

Compliance Tips for the Month – September 2019

State Certificate of Self-Insurance

State agencies and employees are covered through the State of Tennessee's Self-Insurance. This coverage applies to all State of Tennessee departments, agencies, institutions, including institutions of higher education, and any entity deemed by the Tennessee General Assembly to be a state agency for the purpose of participating in the State of Tennessee self-insurance program. The institutions of higher education include the University of Tennessee system; Tennessee Board of Regents system; and Locally Governed Institutions – Austin Peay State University; East Tennessee State University; **Middle Tennessee State University**; Tennessee State University; Tennessee Technological University; and the University of Memphis.

In addition, and as it relates to employee liability and the State of Tennessee's payment of claims and damages, the following is from the Tennessee Code Annotated:

[T.C.A. 9.8-112](#)

(a)(1) The board of claims is authorized to pay final judgments for state employees, as defined in § 8-42-101, for any damages, including interest thereon, which are awarded in a final judgment in a civil lawsuit against the employee in a court of competent jurisdiction where it is determined by the board that the incident on which such damages were awarded occurred when the employee was acting in good faith within the scope of such employee's official duty and under apparent lawful authority or orders.

(2) No final judgment or interest thereon shall be paid where the employee's conduct amounted to gross negligence or willful, intentional or malicious conduct.

The State's 2019 Certificate of Self-Insurance detailing coverage for general, automobile, property, professional malpractice, and workers' compensation/employer liability for all State employees institutions, can be found [here](#). The Certificate of Self-Insurance also covers Worker's Compensation, which is covered under statute under Title 50, Chapter 6 of the Tennessee Code Annotated.

For additional information regarding the interpretation of T.C.A. 9-8-112, please contact the Office of University Counsel at sherry.preston@mtsu.edu or at 615-898-2025. For additional information and/or questions regarding the State's Certificate of Self-Insurance or other insurance questions, please contact carem@mtsu.edu.

Fraud, Waste, and Abuse Prevention

To secure and safeguard MTSU's data and assets from fraud, waste, and abuse, please remember the following compliance and risk management tips:

- Avoid saving student educational records (including grades, M numbers, and other educational information) on an unsecured, external, portable thumb drive, which could be lost or stolen. Instead, save student educational records on a secure, internal, ITD-protected drive, which also ensures the University's compliance with FERPA.
- Pay close attention to emails that contain multiple spelling and grammatical errors.
- If you receive a fictitious email or suspicious phone call requesting financial or personal information, notify MTSU's ITD department at ITD.help@mtsu.edu.
- Do not send sensitive and financial information over the internet without authenticating the legitimacy of a vendor.
- If sensitive information must be transmitted electronically, please utilize ITD's Secure Send attachment feature. If you do not have the Secure Send software, please contact ITD at ITD.help@mtsu.edu.
- Do not respond to email solicitations for MTSU's financial or contractual information.
- Avoid including a P-Card number on any public document that will be routed throughout a department.

If you suspect, or have knowledge of, the improper use of MTSU's resources, including fraud, waste, or abuse of such resources, please contact any of the following resources:

- MTSU Audit and Consulting Services, reportfraud@mtsu.edu, or call (615) 898-2914.
- A senior administrator or officer of MTSU.
- A supervisor, department head, or Division Vice President.
- The State of Tennessee Comptroller's Fraud, Waste, and Abuse Hotline at 1-800-232-5454, or at comptroller.tn.gov/hotline.

MTSU's Audit and Consulting Services investigates all allegations of fraud, waste and/or abuse. For additional information on the investigations process regarding allegations and cases of fraud, waste, and abuse, please contact the Office of Audit and Consulting Services at audit@mtsu.edu.

Records Management Destruction Days

The University's records destruction days are as follows:

1. October 21, 2019 – 8:30am to 1:00pm
2. October 22, 2019 – 8:30am to 1:00pm

If you have not yet received instructions regarding MTSU's annual Records destruction days, please contact RDAretenion@mtsu.edu.

Compliance and ERM Hotline Number

For immediate compliance and risk management concerns, questions, or needs, please leave a message at the Compliance and ERM hotline number:

(615) 898-5772

Thank you.

Gené Stephens, J.D., LL.M.

Middle Tennessee State University

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I AM *true* **BLUE.**

MIDDLE TENNESSEE STATE UNIVERSITY

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