

## CHAPTER 11. CLAIMS PROCESSING

### A. Facility Damage Claim Process.

1. Report of Damage. Auxiliarists that sustain damage while on an authorized patrol shall report the damage to the order issuing authority (callout authority) by the most rapid means available in accordance with the Auxiliary Operations Policy Manual, COMDTINST M16798.3 (series). Maintenance and Logistics Command Atlantic Area Instruction 5890.3 (series) provides specific instructions and sample forms to use for claim packages. That instruction may be accessed through <http://www.uscg.mil/mlclant/Ldiv/CLAIMS.htm>. A link is also available through the region's web site at <http://www.uscgaux.org/08C/d8diraux.htm>.

2. Auxiliary Claimant Responsibility.

- a. The Auxiliary claimant is the Auxiliarist named on the patrol orders in the event a facility has been damaged.
- b. The claimant must notify the callout authority of the damage within 24 hours of occurrence.
- c. The claimant should forward a completed patrol orders and any fuel, toll, launch fee receipts to the callout authority.

**DO NOT COMMENCE REPAIRS UNTIL AUTHORIZED.**

3. Order Issuing Authority (Callout) Responsibility.

- a. The Callout shall acknowledge the report of damage and inform the claimant of the name of the investigating officer.
- b. The Callout shall forward an Auxiliary claims package to the claimant within 3 days.
- c. Upon notification, the Callout shall attempt to assess, photograph, and document the damage to the facility. If this cannot be done immediately, the Callout should arrange for an inspection at the earliest possible date.

4. Auxiliary Claimant Responsibility Upon Receipt of Claims Package.

- a. Completes the claim form, signing the last page of the claims package.
- b. Attaches the patrol orders, required estimates receipts, and all supporting documents.
- c. Returns the completed Auxiliary claims package to the operational commander/callout authority as soon as possible.

5. Callout Authority Responsibility Upon Return of Claims Package from Claimant.
  - a. Receives and **date stamps** the Auxiliary claims package.
  - b. Reviews Auxiliary claims package and determines how claim will be processed. If operational commander determines an investigation is required, he appoints an Investigating Officer (IO) at this time. **(An investigation is required for damage exceeding \$750.00)**
  - c. Authorizes payment of reimbursable patrol expenses and forwards orders for payment.
  - d. Upon completion of the Report of Investigation or Letter Incident Report (if required), determines if claim is in accordance with all applicable directives.
  - e. Authorizes repairs or executes replacement in-kind.
  - f. Endorses and forwards the completed Auxiliary claims package to **DIRAUX within 3 weeks** of the incident and in accordance with MLCLANTINST M16798.3 (series).
6. Auxiliary Claimant's Responsibility Upon Approval of Claims Package.
  - a. Repairs facility.
  - b. Submits a Report of Completion of Repair to the Callout Authority.
7. Director of Auxiliary Responsibility.
  - a. Director of Auxiliary Coastal Region endorses the Auxiliarist's claims package and forwards to MLCLANT (1c) for settlement action **usually** within **24 hours of receipt.**

## **B. Personal Injury Claims.**

1. Personal Injury.
  - a. Notification. Casualty assistance in the Eighth Coast Guard District is defined as the support provided to members of the Auxiliary and their families who suffer injury or death while participating in an authorized Auxiliary activity. The key to this support is immediate notification of the incident. The area RCO will be the Auxiliary Casualty Assistance Officer for that area. In the event of an injury the following will apply:
    - (1) If the injury occurred on an authorized operational activity, notify the order-issuing Coast Guard unit, the DCP and the area RCO. The area RCO shall notify the DCO and the callout authority shall notify the Director of Auxiliary.

- (2) An investigation must be conducted by the order issuing authority to see if a U.S. Coast Guard Mishap Report is required, and **to provide the Coast Guard with facts for determining liability issues**. If a third party is involved, the Report of Potential Third Party Liability, CG-4899, must be completed.
- b. Treatment. If the injury is of an emergent nature, the Auxiliarist should seek treatment at a Department of Defense (DOD) facility if at all possible. **The call-out authority should call ahead to the DOD facility to inform them of the incident. If needed, the call-out authority should establish an MOU with their local military treatment facilities to ensure they are aware of the treatment entitlements for Auxiliarists under Coast Guard orders.** If assistance is needed in establishing the MOU's, contact ISC New Orleans or the Director of Auxiliary. The Auxiliarist will need to show his or her identification card to the medical facility. If a DOD facility is not an option, then the nearest appropriate medical facility will suffice. If the injury is not an emergency, the Auxiliarist should seek the nearest DOD facility or their family physician.
- c. Documentation. The injured party must notify their call out authority as soon as possible if the incident happened while on patrol orders. They will notify DIRAUX if the injury occurred while performing **other routine** auxiliary activities. The injured member must document on paper the sequence of events regarding the injury and treatment. **The Department of Labor is the agency that pays Auxiliary medical claims and they will require extensive proof of when and how the injury occurred.**
- d. Medical claims package. The Auxiliarist should obtain an HCFA 1500 form for each separate bill that was incurred (original receipts should **NOT** be forwarded to DIRAUX, the HCFA 1500 form should be used to document all bills). This form is supplied and **usually completed** by the provider that treated the injury. All of the appropriate forms to be included in the medical claims package are included at the end of this chapter. The originals may be obtained through DIRAUX. Once the injured party completes all of the forms and obtains all of the HCFA 1500 forms from the provider, the package is sent to DIRAUX.
- e. Department of Labor (DOL). DIRAUX will check the package for completeness, endorse the claim and forward it to the Special Claims Division of the Office of Worker's Compensation in Washington, D. C. DOL will assign the medical claim a case number, and that will be the indication that they are reviewing the claim. Once a case number is assigned by DOL, the assigned claim examiner will send a letter to DIRAUX and the injured party informing that the case is under review and what the case number is. Upon receipt of the case number, the member shall notify DIRAUX at 1-800-524-8835. If the examiner requires more information, the examiner will deal directly with the injured party. Once a case number is obtained, the injured party may obtain an updated status on their claim by calling the DOL Claims Automated line at (202) 565-6990.

2. Personal Injury Claim Forms. DOL forms required for submitting personal injury claims may be accessed via the National Auxiliary website <http://www.cgaux.org/cgauxweb/memframe.htm>. Members may utilize the link “Other Web Sites” to access the U. S. Coast Guard Office of Auxiliary then download the applicable claim forms.

3. Death.

a. General. In the event of a death the following shall apply:

- (1) If the death occurred on an authorized Auxiliary activity, notify the order issuing Coast Guard unit, the DCP, the area RCO, the DCO, and DIRAUX. The Coast Guard unit and the RCO will coordinate notification of next of kin. In no case will a public announcement be made until the next of kin has been contacted.
- (2) If the death occurred while not involved in an authorized Auxiliary activity notify the DCP, FC, and DIRAUX.
- (3) The area RCO, in coordination with the Auxiliarist’s FC and DCP, will select an on scene Casualty Assistance Team, preferably a husband and wife, to assist the next of kin.
- (4) The area RCO will ensure the following people are notified of the fatality and the names of the Casualty Assistance Team: FC, DCP, DCO, DIRAUX and the order issuing Coast Guard unit.
- (5) DIRAUX will provide the necessary Survivor Benefit forms and instructions to the Casualty Assistance Team.
- (6) The Casualty Assistance Team will help the next of kin complete the required paperwork. The team will ensure copies of all completed forms, documents, correspondence and memos are provided to the next of kin and the area RCO. The completed original forms will be forwarded to DIRAUX for final processing to the Department of Labor.
- (7) The area RCO will maintain a complete log and file on the fatality until the Department of Labor resolves the survivor's benefits. These files are on a need to know only basis and, as a part of the office of RCO, are passed to the next elected Auxiliarist.