



**Risk and  
Insurance  
Management  
Society, Inc.®**

**RIMS NEWS**  
July 2005

**THE AWARD WINNING HOUSTON CHAPTER**  
Advancing the Risk Management Profession

## July Meeting Topic

### **Civil Engineering's place in Property Claims**

Guest Speaker: Shawn Johnson

Your organization has suffered a property loss; hailstorm damage, water damage, or a fire. It looks like it will be a costly claim. The next thing you get in the mail is a reservation of rights letter from your carrier. How can you protect your organization's interests in the claim?

Two buildings, built by the same company and using the same materials are subjected to a windstorm. One building looks untouched afterwards, the other has extensive damage. Was there a construction defect or was it just an oddity of mother-nature? Who can help you find out?

The answer to these questions may be to hire a professional engineer to do a damage assessment, structural analysis or a reconstruction.

Join us as Shawn Johnson, of S-E-A, will discuss what types of investigations a Civil Engineer can perform and why one could help protect your organization's interests.

**\*\*Continuing Education credits (1 hour) have been approved for this meeting\*\***

## July Article

### **Texas Adopts New Asbestos-Silica Legislation**

Gene F. Creely, II  
Cozen O'Connor

Governor Rick Perry recently signed legislation that applies to asbestos and silica claims. The legislation amends Civil Practice & Remedies Code to add Chapter 90 to address asbestos and silica claims. The legislation becomes effective on September 1, 2005.

Before a plaintiff can maintain an action seeking to

recover damages as a result of asbestos or silica-related disease, the plaintiff must establish certain criteria (minimum symptomatology/conditions) as verified by pulmonary function testing and x-rays. The plaintiff must be diagnosed with asbestos or silica-related disease by a qualified doctor who verifies the person meets such criteria and that the person suffers from condition as a result of exposure to asbestos or silica. A qualified doctor is a physician who has an active license and is board certified in pulmonary medicine, occupational medicine, internal medicine, oncology or pathology.

Also, the legislation provides that the plaintiff must serve a report from a qualified doctor reflecting same on each defendant shortly after the defendant appears in a lawsuit, or else the plaintiff's claims may be subject dismissal.

The legislation also provides an extended statute of limitations for asbestos or silica-related claims whereunder the applicable statute of limitation under Section 16.003 of the Texas Civil Practice & Remedies Code will now run from either (1) the date of the exposed person's death or (2) the date that the claimant serves a doctor's report on a defendant.

The legislation also applies Multi-District Litigation (MDL) rules to cases in which claimants seek damages for asbestos or silica-related injuries. However, the MDL rules do not apply to cases in which a trial is set to begin within 90 days after the legislation's effective date. Also, the MDL rules do not apply to a case filed prior to the effective date, if the plaintiff is diagnosed with a cancer stemming from exposure to asbestos or silica.

Unless the parties otherwise agree, claims relating to more than one exposed person may not be joined for a single trial.

These are some of the highlights of this new legislation applicable to asbestos and silica claims.

*Gene F. Creely, II, Cozen O'Connor  
1221 McKinney, Suite 2900  
Houston, Texas 77010-2011  
(832) 214-3900 • Fax: (832) 214-3950  
gcreely@cozen.com*



## 2005 RIMS SCHOLARSHIP UPDATE

The Education Committee received seven applications from members' children who wished to participate in the scholarship program sponsored by the Houston Chapter of RIMS. Each student had to complete and submit an application along with supporting documentation. The committee then had a personal interview with each applicant. All of the applicants displayed intelligence and optimism and seemed very excited about their future educational possibilities. The extra effort made by each applicant involved with the scholarship process was very admirable. While the choice was extremely difficult, the top 4 were chosen and will receive a one-time \$1,000 scholarship.

As you know, the cost of tuition and books are rising each year. While we are not able to give each applicant the full scholarship, our current budget allows for us to give those who did not receive the scholarship a one-time gift of \$250.00. It is through the generous support of our members that this one-time gift is available.

**All of the applicants will be invited to join us at the July luncheon to accept their awards.**



### New Members

**We are pleased to announce the following new members who joined our chapter last month:**

**Bill Rothhammer—CTC Services - Associate Member**

**Greg Watkins—Enterprise Products Co.**

**Melissa Martin—Group 1 Automotive**

**Donald La Ferriere—Mitsubishi Caterpillar Forklift America**

Officers & Directors  
President  
JULIA KOVACH  
Houston Chronicle Publishing Co.  
713.362.7607  
Julia.Kovach@chron.com

First Vice President  
VIRGIL MEAD, ARM  
Nabors Industries, Inc.  
281.775.8168  
virgil.mead@nabors.com

Treasurer  
THOMAS M. MACE  
Nabors Industries, Inc.  
281.775.8116  
tom.mace@mail.nabors.com

Vice President/Secretary  
SUSAN SANDERS  
Philip Services Corp.  
713.625.7015  
ssanders@contactpsc.com

Vice President/Assistant Secretary  
JIM LYON, CPCU  
Philip Services Corp.  
713.625.7174  
lyon@contactpsc.com

Chapter Liason  
GINNY PENZELL, ARM  
El Paso Corporation  
713.420.4814  
ginny.penzell@elpaso.com

Education  
CYNTHIA VICKERS  
El Paso Corporation  
713.420.5078  
cynthia.vickers@elpaso.com

Job Placement  
PAM CHAVEZ, ARM, CIC, CRM  
Jacobs Engineering Group  
832.351.7144  
pam.chavez@jacobs.com

Legislation  
MARSHA PHILLIPS  
Jacobs Engineering Group  
832.351.7149  
marsha.d.phillips@jacobs.com

Membership/Attendance  
VICTOR PIVETTA, ARM  
Houston ISD  
713.871.9365

Public Relations/Newsletter  
STEVE BRODERICK  
SYSCO Corporation  
281.584.1764

RIMS Delegate  
MARY ISBELL  
Friedkin Companies, Inc.  
713.580.3280  
misbell@friedkin.com

Webmaster  
NIKOLAS KAPATOS  
Sterling Bancshares, Inc.  
713.507.2474  
nick.kapatos@banksterling.com

Past President  
COLLEEN CUMMINGS, ARM  
The Hanover Company  
713.581.1209  
ccummings@hanoverco.com

Associate Directors  
Education  
SONDRA K FAUL, CIC  
The University of TX HSC-H  
713.500.8127  
Sondra.K.Faul@uth.tmc.edu

Legislation  
ROBERT COVINGTON, AIC  
Jacobs Engineering Group  
832.351.7153  
robert.covington@jacobs.com

Membership/Attendance  
REBECCA WALKER, CPCU, ARM  
David E. Harvey Builders, Inc.  
713.243.4251  
bwalker@harveybuilders.com

## Houston Area Job Links for July 2005

- Sr. Manager, Risk Management—Friedkin Companies, Inc.
- Carriage Services, Inc.—Risk Management Assistant (part time)
- Energy Company (Galleria area) - Risk & Insurance Analyst
- Director Finance & Planning—Lord & Albus Company
- Workers Compensation Coordinator—NCI Building Systems, L.P.

For further information regarding positions or to place a job opening for your company in our newsletter, contact Pam Chavez, Director—Job Placement (832) 351-7144

Email: [pam.chavez@jacobs.com](mailto:pam.chavez@jacobs.com)

Listing descriptions and contact information can be found at The Houston RIMS website:

<http://Houston.rims.org>

Also, look online at the Houston Chronicle's classified web site under employment. Do a key word search for Safety or Risk Management at:

<http://www.houstonchronicle.com/classified>

Or look online at the Houston Press's classified web site:

<http://www.houstonpress.com/classifieds>

**July Luncheon Meeting**

Please send your response by email to [jlyon@contactpsc.com](mailto:jlyon@contactpsc.com) or fax the notice to 713.625.7087.

The Luncheon Registration form is available on the chapter web site at [www.rims.org](http://www.rims.org)

Choose “chapters” then “chapter web sites” then “Houston” look for the “Monthly Meeting Notice” on the list to the left.

**Meeting Notices, Newsletters and other chapter correspondence are now distributed by email.**

If you are a deputy member and are not receiving yours please let us know by contacting Victor Pivetta, Membership Director. Deputies can update/correct information by logging on to the Society web site: [www.rims.org](http://www.rims.org). Associates & Non-Members should contact Ginny Penzell

On the first page of each RIMS Monthly Newsletter, we publish a **brief** article of interest to our members. If you have one to submit for publication, please send articles of interest (no advertisements please) to: [34391.Stephen.Broderick@rimsmail.org](mailto:34391.Stephen.Broderick@rimsmail.org)

**Houston Chapter of RIMS**

UPCOMING EVENTS

Luncheon Meetings are at 11:30 am

**RIMS Luncheon Meeting—**  
July 20, 2005

**ARM 56—Essentials of Risk Financing—Houston**

Tuesday evenings beginning August 16  
Details and Application Attached

**RIMS Houston Fall Conference**  
Friday, October 21 @ The Woodlands  
Resort & Conference Center.



**2005 LUNCHEON SCHEDULE**

- July 20
- August 17
- September 21
- October 19
- November 16
- December (TBA)

**MEETING PLACE**

*The Hilton University of Houston*  
University Drive—Entrance One, Suite 207  
Phone #713.741.2447

- Parking is being provided by the Houston Chapter of RIMS.
- Be sure to pick up your token at the registration desk so you can get out of the parking garage free of charge



**ASSOCIATE IN RISK MANAGEMENT**  
**Classes Sponsored by the Houston Chapter of RIMS**  
**Fall Semester 2005**

The Houston Chapter of the Risk and Insurance Management Society, Inc. (RIMS) will be sponsoring an ARM 56 class this spring. This course is part of a three semester specialty program leading to the Associate in Risk Management (ARM) Designation. The course is open to the general public, including all risk management, insurance and safety professionals.

**ARM 56 – ESSENTIALS OF RISK FINANCING**

**CLASS LOCATION:** Bowen, Mickette & Britt  
1111 North Loop West, Suite 400, Houston, Texas

**CLASS START DATE:** Tuesday Evenings–Starting August 16, 2005, 5:30 P.M. – 7:30 P.M.  
(ends mid November 2005)

**COURSE LEADER:** Jim Drew, ARM, CIC  
Office Phone: (713) 880-7172  
E-mail: [jdrew@bmb-inc.com](mailto:jdrew@bmb-inc.com)

**EXAM DATES:** November 15 – December 15 testing window at Sylvan Testing Centers by appointment.

**COURSE DESCRIPTION:** Students will learn risk financing techniques as they relate to the risk management process. The student will focus primarily on the various forms of risk retention (including use of captive insurers) and of commercial insurance.

**TUITION POLICY**

The tuition per course, which does NOT include the exam fee or books, is \$110 for RIMS Deputy Members and \$135 for all others (including Associates of the Society). **In the event the student cannot attend the class, tuition will be refunded until the first night of class. After the first class has been held, the student will receive a CREDIT toward any of the ARM classes that may be held during the two semesters (12 months) following the class for which tuition was already paid.**

**GRANTS:**

Grants are available to those Deputy Members who wish to take an ARM course but are unable to due to financial hardship. Candidates must apply through the education director (Cynthia Vickers), provide a letter from their employer that the course is non-reimbursable, and write a one-page letter indicating why they feel they are deserving of the grant. Recipients of the grants will be notified prior to the second meeting night of class. The deadline for submitting an application is August 16, 2005.

**PAYMENT INFORMATION:**

Make checks payable to: **Houston Chapter of RIMS**

Please mail your check **and** enrollment form to:

**Cindi Vickers, ARM**  
**Education Director – Houston Chapter of RIMS**  
**c/o El Paso Corporation**  
**P. O. Box 2511**  
**Houston, Texas 77252-2511**  
**Phone: 713-420-5078**  
**Fax: 713-420-6577**  
**E-mail: cynthia.vickers@elpaso.com**

*Enrollment forms should be completed and returned no later than August 16, 2005. You also have the option of bringing the registration form and check to the first night of class. Call Cindi Vickers or Jim Drew for additional details concerning the class.*

**CONTINUING EDUCATION (C.E.) CREDIT INFORMATION:**

The Texas Department of Insurance has approved this classroom course for 15 C.E. Credit hours. Students must attend at least 90% of the classes in order to qualify. The Insurance Institute of America/CPCU has also received approval for 15 C.E. hours for students who successfully pass the ARM exam. Students must choose **either** the class instruction credits or the exam credits. They may not choose both.

**ORDERING BOOKS AND REGISTERING FOR THE EXAM:**

Books may be ordered through the Insurance Institute at (800) 644-2101. The cost for books is approximately \$150. You may register for the exam at the same time you order your books. The cost for the exam is \$148 (for early registration). Please refer to the current AICPCU/IIA Key Information Guide for confirmation of test related fees and deadlines. You can request a Key Information Guide from the Insurance Institute via the web at [www.aicpcu.org](http://www.aicpcu.org), via e-mail at [cserv@cpcuiia.org](mailto:cserv@cpcuiia.org), or via phone at (800) 644-2101.

**ARM CLASS ENROLLMENT FORM**

**(Complete and make a copy to send in for registration.)**

**Name:** \_\_\_\_\_ **Social Security No.** \_\_\_\_\_

**Company:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Phone (office):** \_\_\_\_\_ **Phone (home):** \_\_\_\_\_

**Fax No.:** \_\_\_\_\_ **E-mail Address:** \_\_\_\_\_

**Amount Enclosed:** \_\_\_\_\_ **RIMS Deputy Member: YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**Course:**  
**ARM 56 Essentials of Risk Financing**

**IMPORTANT: ARM courses presume three years of broad-based industry experience or INS21.**