their hands around social service providers," recalls Kret. "I interviewed all these insurance companies, and agents just couldn't understand what we do."

"We help people with disabilities get jobs. But when I talked to insurance agents, they would say, 'Handicapped people can't work so why are you in business?'" Kret continues. "It was kind of an attitude, and the barriers were prevalent, not just against people with disabilities, but with the providers that work with them. They just flat out didn't understand. It was as if the concept was entirely alien to them. So, it was really hard to get coverage for what we needed."

"They covered me as a residential program," recalls Kret. "With residential programs you are dealing with people who are living at your facility, and we're just a day program. But, I had to pay the same rates as the residential agencies, and it was for much, much, higher liability than we would ever need. So, it was a pretty educational experience."

see **COMMON SENSE** on page 7

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Kret had started Dorothy Kret & Associates in 1983 in Tucson. She was having problems finding adequate and affordable insurance coverage for her agency until her agency became the first SSCIP Member in March 1987.

Byers, who was an administrator with the State Supreme Court and would become the first SSCIP Board President, supervised the Foster Care Review Board and juvenile/adult probation programs. State programs like these were having problems finding coverage. "There was a real liability coverage crisis," Byers recalls, "and the insurance companies just weren't insuring these kinds of risks at that time."

Romero, a long-time member of the SSCIP Board of Trustees, was a Deputy Assistant Director at the Arizona Department of Economic Security (DES). "The social service providers at DES were having problems finding insurance. The Department of Administration's Risk Management Service began a program called the Provider Indemnity Pool (PIP). That was kind of like the predecessor of SSCIP. I was the member [of PIP] representing DES."

## 18 are still Members

There are 18 providers who joined SSCIP in its inaugural year of 1987 and are still Members. They are:

- A.I.R.E.S.
- Black Family & Child Services of Arizona
- Central Arizona Shelter Services
- Dorothy Kret & Associates
- Early Intervention Infant-Toddler Program
- Friendly House
- Kingman Aid to Abused People
- Life Development Institute
- New Horizons Center for People with Special Needs
- Northland Family Help Center
- NOVA
- Pinal-Gila Council for Senior Citizens
- Prescott Child Development Center
- Rusty's Morningstar Ranch
- SMMHC
- TASC
- Youth Evaluation and Treatment Center



# PRESIDENT'S LETTER

Dear SSCIP Members:

As I mentioned in the Winter edition of the SSCIP'r, the Board of Trustees is extremely proud to be celebrating the 20th anniversary of the birth of our Pool. As you can see, in this issue of the newsletter, we've focused on some of the recollections of three people who were around during those early years of SSCIP. In those days, no one knew for sure if the now-thriving collaboration between the State of Arizona and the social service community was really going to work. Certainly, with nominal start-up money and only a handful of original Members in 1987, no one could guarantee that SSCIP would grow into Arizona's most respected provider of insurance coverage for our state's social service agencies. Now however, as we look back on 20 years of success, it's interesting to hear the perspectives of State employees Dave Byers and Ralph Romero, both of whom helped shepherd the Pool through its first years, and Dot Kret, SSCIP's first member, as all three look back on the insurance crisis that Arizona's social service providers faced back in the 1980s.

With well over 400 members and more than \$12.3 million in written premium at the end of 2006, a fledgling organization that was born out of an insurance crisis has grown and prospered thanks to the commitment and dedication of its members and, thanks to those individuals who generously devoted their time and energy to serving on the Board of Trustees and its various committees over the years.

On that same note, I would like to express appreciation for the service of three of our departing Board members who are not running for re-election when their terms expire later this month. On behalf of the Board and the Members, I'd like to thank Vicki Staples, the ADHS/DHBS/Clinical & Recovery Services Director, Arizona Supreme Court Juvenile Justice Services Director Rob Lubitz, and independent social services contractor Cyndi Molnar for their many years of excellent service to SSCIP. Their insight and dedication have been valuable assets to our Pool and we wish them well in all their future endeavors.

As we celebrate 20 years of solid SSCIP success throughout 2007, the Board of Trustees also looks forward to the ongoing challenges of keeping our Pool strong and competitive, and to celebrating our continued growth and financial stability in the years to come.

Sincerely,

A handwritten signature in black ink that reads "Richard W. Hill". The signature is written in a cursive, slightly slanted style.

Richard W. Hill

President – SSCIP Board of Trustees

**SSCIP'r**

*Featured Agency:* **Stepping Stones Agencies**

In 1980, Stepping Stones Agencies, formerly known as Faith House, opened its doors as northern Arizona's first shelter for women and their children. Stepping Stones provides a blend of therapeutic and advocacy responses to women and their children seeking help from many forms of abuse, victimization and homelessness.

Services include:

- 24/7 live Help Line
- Free 24/7 emergency shelter
- Transitional housing
- Educational and support groups
- Job training
- Guidance and support from specially trained advocates

The services are in great demand. During 2006, Stepping Stones reported that the 24/7 Help Line took almost 4,000 calls for assistance and more than 100 women and their children stayed in the emergency shelter.

Caring advocates are available day and night on the 24/7 Help Line at (928) 445-HOPE whenever a victim of abuse needs immediate shelter or just want to talk to someone about their situation. Advocates also provide information and referrals to match those in need with the services and resources they are looking for.

Families that have completed their program at Stepping Stones may be eligible to stay in one of five transition apartments. Rent rates are based on ability to pay. This program allows a woman and her children to live on Stepping Stones safe campus in their own apartment while continuing to rebuild their lives.

The Step One Community Center is located at 3343 N. Windsong Drive in Prescott Valley. It is a hub for social

services, 12-step recovery meetings and training facilities.

Located in the Community Center is Step One Coffee House. Proceeds from purchases directly support Stepping Stones Agencies' emergency shelter and support services.

The Step One Coffee House is the home of Stepping Stones' 12-Step Recovery and Self-Help Bookstore, which has become the 12-Step Recovery Center in the Area. An online 12-Step Recovery Bookstore will be available soon.

Because of continuing growth and increasing need, a new and improved Step One Community Center will be built before summer 2008. There will be more meeting space, a bigger bookstore, improved parking, a larger community-resource corridor, an expanded coffeehouse and menu and more multi-tenant lease space.

The new three-acre site will also be home to Stepping Stones Thrift, which is presently located at 7465 E. 1st Street in Prescott Valley. It is open Monday through Saturday from 9 a.m. to 6 p.m. and on Sunday from 10 a.m. to 4 p.m.

The women and children living at the Stepping Stones Emergency Shelter receive the items they need, such as work clothes, house wares and school clothes, from the Thrift. Other items are resold to the community or are part of a clothing program that other community services use. Thrift proceeds directly support Stepping Stones Agencies' free emergency shelter and support services.

Stepping Stones Thrift accepts donations of gently used, clean clothes, house wares, furniture, books and household items. Please call Stepping Stones Thrift at (928) 772-8717 for more information or to arrange pick-up of your donations. ❖

*Welcome*  
**NEW MEMBERS**

SSCIP would like to welcome the following new members:

- |   |   |   |
|---|---|---|
| ❖ Alzheimer's Disease & Related Disorders Association, Inc. | ❖ Constructing Circles of Peace, The Bellows Foundation | ❖ Pifer Group Home                              |
| ❖ Blue Mountain Development Programs, LLC                   | ❖ Desert Foothills Adult Care Home, LLC                 | ❖ Teen Outreach Academy                         |
| ❖ Circle of Support, Inc.                                   | ❖ Excel Care Communications, Inc.                       | ❖ The Master Clinician                          |
| ❖ Clifton Ewbank, dba Southland Music Therapy Services      | ❖ Knollcrest Consulting, Inc.                           | ❖ Turning Point Assistance and Development, LLC |
|   | ❖ Komar & Associates, LLC                               | ❖ Westfield Assisted Living, LLC                |
|   | ❖ Lodestar Day Resources Center, Inc.                   | ❖ Willkona Enterprises, Inc.                    |
|   | ❖ Loving Care Home, LLC                                 |   |

# Taking care

## with wheelchair-bound passengers

Wheelchairs have become a primary means of mobility for many Arizona residents, and the number continually grows.

"This is a population of people who are increasingly active and integrated into the mainstream of society, which, in today's world, means that these are people who use various means of motor-vehicle transportation on a daily basis," says the website of the Engineering Research Center on Wheelchair Transportation Safety (RERC WTS).

SSCIP Members are actively involved in working with these individuals and often transport them.

Unfortunately, SSCIP has had to deal with a number of claims recently that involved injuries and even one fatality to individuals in wheelchairs while being transported in a Member's vehicle.

Most of the incidents occurred while the individual was being loaded into the vehicle or were the result of the individual not being properly secured once they were in the vehicle.

While vital, the issue of safety for wheelchair-bound passengers is undefined. RERC WTS says there are an estimated 1.7 million adults and children in United States who use wheelchairs, but standard crash/injury databases do not provide information on whether an occupant of a vehicle involved in an accident was seated in a wheelchair. Thus, the RERC WTS laments, even anecdotal information on injuries to wheelchair users is not available.

The National Highway Traffic Safety Administration (NHTSA) has compiled an extensive training course for vehicle drivers who transport individuals in wheelchairs. The lessons and procedures can be applied by SSCIP Members who transport both adults and children.

Loading and unloading individuals with special needs requires more than one person, says the NHTSA.

The first step is to familiarize personnel with the wheelchair lift on your vehicle and how it works. Remember to follow the manufacturer's instructions for the wheelchair lift on your vehicle, advises the NHTSA. If you don't have the instructions, ask for them.

Whatever the type, the NHTSA says wheelchair lifts have similar components:

- Platform
- Outboard roll stop.
- Inboard roll stop.
- Handrails
- Vertical arms
- Top and bottom parallel arms
- Base plate
- Hydraulic pump with manual backup.

The outboard roll stop is activated by the UP and DOWN buttons.

- When the UP button is pushed, the outboard roll stop rotates to the vertical position before the platform rises.
- When the DOWN button is pushed, the outboard roll stop does not rotate to the horizontal position until the platform is lowered fully to the ground.

The inboard roll stop position is also activated by the UP and DOWN buttons.

- When the DOWN button is pushed, the inboard roll stop rotates to a vertical position. It remains in the vertical position while the wheelchair is loaded or unloaded on the ground.
- When the UP button is pushed, the inboard roll stop rotates to the horizontal position when the platform reaches the vehicle floor level.

The bridge plate rotates to the horizontal position when the UNFOLD button is pushed, and it rotates to the vertical position when the FOLD button is pushed.

Interlock devices prevent operation of the lift or the vehicle when it is not safe. Interlock devices can work in a variety of ways.

- They lock the vehicle transmission in place when the lift is deployed.
- They do not allow the lift to be deployed until the vehicle is in PARK and the emergency brake is set.
- They stall the vehicle engine if the lift is deployed and the emergency brake is released or the transmission is shifted from PARK.

## TAKING CARE

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Discontinue operation immediately if any of these safety features do not work properly, advises the NHTSA.

Before using the wheelchair lift, park the vehicle on level ground.

- Do not park on a slope.
- Remember that the platform must rest completely on the ground.
- Choose a place to load without obstacles to interfere with the operation of the lift.
- Review the operation of the interlock device.

Wheelchair lifts are designed to be used by:

- Anyone using a wheelchair or other mobility aid.
- Someone sitting in a folding chair.
- A standee: a person who has difficulty using steps, for example, someone using a walker, crutches, braces or a cane. Due to liability, Members should never allow someone to stand on a lift. Carry a loaner wheelchair in the vehicle or carry a stroller for lift use.

Lift attendants should not ride on the platform with the passenger.

The NHTSA's recommend procedure for loading with a wheelchair lift follows:

- Remember to tell the individual what you are going to do before you do it.
- Check wheelchair for unattached straps.
- Open and secure the lift door.
- Use the hand-held control to activate the unfolding of the platform.
- Lower the platform until it rests entirely on the ground.
- Unfold the outboard roll stop.
- Fasten the wheelchair seat belt around the individual.
- Back the individual onto the lift if you have sufficient room in the vehicle to turn the individual around in the vehicle. If not, push the individual onto the lift facing forward.
- Always make sure the individual is facing forward when you secure the wheelchair in the vehicle.
- An individual with a motorized wheelchair should NOT drive onto the lift. Disengage the motor and push the chair onto the platform manually.
  - Lock the wheelchair brakes.
  - Turn off the wheelchair power.

- In some rare cases, the motor must be disengaged to secure the wheelchair.
- Make sure the roll stops are in the completely "up" position.
- Have the individual hold onto the handrails if able.
- Tell the individual to keep arms and legs within the lift area and clear of moving parts.
- Operate the lift controls.
- Stand next to the platform at the front corner.
- Keep one hand on the wheelchair as it is raised and operate the controls with the other hand.
- When the platform reaches floor level, set down or hang up the controls.
- Release the wheelchair brakes and push the wheelchair into the vehicle.
- Set the wheelchair brakes.
- Fold the lift into the travel position.

**A REMINDER:** Some wheelchairs are not manufactured for transportation purposes. Individuals with these chairs should be moved into regular vehicle seats, whenever possible.

Many vehicles used to transport individuals with special needs have a wheelchair securement system. The securement system is a way to tie down or anchor a wheelchair to the vehicle. The securement system must be used whenever the vehicle is not parked.

Federal Motor Vehicle Safety Standard (FMVSS) 222 has specific requirements for the wheelchair securement and wheelchair occupant restraint system.

- The wheelchair securement positions must be forward facing.

The anchorages for the wheelchair and occupant restraint and the securement and restraint devices must be of minimum strengths.

- There must be at least 4 tie-down devices for each wheelchair.
- There must be lap and shoulder belts for each wheelchair location.

FMVSS 222 requires the following points:

- 4-point securement systems that anchors the wheelchair to the vehicle to meet minimum strength requirements

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## TAKING CARE

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- A 3-point occupant restraint system to attach the occupant to the wheelchair
- The shoulder belt must be attached to the vehicle
- The lap belt can be attached to the wheelchair 4-point anchor system or to the vehicle
- Lap belts attached to the wheelchair should meet Federal requirements.

Remember that there is a difference between the seat belt used for occupant restraint and a postural aid or pelvic belt used to hold in or to hold erect an individual with a particular disability.

Cautions advised by the NHTSA:

- Do not jerry-rig a securement for a wheelchair.
- Only use an approved 4-point tie-down system. At a minimum, the front straps and back straps should be the same type.
- Do not interchange systems. Use only one manufacturer's tie-down system for each wheelchair.
- Never place a wheelchair in front of an emergency exit door even if the wheelchair securement position is provided at that location.

Recommended procedure for securing the wheelchair:

- First, follow the manufacturer's guidelines for that particular wheelchair and for your system. If you don't have the manufacturer's instructions, ask for them.
- Center the wheelchair with the anchorages on the floor. Leave room for the rear belt to be secured at a 45-degree angle from the floor.
- Set the wheelchair brakes on both sides; turn off the wheelchair power.
- Attach the wheelchair straps to the wheelchair at 4 points.
  - Attach the straps along the wall first.
  - Then attach the straps along the aisle.
- Attach the straps properly.
  - Do not attach the straps to the wheels or any detachable portion of the wheelchair.
  - Do not let the straps bend around any object. They should have a clear path from the floor to the wheelchair frame.

- Keep the straps away from sharp edges or corners.
- Do not crisscross or twist the straps.
- Make sure that the belts are at a 30 to 60-degree angle; a 45-degree angle is the best.
- Never use the 4-point system without also using the 3-point lap and shoulder belt.
- Make sure that the wheelchair does not have forward or reverse movement.
- If you cannot get the wheelchair attached properly, contact dispatch.

Recommended procedure for securing the individual:

- Whenever you secure a wheelchair with an individual in it, you must also use a 3-point system to secure the individual. The wheelchair securement does not hold the individual in the wheelchair. The occupant restraint system is separate from the wheelchair securement.
- The 3-point system secures the individual's pelvis and torso.
- The occupant restraint system may be attached in several ways:
  - To the vehicle anchorage points
  - To the wheelchair securement system
  - Whatever system is used, follow the manufacturer's instructions
- Position the lap belt over the pelvic bones, not the abdomen.
- Position the lap belt inside the arm rests between the side panels and the cushion.
- Adjust the belt so it is snug.
- Position the shoulder belt so it does not cross the individual's face or neck.
- Never position the shoulder belt under the individual's arm where it would cross the rib cage.
- Adjust the shoulder belt to achieve firm but comfortable tension.
- Never twist the belts; the belts should always lie flat against the body.

For further information on NHTSA recommendations, please contact the Loss Control Department at Southwest Risk Services at 602-996-8810.



## LIABILITY CRISIS

*continued from page 1*

"The State puts children and young offenders in private centers because we don't have government-run centers," explains Byers. "The daycare centers and residential treatment centers are all privately owned. So, if there is no insurance, we have a real problem. There was a problem for DES and us and just about everybody. There was a real liability coverage crisis, and the insurance companies just weren't insuring these kinds of risks at that time."

### The beginning

As a result of the crisis, a bill was passed during the 1987 Legislative session enabling the creation of SSCIP.

"In the bill, there was a requirement that there be representatives from State government on the SSCIP Board," recalls Byers. "In fact, it was the State government representatives who created the initial Board. So, I was called to the first meeting. It was considered an emergency situation by the State, and they were pushing very hard to activate this thing.

"My memory is that at the first meeting, there were two people from DES and one person from the court – me," Byers continues. "When it came time to elect a president, the two DES guys quickly surmised that they had two votes and I had one. So, one made a motion and the other seconded. I was elected president. Then, we had to activate the Board and proceed from square one."

Byers, who is now Administrative Director of the Arizona Supreme Court, says the Arizona Department of Administration (DOA) took over the job of Pool Administrator on an interim basis.

"They were involved for only a few months," Byers recalls. "They convened the Board and were providing support until such time as we actually became active, recruited the other Members and got a policy. I don't recall that they were ever processing claims. I think it was an interim step to get the Pool launched, and the initial Board had to create everything from scratch."

### Building an organization

In looking back at the organizational endeavor, Byers says: "We had to go from a statute to creating this whole thing. We had to get a policy, and it was taking forever. We had draft after draft of a proposed policy.

"We also had to get money to capitalize. I remember the Board initially was being pressured by State Risk Management to get this activated because of the crisis, and some of us were saying, 'But don't we need money?' We got our first claim before we had any money.

"I went back to the Legislature to get the original appropriation to put money into the Pool. Then I did several bills after that to help make this thing work like establishing tax-exempt status. I think we also excluded it from the procurement process and a number of things to make it semi-private.

Romero, now an Associate Deputy Director in the Arizona Department of Education, was appointed to the SSCIP Board of Trustees about six

months after it was created. Romero shared his memories of getting SSCIP going.

"The first priority was finding the appropriate organization and tweaking the organization so it would work," says Romero. "I seem to recall we had a couple of very competent attorneys working for us – Bill Sims and Jack LaSota – who were helping us through this.

"There was a lot of recruitment that had to be done in the area of finding social service providers who wanted to jump on the bandwagon because initially we may not have been the most competitive.

"We had to be a functioning organization because at that time, we were very much under the oversight of the Legislature and individuals who wanted to make sure the organization was functioning appropriately," says Romero. "Like any new organization, you have the stresses of organization; you have the stresses of membership; you have the stresses of salesmanship; you have the stresses of loss reduction; and you have the issues regarding investment. We had recruitment issues and other areas we needed to be concerned with such as coordination with State agencies. As a matter of fact, we are still concerned with many of those same issues."

### A vital ally

Thanks to the efforts of Byers, Romero and many others, SSCIP did become organized. It survived and prospered, and, for Members like Dorothy Kret & Associates, it has been a vital ally.

"It has been an organization that understands social services and understands the financial implications of being government contractors in a social service setting, i.e., we are not rich by any means," says Kret. "That sort of thing has really made a difference to me in terms of getting the coverage I really needed and a rate that wouldn't put me out of business."

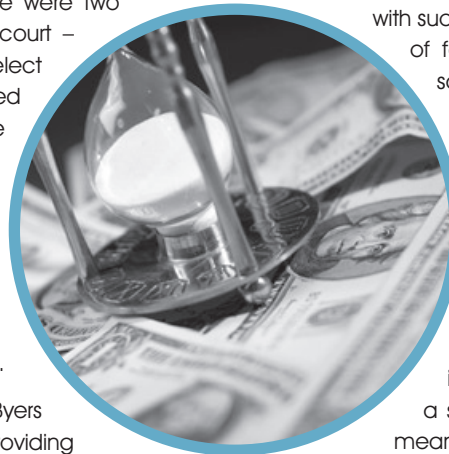
Byers seems pleased with the results.

"My goal was to make sure we had good people and the system that could go on and run year after year, which it has done so that's nice," says Byers. "I think my role was to get this set up, get the policy, the underwriter and the administrator.

"My philosophy has been that in order to survive, you've got to get all the right people and systems in place and then phase out so that it can run without you. When I left, it was a functioning organization," Byers adds.

Once it got going, Romero recalls that SSCIP ironically faced a major challenge from the insurance companies.

"At first, we were just about the only option for agencies because insurance companies were not insuring them," says Romero. "But then soon thereafter, insurance companies became very competitive, and, for a period, we were not the most economical option for these providers. So, it was a matter of trying to hold onto our membership during the hard times, which we were able to do. We have always been able to address the issues related to coverage."



## SSCIP BOARD OF TRUSTEES

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SSCIP is a non-profit corporation created in 1987. Its primary purpose is to provide property and casualty coverages to social service providers contracted with the State of Arizona and other political subdivisions.

SSCIP is governed by a 15 member Board of Trustees elected by its members. The newsletter is published in a continuous effort to inform and educate its members. Suggestions for articles are welcome.

## SOCIAL SERVICE CONTRACTORS INDEMNITY POOL

Administrator:

### SOUTHWEST RISK SERVICES

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