
Personal Injury Investigation and Transportation Claims

Presented by

Sedgwick Risk Services on behalf of ORM



State Of
Louisiana
OFFICE OF
RISK MANAGEMENT



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Course Objectives

- Determine when to conduct an investigation.
- Understand the steps in investigating an incident/accident.
- Identify the actual root cause and contributing factors.
- Properly complete the investigation report.
- Implementation of this process w/in state agencies, so as to comply with ORM requirements.

What Should You Investigate?

- All *job-related* **accidents** (injury and/or property damage)
- All *job-related* **incidents** (could have caused injury and/or property damage) involving:
 - ✓ Employees
 - ✓ Clients/visitors
 - ✓ Property

Purpose of Investigation

- Document facts/findings at the scene
- Determine the cause
- Implement corrective action to prevent future occurrence





Written Plan

Have a written plan in place with procedures for responding to, reporting, and investigating accidents/incidents, including property damage.

Training

- Ensure all employees receive training on the plan including the reporting and investigation procedures.
- Acclimate all employees to IMMEDIATELY report ALL accidents and incidents, including property damage, to the appropriate personnel.
- Assure that those responsible for investigations obtain the necessary specialized training.



The Plan Should Address:

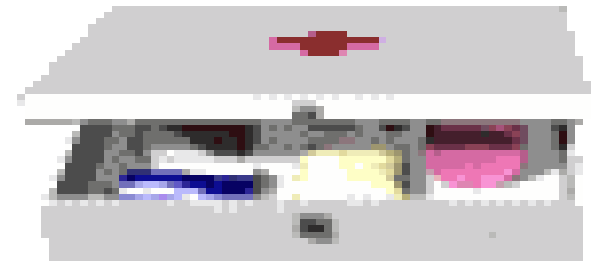
1. Preservation of Life (obtaining medical care)
2. Preservation of Evidence (i.e. broken chair)
3. Who to report accidents & incidents to
4. Securing the accident scene
5. Proper gathering of information
6. Identifying corrective measures and tools
7. Implementation of controls
8. Timely ORM claims reporting

The Plan Should Address continued . . .

9. Who conducts the investigation
10. Which form to complete for which type of incident/accident
11. Who will review the form for completeness and accuracy
12. To whom are the forms sent upon completion

Preservation of life

- Remove/neutralize hazards if possible (Ex: Gas Leak)
- Remove the injured from the hazard
- Provide medical treatment





Preservation of Evidence

- *What needs to be kept?*
- *Where do you keep it?*
- *How long do you keep it?*
- *Document evidence kept*



Report the Accident

- Follow the agency's accident reporting/investigation procedures.
 - ✓ Whom to report
 - ✓ How soon to report
 - ✓ Method of reporting
 - ✓ Who conducts investigation

Steps of an Investigation



Secure Accident Scene

POLICE LINE DO NOT CROSS POLICE LINE DO NOT CROSS POLICE LINE DO NOT CROSS

- Control access to the scene--
 - ✓ Use barriers to limit entry
 - ✓ Use people to stand guard, if possible
 - ✓ Do NOT adjust or modify the scene
 - *Exception: Removal of victim and/or preservation of property**

POLICE LINE DO NOT CROSS POLICE LINE DO NOT CROSS POLICE LINE DO NOT CROSS

Gathering Information

Questions to Ask

WHO?

WHEN?

WHAT?

WHY?



WHERE?

HOW?

Gathering Information

- View accident scene promptly
(Conditions can change)
- Provide a clear description of the incident/accident
- Provide a clear description of the location
- Take photographs
 - ✓ Keep log sheet of photos taken
 - ✓ Indicate direction of view

Gathering Information continued . . .

- Collect any items associated with incident/accident
 - ✓ Label and secure items
- Take measurements of pertinent items
 - ✓ Changes in elevation
 - ✓ Relevant distances
 - ✓ Size of equipment

Gathering Information continued . . .

- Identify witnesses
 - ✓ Name, contact numbers, and home address
- Get written statement (signed and dated)
 - ✓ What they **actually** saw or heard
- Conduct Interviews
 - ✓ Document any verbal information
 - ✓ Clarify reported information

Identify Corrective Measures & Tools: Root Cause Analysis

- Unsafe Act
- Unsafe Condition
- Contributing Factors



is normally
NOT applicable



Definitions

Unsafe Act

A behavioral departure from an accepted, normal, or correct procedure or practice-- which has produced injury or property damage or has the potential for doing so; an unnecessary exposure to a hazard; conduct that reduces the degree of safety normally present in an activity.

Definitions

Unsafe Condition

Any physical state which deviates from that which is acceptable, normal, or correct as regards past or potential future production of injury/illness and property damage; any physical state which reduces the degree of safety.



Contributing Factors

- Uncontrollable Events
 - ✓ Nature
 - ✓ Animals/wildlife
 - ✓ Other people



Corrective Measures & Tools

- Conduct Job Safety Analysis
- Review/Revise/Devise policies, procedures, or rules
- Enforce policies, procedures, or rules
- Provide training to employees
- Provide refresher training
- Promote employee participation
- Ensure safe work conditions
- Ensure proper job placement of employees (re: physical limitations)

Corrective Measures continued . . .

- **Workplace provisions:**
 - ✓ PURCHASE NEW TOOLS & EQUIPMENT
 - ✓ REDESIGN THE WORK AREA
 - ✓ IMPROVE HOUSEKEEPING
 - ✓ INSTALL WARNING DEVICE
 - ✓ ADD TO EXISTING SIGNAGE
 - ✓ REMOVE BROKEN EQUIPMENT OR TOOLS
 - ✓ IMPROVE LIGHTING
 - ✓ IMPROVE VENTILATION
 - ✓ LIMIT ACCESS

IMPLEMENT CONTROLS

- **Make provisions for each selected means of control**
- **Follow-up and re-evaluate to determine effectiveness**
 - ✓ Have any similar incidents/accidents recurred?
 - ✓ Has the severity of the incidents/accidents declined?

Reports

Specify in the accident investigation plan–

- What reports are necessary
- Who completes the reports & is designated to review for accuracy
- Timeline for submitting reports & to whom

On Scene Investigation

The following are the steps in conducting a general on-scene investigation:

- Identify yourself to the investigating officer.
- Ask for permission to conduct your investigation.
- Stay out of the officer's way.

On Scene Investigation continued . . .

Make a record of :

1. Officer's name
2. Officer's Badge number
3. Phone number (accident record dept.)
4. Official report number (if available now)

On Scene Investigation continued . . .

Secure 35 mm or digital color photos before the vehicles are moved. (Quality and composition are very important. Clear focus, lighting, speed of film and weather can all affect the quality of the photos)

On Scene Investigation continued . . .

Document pertinent information:

- Position of vehicles
- Points of impact
- Debris from the accident (ex. glass, fluids, etc.)
- Speed signs
- Obstructions to driver's or witnesses' view
- Skid marks
- Gouge or breakdown marks
- Gaps in skids

Scene Diagram

Complete a scene diagram. You, the investigator, prepare the diagram. It is based on all the objective, factual evidence acquired during the scene investigation. This diagram represents your opinion of how the accident happened.

DIA: 8/12/03

Time: 8:30 AM. APPROX.

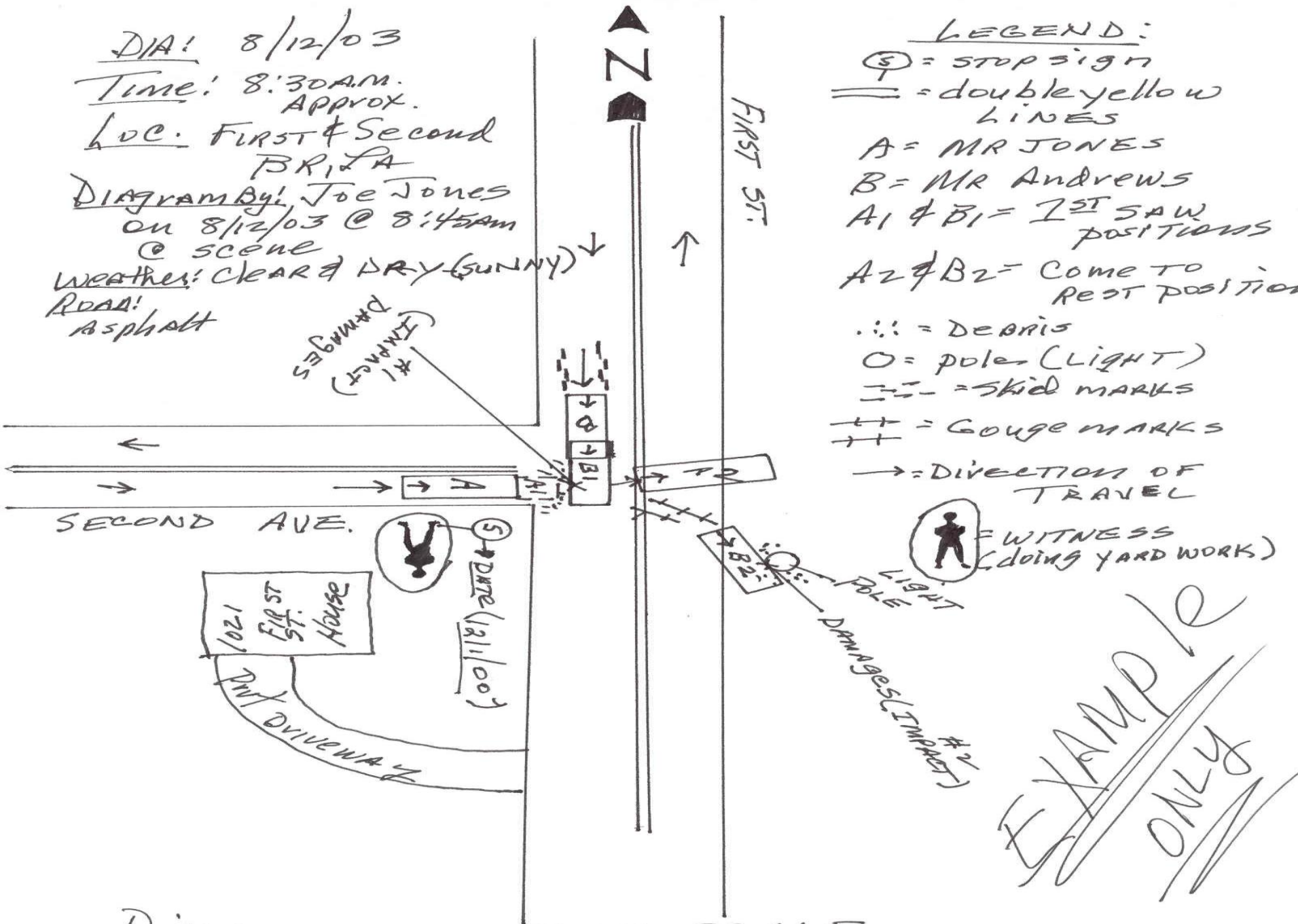
Loc.: First & Second
BR, LA

Diagram by: Joe Jones
on 8/12/03 @ 8:45 AM
@ scene

Weather: Clear DRY (SUNNY)

Road:
Asphalt

- LEGEND:
- Ⓢ = STOP SIGN
 - == = double yellow LINES
 - A = MR JONES
 - B = MR Andrews
 - A1 & B1 = 1ST SAW POSITIONS
 - A2 & B2 = Come to REST POSITION
 - ... = Debris
 - O = pole (LIGHT)
 - = skid MARKS
 - ++ = Gouge MARKS
 - = DIRECTION OF TRAVEL



~~EXAMPLE ONLY~~

Diagram — NOT TO SCALE