



**STATE OFFICE OF RISK MANAGEMENT**  
**WILLIAM P. CLEMENTS, JR. BUILDING, 6<sup>TH</sup> FLOOR**  
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September 22, 2011

Mr. Norman Darwin  
Executive Director  
Office of Injured Employee Counsel  
7551 Metro Center Drive, Suite 100  
Austin, Texas 78744

Agency # 448

Re: On-Site Consultation

Dear Mr. Darwin:

An On-Site Consultation of the Office of Injured Employees Counsel (OIEC) and the Texas Department of Insurance (TDI) was conducted on September 22, 2011. The evaluation was conducted under the authority of Texas Labor Code, Title V., Subtitle A., Chapter 412, and is designed to assist state agencies to develop and implement comprehensive risk management programs that meet Risk Management for Texas State Agencies (RMTSA) guidelines.

The meeting attendees included: Mr. Erick Dunaway, Risk Manager, OIEC; Ms. Arlette Ponder, Planner for the OIEC; Diane Roberts, Risk Manager / Safety Officer, TDI; Ms. Patricia Ewing, APG Director, TDI; and Ms. Mary Diane Hausman, Disaster Recovery Coordinator, TDI; Sam Arant, Risk Management Specialists, SORM.

Noteworthy observations made during this evaluation include the following:

- A review and discussion of the TDI / OIEC Disaster Recovery Plan / Business Continuity Plan (DRP/BCP) revealed a thorough and well written plan. Many components of the FEMA COOP format were identified in the plan. The DRP/BCP has been tested, alternate sites are identified along with a list of the required equipment for critical employees at this site, critical files are noted within the plan, a media representative is identified and scripts are prepared for their use prior to an event. All critical or essential employees receive copies of the DRP/BCP on a USB drive and when the plan requires updating, the USB drive is returned and updated. The Recovery Procedure is laid out very clearly and broken down by number of days to recover. A damage assessment team is listed with appropriate checklists provided for their use. Employees of TDI and OIEC can access the generic DRP/BCP through the Intranet. All confidential and employee contact information is omitted from this version.
- TDI and OIEC are meeting quarterly to discuss risk management issues to share reports, inspections, and exposures across Austin and the 22 satellite locations.
- TDI is attending the Round Table COOP discussions.

The OIEC and TDI will follow up on these items:

- Determine if there is a generator at the Cameron Road location. SORM suggests that if there is not a generator that a rental generator company be contacted to set up a contract to rent a generator upon activation of the DRP/BCP.

During the visit we discussed the previously submitted recommendations generated as a result of the On-Site Consultation. The following recommendations are now *closed*:

**11-04-02 Business Continuity Plan (BCP) for TDI/DWC and OIEC.** The plan was reviewed and all participating parties' needs are being met.

Recommendations to maintain the efficiency of your Risk Management Program include the following:

**12-09-01 Risk Management Manual** - The April RMPR at the OIEC highlighted a number of services that TDI provides to the OIEC. SORM recommends TDI and OIEC continue to meet quarterly to discuss these services provided, review the results of the services and determine if any follow up action is required by the OIEC. SORM further recommends that the OIEC add additional detail about these services provided by TDI to their manual, including an outline of the process of what TDI is providing, a list of what the OIEC receives from TDI as a result of the service, and provide feedback on what the OIEC does with the service data and how they manage the results of that service.

**12-09-02 Future Onsite Consultations and Risk Management Program Reviews** – Due to the OIEC being administratively attached to the TDI, SORM recommends that a representative from TDI safety and risk management team and the Workers' Compensation department be available for future OSCs and RMPRs so that details about additional services can be answered.

We request that the appropriate staff review this document, specify the actions that the Office of Injured Employees Counsel plans to take, and project the estimated date of completion for each recommendation. Please provide your response by *October 25, 2011* to me via US mail, fax, or E-mail to: [michelle.tooley@sorm.state.tx.us](mailto:michelle.tooley@sorm.state.tx.us).

Please convey appreciation to Mr. Erick Dunaway, Ms. Arlette Ponder, Ms. Diane Roberts, Ms. Patricia Ewing, and Ms. Mary Diane Hausman for their cooperation and assistance during the visit. If you have any questions please call me at (512) 936-2942.

Michelle Tooley,



Risk Management Specialist  
Risk Assessment and Loss Prevention  
State Office of Risk Management

cc: Mr. Erick Dunaway, Risk Manager, Office of Injured Employees Counsel  
Ms. Arlette Ponder, Planner, Office of Injured Employees Counsel  
Ms. Diane Roberts, Risk Manager / Safety Officer, Texas Department of Insurance  
Ms. Patricia Ewing, APG Director, Texas Department of Insurance  
Ms. Mary Diane Hausman, Disaster Recovery Coordinator, Texas Department of Insurance  
Mr. Sam Arant, Risk Management Specialists, State Office of Risk Management