



ADMINISTRATIVE REGULATION

Office of the City Manager

Number	913
Responsible Department	Human Resources
Established/Effective Date	11/1/1996
Latest Revision Date	6/30/23
Next Review & Reauthorization Date	6/30/25

SUBJECT: Liability Claims Processing


1. **Purpose:** To ensure proper handling of liability claims by City staff and provide the various departments with guidelines for the processing of liability claims.
2. **Authority:** Section 401 of the Huntington Beach City Charter. [Resolution 2003-92](#)
3. **Applicability:** All City departments, officers, and employees.
4. **Responsibilities:**
 - 4.1. The City Clerk's Office shall be responsible for accepting and filing all claims including Small Claims Court notices.
 - 4.2. The Human Resources Department - Risk Management shall be responsible for coordinating all claim investigations and working closely with the Third Party Administrator (TPA) when needed to resolve and settle claims in an expeditious and cost effective manner.
 - 4.3. The City Attorney shall be responsible for managing all legal defense of claims that are litigated. Subpoenas shall be accepted only by the City Attorney's Office.
 - 4.4. The Finance Department shall be responsible for collecting funds from claims in coordination with Risk Management team.
5. **Procedures:**
 - 5.1 The following steps shall be followed on all liability claims:
 - 5.1.1. All liability claims, whether delivered by mail, paid carrier, process server, resident or citizen, must be filed with the City Clerk's Office. The City Clerk shall date and time stamp the claims.

- 5.1.2. After the claim has been date and time stamped by the City Clerk's Office, the original shall be forwarded to Risk Management with any attached bills or receipts and, if received by mail, the envelope showing the date mailed.
- 5.1.3. Risk Management shall assign a claim number for each claim in accordance with the liability claim period. The claim will be assigned to the City's TPA for investigation and handling.
- 5.1.4. The TPA shall determine if the claim is timely (filed within the six-month period from date of occurrence as per the 900 Section of the Government Code).
- 5.1.5. Upon receipt by Risk Management, the claim will be entered into a claim log and an investigation by the TPA will commence into the merits of the claim. Additional documents such as police reports, paramedic reports, contracts, certificates of insurance, etc. may be obtained in order to fully evaluate the claim.
- 5.1.6. After review of all documents and information, the TPA will make a recommendation to accept/settle the claim or to send out a claim denial.
- 5.1.7. The Risk Manager has the authority to issue claim denials, give written notice of insufficiency of claims, and act on claims in accordance with Government Code Section 912.6.
- 5.1.8. Pursuant to Resolution 2003-92, the Risk Manager is vested with the authority to settle claims in an amount not-to-exceed \$15,000. Claims over \$15,000 and up to \$50,000, shall be referred by the Risk Manager to the City Attorney for joint authorization. Claims over \$50,000 shall be referred to the City Council.
- 5.1.9. If litigation is commenced, the summons and complaint must be filed and served on the City Clerk's Office. The City Clerk's Office will send the original to the City Attorney's Office and a copy to Risk Management. The Risk Management Division will forward the original claim and documents to the City Attorney for further handling of the case.
- 5.1.10. If the City wins a judgment for damages or for attorney fees, the City Treasurer shall be notified immediately so that collection may be started for the funds. The City Treasurer shall be provided with all necessary documentation to pursue collections.


Distribution:

All employees may access the Administrative Regulations via the Intranet at:

<https://surfnet.cohb.net/policiesprocedures/SitePages/Home.aspx>



Director of Human Resources



Approved as to Form
Michael Gates, City Attorney



Al Zelinka, City Manager

Review Schedule

REVIEW DATE	DEPT. HEAD INITIAL	CITY MANAGER SIGNATURE