

The background of the slide is a light blue gradient with several realistic water droplets of various sizes scattered across it. The droplets have highlights and shadows, giving them a three-dimensional appearance. The text is centered in the middle of the slide.

***PERFECTING A POSSIBLE MOLD
CLAIM***

PURPOSES

- *Teach participants how to perfect a possible mold claim.*
- *Provide the most professional and thorough information possible to take positive action with the community, staff, students and potentially involved insurance coverages i.e., property coverage or environmental/mold remediation coverage.*
- *Learn how to manage a potential mold claim so that the outcome is positive.*
- *Avoid managing a mold event badly risking a negative community reaction and insurance coverage.*

DISCLAIMER

Not all coverages are written the same way

- We thank everyone for participating and recognize that not all the webinar participants are insured through the SPELL JIF.*
- We can only speak directly to the coverages provided through SPELL JIF.*
- It is incumbent upon you to determine the extent of insurance coverage you have with whomever your insured with and this outline will prove helpful to all in doing that.*

AFFIRMATION

Regardless of where your district is insured, this presentation applies to you because managing a mold claim is much more than insurance coverage. In fact, how you manage a visible mold claim is far more about your first reactions, follow on processes and transparency. Mold was a “trigger” to strong emotions before Covid-19 and we anticipate it will be even more pronounced as a result of Covid-19.

All districts must be great mold managers.

FIRST AWARENESS

- USUALLY STAFF BUT COULD BE STUDENTS, CONTRACTORS OR GUESTS.
- USUALLY REPORTED TO BUILDING LEADERSHIP, BUT CAN ALSO BE REPORTED THROUGH SOCIAL MEDIA WITHOUT NECESSARILY BEING REPORTED TO ANY LEADERSHIP AT ALL.
- NO MATTER THE ABOVE, VISIBLE MOLD WILL “TRIGGER” STRONG EMOTIONS IN YOUR COMMUNITY OVER CONCERN ABOUT WHAT YOU ARE DOING ABOUT IT.
- BEING UNPREPARED, UNAWARE OR UNRESPONSIVE WILL BRING A CASCADE OF NEGATIVE REACTIONS TO THE FOREFRONT OF LEADERSHIP ACTIVITY.

FIRST RESPONSES

LEADERSHIP REPORTING

- LOCAL POLICY AND PROCEDURE MUST REQUIRE IMMEDIATE REPORTING TO BUILDING, ADMINISTRATIVE AND FACILITY MANAGEMENT LEADERSHIP.
 - IF YOU DON'T KNOW ABOUT IT, YOU WILL LOSE CONTROL OVER THE EFFORT AND THE NARRATIVE.
 - IF YOU DON'T KNOW ABOUT IT, YOU CAN'T RESOLVE IT.
 - IF IT EXISTS AND YOU DON'T FIND OUT UNTIL MUCH LATER YOU RISK REPUTATION AND MAY PUT COVERAGE IN JEOPARDY.

FIRST RESPONSES

RESPONDING

- EVERY REPORT MUST RESULT IN A THROUGH, THOUGHTFUL, NON-DISMISSIVE AND TRANSPARENT COMMITMENT TO INVESTIGATE AND RESOLVE THE VISIBLE MOLD PROBLEM.
 - EVERY INVESTIGATION SHOULD RESULT IN THE ENGAGEMENT OF A CERTIFIED INDUSTRIAL HYGIENIST PREFERRED BY THE CARRIER IMMEDIATELY.
 - EVERY INVESTIGATION SHOULD INCLUDE LOCAL UNION REPRESENTATION.
 - EVERY INVESTIGATION RESULT SHOULD BE REPORTED OUT.

FIRST RESPONSES

CLAIM REPORTING

- EVERY SIGHTING OF VISIBLE MOLD SHOULD RESULT IN A CLAIM BEING FILED WITH BOTH THE PROPERTY CARRIER AND THE ENVIRONMENTAL LIABILITY CARRIER — ABSOLUTELY TO BOTH!
- PROPERTY POLICIES CAN RESPOND TO MOLD REMEDIATION (MOLD CLEAN-UP) IF WHAT CAUSED THE MOLD IS AN INSURED PERIL WITHIN THE POLICY.
- ENVIRONMENTAL LIABILITY POLICIES MAY HAVE FIRST PARTY MOLD REMEDIATION (MOLD CLEAN-UP) LIMITS.

CLAIM MANAGEMENT

CLAIM MANAGEMENT

- **CERTIFIED INDUSTRIAL HYGIENIST (CIH) ASSIGNMENT**
 - **ROLE AND PURPOSE**
 - TO PERFORM A THOROUGH INSPECTION AND DETERMINE IF MOLD EXISTS, WHAT ITS LIKELY SOURCE IS AND DEFINE THE SCOPE OF WORK NEEDED TO ELIMINATE IT AND KEEP IT FROM COMING BACK.
 - THIS REPORT IS NEEDED BY BOTH THE PROPERTY AND ENVIRONMENTAL LIABILITY INSURERS

CLAIM MANAGEMENT

CLAIM MANAGEMENT

- CERTIFIED INDUSTRIAL HYGIENIST (CIH) ASSIGNMENT
 - POSSIBLE RESULTS
 - THE VISIBLE MOLD CAN BE REMEDIATED BY DISTRICT STAFF WITH CIH OVERSIGHT AND DIRECTION
 - THE VISIBLE MOLD REQUIRES A REMEDIATION CONTRACTOR TO REMEDIATE THE MOLD.

CLAIM MANAGEMENT

CLAIM MANAGEMENT

- **CERTIFIED INDUSTRIAL HYGIENIST (CIH) ASSIGNMENT**
 - NEEDED REGARDLESS OF WHICH COVERAGE WILL RESPOND TO DETERMINE THE SCOPE OF THE PROBLEM AND WHAT NEEDS TO BE DONE TO REMEDIATE THE MOLD.
 - NEEDED TO HELP THE DISTRICT PRESENT THE MOLD PROBLEM TO ITS COMMUNITY IN ORDER TO TRANSPARENTLY PRESENT THE FACTS FROM A PROFESSIONAL WHO CAN ANSWER CONCERNS AND HELP THE DISTRICT INSTILL CONFIDENCE IN ITS RESPONSE.
 - PROVIDE PROJECT MANAGEMENT.

CLAIM MANAGEMENT

CLAIM MANAGEMENT

- **INDEPENDENT PROPERTY ADJUSTER ASSIGNMENT** (CONCURRENT WITH CIH)
 - **ROLE AND PURPOSE**
 - TO DETERMINE OF THE MOLD IS AS A RESULT OF A PROPERTY PERIL.
 - **POSSIBLE RESULTS**
 - THE MOLD IS NOT A RESULT OF A COVERED PROPERTY PERIL
 - PROPERTY PERIL CAUSED THE MOLD

CLAIM MANAGEMENT

CLAIM MANAGEMENT

INDEPENDENT PROPERTY ADJUSTER DECISION RAMIFICATIONS

✘ PROPERTY PERIL CAUSED THE MOLD

WORK WITH PROPERTY ADJUSTER TO RESOLVE THE CLAIM

✘ THE MOLD IS NOT A RESULT OF A COVERED PROPERTY PERIL

WORK WITH ENVIRONMENTAL ADJUSTER TO RESOLVE THE CLAIM

CLAIM MANAGEMENT

CLAIM MANAGEMENT — ENVIRONMENTAL POLICY

- INITIAL PROCESS
 - CLAIM NOTICE RECEIVED
 - CLAIM ACKNOWLEDGEMENT SENT SHOWING
 - CLAIM NUMBER
 - ADJUSTER ASSIGNMENT
 - ADJUSTER CONTACT
 - CRITICAL INFORMATION NEEDED

CLAIM MANAGEMENT

CLAIM MANAGEMENT — ENVIRONMENTAL POLICY

- INITIAL PROCESS
 - CRITICAL INFORMATION NEEDED
 - CIH REPORT SHOWING EXTENT OF MOLD AND SCOPE OF WORK NEEDED TO REMEDIATE

CLAIM MANAGEMENT

CLAIM MANAGEMENT — ENVIRONMENTAL POLICY

- PERMISSION TO PROCEED BASED UPON CIH SCOPE OF WORK
 - WRITTEN PERMISSION BASED UPON ACCEPTANCE OF CIH SCOPE OF WORK SUBMITTED
 - CAUTIONS AGAINST EXPANSION OF WORK
 - PROGRESS REPORTING

CLAIM MANAGEMENT

CLAIM MANAGEMENT — ENVIRONMENTAL POLICY

- **NEW MOLD CONDITION DISCOVERED**
 - ENGAGE CIH WHO COMPLETED INITIAL SCOPE OF WORK TO INVESTIGATE AND PREPARE A NEW SCOPE OF WORK TO REMEDIATE
 - SUBMIT TO ADJUSTER AND DO NOTHING UNTIL YOU RECEIVE WRITTEN PERMISSION BASED UPON ACCEPTANCE OF CIH SCOPE OF WORK SUBMITTED
 - CAUTIONS AGAINST EXPANSION OF WORK
 - PROGRESS REPORTING

CLAIM MANAGEMENT

CLAIM MANAGEMENT — ENVIRONMENTAL POLICY

- **MOLD CONDITION REMEDIATED**
 - ENGAGE CIH TO CONDUCT CLOSURE INVESTIGATION
 - SUBMIT CLOSURE REPORT TO ADJUSTER AND RECONCILE ALL OUTSTANDING INVOICES WITH ADJUSTER FOR PROOF OF LOSS SETTLEMENT

MEMBER MANAGEMENT

MEMBER (DISTRICT) MANAGEMENT

- **MOLD – BEFORE YOU SEE IT**
 - MAKE CERTAIN YOUR STAFF IS WELL TRAINED ON ALL INTERNAL POLICIES INCLUDING MOISTURE MANAGEMENT, INDOOR AIR QUALITY AND BACTERIA MANAGEMENT.
 - HAVE A MOLD REMEDIATION PLAN THAT ADDRESSES PREVENTATIVE MEASURES, INSPECTION ROUTINES, TRAINING, RESPONSE AND COMMUNICATION.
 - KNOW YOUR CAPABILITIES AND WEAKNESSES.

MEMBER MANAGEMENT

MEMBER (DISTRICT) MANAGEMENT

- **MOLD – AFTER YOU SEE IT**
 - FILE THE CLAIMS AND KEEP A FILE OF EVERYTHING.
 - KNOW WHO YOU WILL ASSIGN INTERNALLY (IF NOT YOU) TO BE RESPONSIBLE FOR MANAGING THE DAY-TO-DAY DEMANDS OF A CLAIM.
 - ENGAGE YOUR COMMUNICATION PLAN.
 - KNOW WHAT CHOICES TO MAKE WITH THE CIH REPORT ONCE RECEIVED.

MEMBER MANAGEMENT

MEMBER (DISTRICT) MANAGEMENT

- **MOLD – AFTER YOU SEE IT**
 - **IF DETERMINED TO BE A PROPERTY CLAIM**
 - STAY IN CONSTANT CONTACT WITH THE ASSIGNED ADJUSTER.
 - HIRE THE CIH USED BY THE JIF ON A CONTINGENT BASIS TO MANAGE COMMUNICATION AND CONCLUDE THE REMEDIATION.

MEMBER MANAGEMENT

MEMBER (DISTRICT) MANAGEMENT

- **MOLD – AFTER YOU SEE IT**
 - **IF DETERMINED TO BE A ENVIRONMENTAL CLAIM**
 - STAY IN CONSTANT CONTACT WITH THE ASSIGNED ADJUSTER.
 - HIRE THE CIH USED BY THE JIF ON A CONTINGENT BASIS TO MANAGE COMMUNICATION, ANY NEW MOLD DISCOVERED AND CONCLUDE THE REMEDIATION.

MEMBER MANAGEMENT

MEMBER (DISTRICT) MANAGEMENT

- **MOLD – AFTER YOU SEE IT**
 - **IF DETERMINED TO BE A ENVIRONMENTAL CLAIM**
 - KEEP A FILE ON ALL COMMUNICATIONS AND COSTS.
 - UNLIKE A PROPERTY CLAIM THE DISTRICT PAYS ALL VENDORS AND SETTLES UP WITH THE CARRIER AT THE CONCLUSION.
 - DO NOT PROCEED WITH ANY REMEDIATION WORK UNTIL YOU HAVE RECEIVED WRITTEN AUTHORIZATION FROM THE CARRIER.

MEMBER MANAGEMENT

MEMBER (DISTRICT) MANAGEMENT

- **MOLD – AFTER YOU SEE IT**
 - **IF DETERMINED TO BE A ENVIRONMENTAL CLAIM**
 - ASK EACH VENDOR AND THE ADJUSTER EVERY QUESTION YOU THINK OF AS THIS IS ONE STRANGE JOURNEY.
 - LEAN ON YOUR ADMINISTRATOR AND/OR RMC/BROKER.
 - STAY INVOLVED.
 - BE PATIENT.
 - KEEP YOUR DISTRICT INFORMED.

WRAP UP

TAKEAWAYS

- CHOOSE TO BE VERY GOOD AT MANAGING A MOLD CLAIM.
- BE RESPONSIVE, OPEN, THOROUGH, DELIBERATE AND PATIENT.
- KNOW THAT MOLD MAY BE A PROPERTY POLICY CLAIM OR AN ENVIRONMENTAL POLICY CLAIM AND REPORT TO BOTH RIGHT AWAY.
- KNOW YOUR COVERAGES IF YOU DON'T ALREADY.
- WORK CLOSELY WITH THE ADJUSTER NO MATTER WHICH POLICY IS RESPONSIBLE.
- COMMUNICATE ALL ALONG THE JOURNEY.

WRAP UP

TAKEAWAYS

- ALWAYS HIRE A CERTIFIED INDUSTRIAL HYGIENIST (CIH) TO HELP AND BE CERTAIN THE CIH IS ACCEPTABLE TO THE ENVIRONMENTAL CARRIER.
- KNOW THAT IF YOU BREAK PROTOCOL YOU RISK COVERAGE.
- APPROACH EACH MOLD SIGHTING AS AN OPPORTUNITY TO SHOW HOW WELL PREPARED YOUR DISTRICT IS TO MANAGE IT BY FOLLOWING YOUR INTERNAL PROTOCOLS AND USING THIS CLAIM MANAGEMENT PROTOCOL.

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THANK YOU TO OUR SPEAKERS AND PARTICIPANTS FOR HELPING
SCHOOLS MANAGE A VERY DIFFICULT AND STRESSFUL EVENT.

QUESTIONS