

 <p>HAWAII HEALTH SYSTEMS CORPORATION <i>"Touching Lives Everyday"</i></p> <p>POLICY</p>	<p>Department:</p> <p>General Counsel</p>	<p>Policy No.:</p> <p>ADM 0028A</p>
	<p>Issued by:</p> <p>Alice M. Hall General Counsel</p>	<p>Revision No.:</p> <p>1</p>
<p>Subject:</p> <p>CLAIMS MANAGEMENT AND SETTLEMENT POLICY</p>	<p>Approved by:</p> <p><i>Carol VanCamp</i> HHSC Board of Directors By: Carol VanCamp Its: Secretary/Treasurer</p>	<p>Effective Date:</p> <p>April 19, 2012</p>
		<p>Supersedes Policy ADM 0028 1/29/09 and ADM 0029 November 13, 2008</p>
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Reviewed March 4, 2012; next review March 4, 2015.

- I. **Purpose:** The purpose of this policy is to provide authority to General Counsel, in collaboration with the facilities, to settle claims for damages against HHSC.
- II. **Policy:** Pursuant to HRS Chapter 323F, HHSC is the legal entity that can sue or be sued. Prudent fiscal responsibility requires that the organization fairly, consistently, and expeditiously settle viable claims brought against HHSC. The Office of General Counsel shall be kept informed of all significant legal matters and shall manage litigation on behalf of HHSC, in collaboration with the involved facility/regional management, as designated by the RCEO. General Counsel is authorized to settle claims after consulting with the involved facility/regional management, based upon a determination that: a) the settlement is fair based on an assessment of liability and damages; b) the settlement is cost effective, considering the cost of litigation, staff time, and a potentially higher damages assessment; c) outside counsel recommendations; and d) the insurer recommends the settlement. Where a significant settlement is contemplated, the HHSC PCEO and Board Chair shall also be consulted.

Information relating to settlements shall be shared with the HHSC Board on a regular basis.

- II. **Applicability:** All HHSC facilities, HHSC staff, regional and corporate boards.
- III. **References:** HRS Chapter 323 F. ADM 28B, Claims Management and Settlement Procedure.