



New Mexico
Public Schools
Insurance Authority

SAFETY FIRST

NMPSIA Risk Services Newsletter

August 2019

SUICIDE AWARENESS

Suicide rates are rising among the youth of America, with the number of adolescents reporting symptoms consistent with major depression in the last 12 months jumping to 52%. For teens and young adults between the ages of



18 and 25, the reporting symptoms of depression rate increased 63%. For people in the age range of 10-24, suicide is the second leading cause of death, for all races and both sexes. Suicide rates consistently outnumber homicides. Rural counties generally have higher rates of suicide than urban counties.

In New Hampshire, schools are taking action to prevent this tragedy from happening. On August 2nd Governor Chris Sununu [signed a bill](#) requiring schools to develop policies on suicide prevention, risk assessment, and to provide suicide prevention training for faculty, staff and volunteers. Faculty, staff members and school volunteers will be required to receive at least two hours of training a year in youth suicide risk factors, warning signs, protective factors and response procedures. New Hampshire ranks 18th out of the 50 states with 17 suicides per 100,000 individuals. The bill aims to improve this number and lower it tremendously.

New Mexico has the 4th highest suicide rate in the U.S., with 23 suicides per 100,000 individuals, and 2nd in terms of depression rate. Suicide is the second leading cause of death among those 1-34 years old in New Mexico. Rates among New Mexico residents aged 10-24 years showed the largest increase among age groups from 2016- 2017, with the steepest increase seen among those younger than 20 years of age.

[The Suicide Prevention Resource Center](#), which is supported by a grant from the U.S. Department of Health and Human Services,

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Important Contact Information

NMPSIA	1-800-548-3724
Poms & Associates	505-797-1354
CCMSI	1-800-635-0679
Myers, Stevens, Toohy	1-800-827-4695 ext. 616

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Substance Abuse and Mental Health Services Administration, and the Center for Mental Health Services, offers a variety of resources including free online trainings, fact sheets, manuals, and toolkits. The Society for the Prevention of Teen Suicide also provides [online training](#).

Comprehensive strategies incorporating all levels of government, healthcare providers, schools, community-based organizations, and community members can prevent suicides. Schools are a key setting for suicide prevention. Teachers, mental health providers, and all other school personnel who interact with students can play an important role in keeping them safe.

YOUTH MENTAL HEALTH FIRST AID TRAINING

Poms & Associates now offers a Youth Mental Health First Aid training, perfect for:

- Teachers
- School staff
- Coaches
- Camp counselors
- Youth group leaders
- Parents
- Any other people who work with youth

The 8-hour training gives adults who work with youth the skills they need to reach out and provide initial support to adolescents ages 12-18 who may be developing a mental health or substance use problem and help connect them to the appropriate care. The training covers:

- Common signs and symptoms of mental illnesses in this age group, including:
 - Anxiety
 - Depression
 - Eating disorders
 - Attention deficit hyperactivity disorder (ADHD)
- Common signs and symptoms of substance abuse
- How to interact with an adolescent in crisis
- How to connect the adolescent with help

If you are interested in scheduling a Youth Mental Health First Aid training for your staff and no additional cost, please call Brenda Barela at 505-797-1354.

For students there is a statewide Youth Suicide Hotline network (1-866-435-7166) that can offer resources for those in need. For you, or anyone you know, struggling with suicidal thoughts please contact the New Mexico Crisis and Access Line 1-855-662-7474 or the National Suicide Prevention Line 1-800-273-8255.

WORKERS' COMPENSATION WORKSHOP

Injuries and illnesses in your staff can have a large impact on your school with decreased productivity and rapidly increasing claims for medical expenses and lost wages. Further, knowing how to successfully navigate the murky waters of workers' compensation claims—including its interactions with the Family Medical Leave Act (FMLA) and Americans with Disabilities Act (ADA)—is an added weight on the shoulders of your administration.

NMPSIA has partnered with Poms & Associates, CCSI, and the Workers' Compensation Administration to assemble a panel of experts to bring clarity to what is commonly referred to as the "Bermuda Triangle for Employers." This workshop will not only provide you with our easy to use Grab 'N Go kits, our panel will also walk attendees step-by-step through a sample case and answer any questions you have regarding the process.

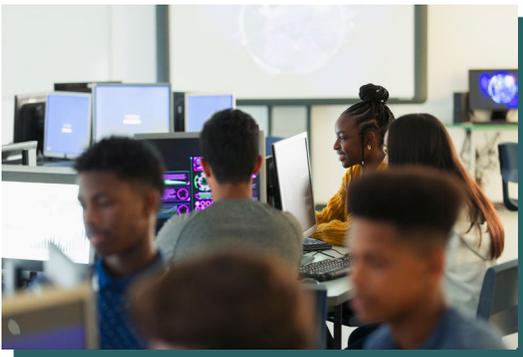


This **FREE** workshop is being held in cities across New Mexico for your convenience, so register today to reserve a seat at a location near you.

- [Santa Fe - October 8th, 2019](#)
- [Farmington - October 10th, 2019](#)
- [Roswell - October 15th, 2019](#)
- [Las Cruces - October 16th, 2019](#)
- [Albuquerque - October 17th, 2019](#)

Box lunches will be provided to all attendees.

TECHNOLOGY EDUCATION



Technology is increasingly becoming part of one's daily life. It is an industry that is constantly evolving, improving every year, but with that comes the race to be the world's trailblazer in technology.

Countries like England are leading the pack in technology education, mandating that all children between the ages of 5 and 16 take some sort of computer science class, with their age dictating the type of topics they will learn. This has enabled England tech companies to hire people locally, rather than relying on foreign engineers. In England alone, the digital sectors contributed [£118 billion](#) (\$133 billion) in 2015 and are projected to need 1.2 million more people in 2022.

There is a high demand for individuals educated in computer science. Computing occupations are the

number one source of all new wages in the U.S., making Computer Science one of the most in-demand college degrees. The United States has seen 34 states create some sort of K-12 computer science standards, with New Mexico being one of those states. However, of those 34 states, only 35% of the high schools in those states teach computer science.

There are currently [1,850 open computing jobs in New Mexico](#) alone, which is 3.3x higher than the average state demand. There is an obvious need in the Land of Enchantment for employees with computer skills, and there are currently not enough people to fill those needs.

Programs like [Code.org](#) and [New Mexico Computer Science for All \(CS4ALL\)](#) are working with schools here in New Mexico to incorporate Computer Science courses into their curriculum, with the state adopting the CSTA K-12 (Computer Science Teachers Association) [Computer Science Standards](#) in December 2018. In addition to that, the legislature allocated \$200K per year for Fiscal Year 2019 and 2020 ([HB 548](#)) to develop and implement teacher professional development program for computer science courses. [Senate Bill 134](#) (passed in 2017) allows a computer science course to count towards a math or science credit requirement needed for high school graduation. It's a very exciting time.

CERTAIN SCHOOL MEETINGS ARE FMLA-PROTECTED

In [one of three opinion letters](#) issued earlier today, the [U.S. Department of Labor](#) confirmed that parents attending certain school meetings for the benefit of their children are entitled to FMLA leave for their absences. The agency concluded that the need to attend school meetings to discuss individualized education programs for children with serious health conditions triggers intermittent FMLA leave protection. Employers should make note of this opinion and revise their family leave policies and practices as necessary in response.



The [FMLA](#) defines a “serious health condition” as an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a healthcare provider and provides, in relevant part, that an eligible employee of a covered employer may take up to twelve weeks of job-protected, unpaid FMLA leave per year “to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition.” 29 U.S.C. § 2612(a)(1)(C); see also 29 U.S.C. § 2611(11) (defining serious health condition); 29 C.F.R. § 825.112–.115. Care for a family member includes “both physical and psychological care” and “mak[ing] arrangements for changes in care” 29 C.F.R. § 825.124(a)–(b).

An employee may use FMLA leave intermittently or on a reduced leave schedule when medically necessary because of a family member’s serious health condition. See 29 U.S.C. § 2612(b)(1); 29 C.F.R. § 825.202. However, an employer may require an employee to timely provide a copy of a certification—issued by a health care provider and meeting certain criteria— supporting his or her request to take such leave. See 29 U.S.C. § 2613(a)–(b); 29 C.F.R. § 825.305–.306.

BACKGROUND

The USDOL opinion letter responded to an inquiry from a set of parents whose two children both have FMLA-qualifying serious health conditions. While one parent has received medical certification supporting the need to take intermittent leave to care for their children, and that parent's employer has approved her taking FMLA leave intermittently to bring the children to medical appointments, the employer has not approved her request to take intermittent FMLA leave to attend school meetings. It is this denial of leave that led the parents to seek the advice of the USDOL.



Four times a year, the children's school holds a Committee on Special Education (CSE) meeting to discuss the students' Individualized Education Programs (IEPs), where they review the children's educational and medical needs, well-being, and progress. For those unfamiliar, federal law – specifically the [Individuals with Disabilities Education Act](#) (IDEA) – requires public schools to develop an IEP for students who receive special education and related services with input from the child and the child's parents, teachers, school administrators, and related services personnel.

Because the children receive pediatrician-prescribed occupational, speech, and physical therapy provided by their school district, these meetings are attended by a speech pathologist, school psychologist, occupational therapist, and/or physical therapist employed or contracted by the district, as well as teachers and school administrators. The participants:

- provide updates regarding the children's progress and areas of concern;
- review recommendations made by the children's doctors;
- review any new test results; and
- may make recommendations for additional therapy.

Based on the facts noted above, the USDOL's opinion letter states that the parents' need to attend CSE/IEP meetings addressing the educational and special medical needs of their children — who both have serious health conditions as certified by a health care provider — is a qualifying reason for taking intermittent FMLA leave. The USDOL said that because "caring" for a family member includes making arrangements for changes in care, such IEP meetings fall squarely within the statutory definition.

The USDOL noted that the parents attend these meetings to help participants make medical decisions concerning their children's medically-prescribed speech, physical, and occupational therapy; to discuss their children's wellbeing and progress with the providers of such services; and to ensure that the school environment is suitable to their medical, social, and academic needs.

Finally, the USDOL said that the children's doctor need not be present at IEP meetings in order for the time to qualify for FMLA leave. Further, the agency specifically noted that the time employees spend making arrangements for changes in care will count as protected FMLA leave even if that care does not involve a facility that provides medical treatment.

WHAT DOES THIS MEAN FOR EMPLOYERS?

You should immediately train your FMLA administrators about this opinion letter and instruct them on any changes in practice or policy this might require. Although USDOL opinion letters themselves are legally non-

binding, they are a clear signal about how the agency will enforce such a situation were it to be placed in front of them in an investigation or adversarial process, and they are often followed by courts. For all intents and purposes, you should treat this as a definitive instruction on how you should treat IEP meetings when it comes to FMLA leave.

While the fact pattern outlined in the opinion letter specifically references Committee on Special Education (CSE) meetings, the USDOL stated in the letter that “the analysis and conclusion in this opinion letter apply to any meetings held pursuant to the IDEA, and any applicable state or local law, regardless of the term used for such meetings.” Therefore, while you have a right to inquire about the purpose of any such meetings to determine whether they fall within the protection of the FMLA, you shouldn’t necessarily deny a leave request just because the school meeting doesn’t meet all of the parameters set forth in this specific fact pattern. You should consider whether any school meeting involving making arrangements for changes in care to a child’s serious health condition should be treated as FMLA leave.

NEW VENDOR ANNOUNCEMENT

Starting in July, Embark Safety is now the new vendor for driving record information, retrieval, and monitoring services for all NMPSIA members. **NMPSIA is offering this service to all of its members FREE OF CHARGE.**



Embank Safety has developed a system called Driver Safety Management (DSM) that allows members to request driving records instantly and monitor driving records continuously on a monthly basis.

Embank Safety’s connects directly with all DMVs (including the New Mexico MVD) to continuously monitor driving records and alert administrators of drivers with new activities. The DSM service will then send email alerts when new activities are found in drivers’ records. The notifications may include:

- Newly issued driver citations
- Speeding tickets
- Suspensions/revocations
- DUIs/DWIs
- Driver license expiration
- CDL medical certificate expiration

All driver license monitoring, notification and training services is offered at no additional cost to NMPSIA members and users and there is an unlimited number of driver enrollment.

HOW IT WORKS

Contact Embark Safety via email (admin@embarksafety.com) to begin the process. Once contacted, they will create your account and establish the users who will have access to the system.

Embank Safety will then provide instructions on how to upload your list of drivers into the DSM system.

Once the drivers are uploaded, a driving record (MVR) will be pulled for all of your inputted drivers. This will allow you to see all of the drivers’ previous moving violations, suspensions, etc. One of Embark Safety’s representatives will contact you if there were any issues adding some of the drivers due to incorrect

information. All drivers that have been uploaded into the system are then enrolled into the driver record monitoring.

Embark Safety will work with your team to set-up designated approved user accounts to access the system. One of their representatives will contact you to provide different time options to schedule training on how to use the system. All training is conducted via online webinar format.

Embark Safety's main goal is to provide timely support to all members. Once you've gained access to the system, you'll be able to create tickets associated with things that you'd like us to investigate or questions that you might have about the system. In addition, there are different ways that you can reach out to Embark Safety:

Chat: Once you access the system there will be a chat option on the lower left corner.

Email: You can email Embark Safety at admin@embarksafety.com with any questions/concerns.

Phone: You can call Embark Safety at 407-536-7233. If they are unable to answer the phone, please leave a detailed message and they will get back to you as soon as possible.

If you need any assistance from NMPSIA, please call Pamela Vigil at 1-800-548-3724.

ONLINE TRAINING OPPORTUNITIES

The New Mexico Public Schools Insurance Authority, in conjunction with Poms & Associates, offers all members FREE online training to fulfill your mandatory annual training requirements for the following courses:

SEXUAL HARASSMENT PREVENTION FOR EMPLOYEES

Sexual harassment can have a disastrous impact on victims, offenders, and the company in which the offenses occur. Training employees in the essentials of prohibited conduct is an important part of reducing liability and maintaining a professional work environment. This course helps participants identify the types of sexual harassment and recognize behaviors that may be considered sexually harassing in the workplace. Participants will also learn about courses of action available to victims, as well as the rights of employees and the responsibilities of employers relative to sexual harassment in the workplace.

BLOODBORNE PATHOGENS AWARENESS

This course will provide you with a basic understanding of bloodborne pathogens, common modes of transmission, methods of prevention, and what to do if an exposure occurs. Information presented will help minimize serious health risks to persons who may have personal exposure to blood and other potentially infectious materials in the workplace.

To enroll your employees, please contact pomsconnects@pomsassoc.com.



PREVENTING HEAT RELATED ILLNESS

Here are a few tips to prevent extreme heat illness like heat exhaustion and heat stroke. One of the important things is to stay hydrated. NIOSH recommends drinking 1 cup of water every 15-20 minutes for moderate activity in moderate conditions. Don't wait until you are thirsty. It is a good idea to post a urine color chart near restrooms so employees can monitor their hydration levels, the darker the urine, the more likely your body is dehydrated.



Some of the risk factors that may influence heat illness include high air temperatures and humidity, direct sun exposure, indoor radiant heat sources, limited air movement, physical exertion, not drinking enough fluids, PPE or protective clothing, certain medications, physical condition, lack of acclimation, and age. Breaks should be taken in shaded or air conditioned areas. Employers and Supervisors should monitor weather reports and schedule projects with potential high heat exposure, to cooler times of the day.

SIGN & SYMPTOMS RELATED TO HEAT ILLNESS

Heat Stroke	Heat Exhaustion	Heat Cramps	Heat Rash
MAY RESULT IN DEATH	Headache	Usually caused by physical labor in a hot work environment	<i>*Most Common*</i>
Confusion	Nausea & Dizziness		Caused by sweating & looks like red cluster of pimples or small blisters
Loss of Consciousness	Weakness		
Seizures	Irritability	Caused by the loss of body salts and fluid during sweating.	Usually appears on the neck, upper chest, in the groin area, under the breasts and in elbow creases
Very High Body Temp	Elevated Body Temp		
Hot, Dry Skin or Profuse Sweating	Thirsty/Heavy Sweating Decreased Urine Output		

HOW TO TREAT EACH HEAT ILLNESS

Heat Stroke	Heat Exhaustion	Heat Cramps	Heat Rash
While first aid measures are being implemented, call 911	Employee should be taken to a clinic or emergency room, or call 911	Seek medical help if the worker has heart problems, is on a low sodium diet or if cramps do not subside within an hour	Provide a cooler, less humid work environment
Move the worker to a shaded, cool area	Worker should be removed from the hot area and given fluids to drink (sips)		Replace fluid loss by drinking water & having a snack, or electrolyte replacement
Remove outer clothing	Remove unnecessary clothing including shoes & socks		
Wet the worker with cool water & circulate the air to speed cooling	Cool the worker with cold compresses to the head, neck, and face or have the worker wash their head, face & neck with cold water	Worker should avoid salt tablets	
Place cold wet cloths or ice all over the body or soak their clothing in cold water	Encourage worker to take frequent sips of cool water, if they are unable to, seek medical attention		