

**SECTION-HOSPITAL OPERATIONS
ADMINISTRATIVE DIRECTIVE NO. 758
(Replaces A.D. No. 758 dated 7/13/06)**

Effective Date: July 12, 2007

SUBJECT: PROPERTY LOSS CLAIMS-INDIVIDUALS, STAFF AND VISITORS

I. PURPOSE

Coalinga State Hospital (CSH) shall provide a process for Individuals, staff and visitors to file a property loss claim to the responsible facility. Individual claims will fall under one of two categories:

- A. Losses occurring within the facility only; or
- B. Losses involving California Department of Corrections and Rehabilitation (CDCR) or other state facilities.

Note: Procedures specific to both are outlined below.

II. AUTHORITY

California Government Code Sections 905.2 (b), 935.6, and 965; Department of Mental Health (DMH) Special Order No. 802.01.

III. POLICY

All Individual complaints regarding property loss (under \$1000) received by the Patient's Rights Advocate shall be returned to the Individual together with the MH 5399, Claims of \$1000 or Less form. Staff and visitors may obtain Victim Compensation & Government Claims Board (VCGCB) forms from the Accounting-Cashier's Office.

A. Claims Under \$1,000

Effective August 18, 2005, DMH received delegated authority from the VCGCB to settle and pay or reject claims which do not exceed \$1000. Individuals may obtain an MH 5399 Claims of \$1000 or Less form from the Patient's Rights Advocate, the Individual Government, Council of Senators, or staff may obtain this form for the individual from the unit staff.

B. Claims over \$1,000

All other claims over \$1,000 shall be filed directly with the California VCGCB. Effective August 17, 2004, anyone wishing to file a government claim for money or damages against the state must pay a \$25 filing fee unless the person qualifies for a fee waiver. The Government Claims Program Fee Waiver Request Packet is also available from the Accounting-Cashier's Office.

IV. METHOD

A. Procedure for Individual Loss:

1. Property losses occurring within the facility:

- a. Individuals shall be referred to the Shift Lead or Unit Supervisor who shall attempt to locate or resolve the issue. If the alleged loss cannot be resolved, the Unit Supervisor shall complete a "Individual Request for Property Loss Reimbursement", Trust Form #40-048. All related property receipts shall be attached to the form. The Unit Supervisor shall list the results of the investigative efforts on the form and forward to the Program Director for review. The Unit Supervisor shall enter all pertinent information regarding the loss claim in the Interdisciplinary Note (IDN). The Program Director shall recommend approval or denial of the claim and forward it to the Fiscal Officer for recommendation to the Hospital Administrator. The Hospital Administrator shall review and provide a resolution. The Individual retains the right to file a claim with the VCGCB if the claim is denied by the facility.
- b. CSH will make every attempt to respond and resolve the matter in a timely manner.

2. Property Losses involving CDCR or other facilities:

The "Individual Request for Missing Property" form shall be completed by the Individual and submitted to the Unit Supervisor. The Unit Supervisor shall ensure all property slips from CSH and CDCR or other facilities are attached. Any information pertinent to the property loss may be added by the Unit Supervisor. The completed claim with all property receipts shall be forwarded to the Fiscal Officer for tracking. The document will then be forwarded to Department of Police Services (DPS) for assignment to the Missing Property Coordinator. The Individual's program staff will not contact CDCR. The Property Coordinator shall make all attempts to locate property from other institutions, as well as provide information to Individuals who left CSH and are seeking property. The coordinator will submit the findings to the Fiscal Officer for recommendation to the Hospital Administrator.

3. Individual Claims for Property Loss or Damage:

Individual claims for financial reimbursement for loss or damage shall include the following information:

- a. A statement that describes the specific item and its condition before and after loss, if applicable.
- b. A statement of the current value and original cost, and copy of the purchase receipt.
- c. The place and date where the loss occurred.
- d. Circumstances and events causing the alleged loss.

B. Procedure for Staff Loss:

1. Personal Property Damage Claims:

- a. California Government Code, Section 19849.8 states: "The department in which an employee is employed may pay the cost of replacing or repairing eye glasses, hearing aids, dentures, watches, or articles of clothing necessarily worn or carried when damaged in line of duty without fault of the employee. If the eyeglasses, hearing aids, dentures, watches or clothes are damaged beyond repair, the department may pay the actual value of such eyeglasses, hearing aids, dentures, watches, or clothing as shall be determined as of the time of the damage thereto."
- b. Items of any intrinsic value such as jewelry, expensive watches, expensive clothing or articles not necessary to perform your assigned duties are not subject to reimbursement. Employees wearing such items do so at their own risk and the hospital does not assume any liability for their loss or damage.

2. How to File a Claim:

a. Claims Under \$1000:

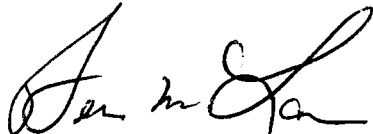
Staff may obtain a Claim of \$1000 or Less form # MH 5399 from the Accounting-Cashier's Office.

b. Claims Over \$1000:

All other claims over \$1000 should be submitted to the California VCGCB, on the Government Claims Program Information and Claims Form #VCGCB-GC-002. More information including an electronic version of this form is available at www.governmentclaims.ca.gov.

- C. Procedure for Visitor Loss: If a visitor or other non-staff member reports an injury, loss or damage to personal property, accident or is a victim of a crime on hospital grounds, they should be referred to the DPS who will conduct an investigation and follow-up as needed. DPS will notify the Health and Safety Office of any visitor injury.

- D. Quarterly Summary: The Fiscal Officer will provide to the DMH a quarterly summary enumerating personal property claims. Summaries are to include: state hospital name, person's name, amount paid or method of reimbursement (i.e., replacement of property via appropriate hospital resources).



BEN MCLAIN
Executive Director (Acting)