

Board Action/Information Summary

<input checked="" type="radio"/> Action <input type="radio"/> Information	MEAD Number: 100405	Resolution: <input type="radio"/> Yes <input checked="" type="radio"/> No
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TITLE:

Indemnification of CIGNA Behavioral

PURPOSE:

Request Board approval to indemnify CIGNA Behavioral as part of a contract to provide Critical Incident Response Services.

DESCRIPTION:

Following the tragic rail accident on June 22, 2009, representatives from CIGNA contacted Metro staff to offer its Employee Assistance Program services free of charge for a limited time immediately following the incident.

CIGNA offers a service called Critical Incident Response Services to help organizations handle the impact of a workplace event that may disrupt the present or future productivity of the workforce due to psychological stress or trauma. Incidents like these take a toll on individual employees as well as the organization as a whole.

Critical Incidence Response Services include a range of interventions to minimize and manage stress from critical incidents, and to assist in the recovery of individuals and the organization as effectively and efficiently as possible. Early intervention helps prevent or minimize long-term stress responses, enhances employees' overall adjustment at work and home, and supports the normal functioning of an organization.

Although the service is generously being provided free of charge, CIGNA Behavioral requires Metro to sign an agreement for these services to protect CIGNA's liability. The agreement contained an indemnification provision, according to which Metro, as the Employer, must indemnify and hold harmless CIGNA Behavioral for the negligent or intentionally wrongful actions of Metro or its officers or employees.

Given the immediate need to provide Critical Incident Response Services to employees impacted by the rail accident, CIGNA Behavioral agreed that the indemnification provision in the contract would be of no force and effect until reviewed and approved by Metro's Board of Directors at its July 16, 2009 meeting.

FUNDING IMPACT:

No impact on funding. This service is being provided at no charge to Metro.

RECOMMENDATION:

Approval to indemnify CIGNA Behavioral.