The ICAP Update

SLEDDING AREAS: KEEP THEM SAFE

Safety Precautions & Loss Control Tipe

ICAP BOARD OF DIRECTORS

Election Results

TECHNOLOGY VALUATIONS

And Security Consultations for Your Entity

AGENT SPOTLIGHT: WILLENE WHITE

With Nearly 30 Years of Experience and 53 ICAP Members, We Had to Know More!

DRONE USAGE: NEW RULES

Learn About the Changes Imposed by the FAA

AGENT SEMINAR RECAP

With More Than 200 in Attendance, This was ICAP's Biggest Event Yet!

PLUS:

The ICAP Grant Will Continue Through 2017 - Complete the App!

A New Website and Social Media Presence - Here's Why.

Coming Soon! Web Training Videos, a Blog, and a Law Enforcement Portal.



First Quarter 2017

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The ICAP Grant: Application

THE ICAP GRANT will continue through 2017. All ICAP members are eligible to apply for the grant, which may award up to \$1,000 per entity for the purchase of approved loss control and risk management items.

Applied for the grant last year? Don't worry - the new year brings a clean slate, and every ICAP member is eligible to apply again!

Visit www.icapiowa.com/grant to complete your application online, or submit a hard copy of the application to ICAP via fax (800-689-1918), email (grant@icapiowa.com) or postal service (5701 Greendale Road, Johnston, IA 50131).

What's happenfig, and when,

NEWS & EVENTS

Martin Luther King, Jr. Day

January 16, 2017

ISAC New County Officer's School

January 18-19, 2017

ICAP Board Meeting

January 19, 2017

Click to view the meeting agenda!

ISAC Statewide Supervisors Meeting

February 2, 2017

League Legislative Day

February 7, 2017

ICAP Board Meeting

February 18, 2017

Presidents' Day

February 20, 2017

County Day at the Capital

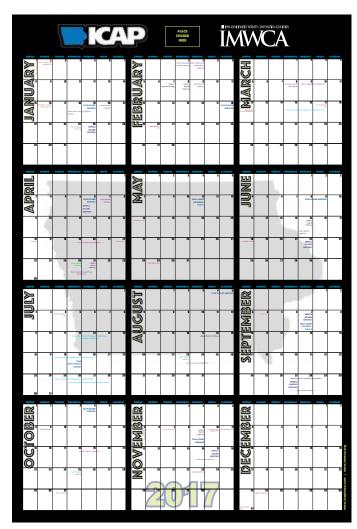
March 8, 2017

ISAC Legislative Conference

March 9-10, 2017

ISAC'S Spring School is now its Legislative Conference. County Risk Management Services (CRMS) will have an exhibit booth at the conference - find us there!

CLICK TO VIEW THE EVENT AGENDA!



THE ICAP-IMWCA CALENDAR IS OUT!

Your entity should have received a copy late last month. To report a missing calendar or request another copy, please contact Joni Biggart via joni@icapiowa.com.

CLICK HERE TO EMAIL TODD REGARDING THIS ARTICLE!

SAFETY PRECAUTIONS

TO HELP KEEP SLEDDING AREAS SAFE

By Todd Christianson, Loss Control Specialist

An estimated 16,256 injuries associated with sledding occurred in the United States in 2015, according to the U.S. Consumer Product Safety Commission's National Electronic Injury Surveillance System (NEISS).

This breaks down to an average of 1,354 injuries per month - a staggering statistic, considering these incidents occur only in specific geographical areas, *and* only during the winter season.

Yet, despite geographical and seasonal limitations, such incidents happen, and their impact is often staggering.

In 2008, a teen was killed sledding when he hit a cement barrier in Boone, Iowa. The tragic incident resulted in a \$12 million settlement.

Another child was paralyzed from the chest down after sledding into a tree on a hill in Omaha, Nebraska. The claim against the city hit \$2.4 million.

These instances, and other recent claims, have been

highlighted by the media, prompting public entities across the United States to take action.

Some entities have gone so far as to ban sledding entirely on public grounds. The City of Dubuque was among those entities.

With the exception of three, the City has closed nearly all of its 50 hills to sledding activities. The three hills that remain open were only cleared to do so after it was proven they passed City requirements, and met inspections and recommendations by ICAP's Loss Control team.

During sledding season, those hills are continuously inspected and maintained to help ensure user safety. City officials even adopted a city ordinance to help enforce the sledding ban on other hills.

Some of the public safety concerns that disqualified the hills that were closed included objects within the sledding path and run out areas that were too short to Sledding is one of the oldest recreational activities. It can take place anywhere snow flies and a hill exists. Though enjoyable, sledding can result in injuries and even death; as a result, sledding can present municipalities with many challenges.

allow sledders to stop safely.

Click to see the

file!

To the relief of the City of Dubuque and all Iowa municipalities, the State passed House File 570 that helps relieve public entities from liability associated with recreational activities, including sledding.

known the risk created by the recreational activity.

The lowa Code was originally written to cover only specific recreational activities such as skateboarding and biking. The wording was subsequently broadened to include all "recreational activities."

House File 570 was passed in 2015 to protect municipalities from claims of negligent design or construction of a public facility for recreational activities and exempts cities from liability claims relating to acts or omissions by officers and employees if the affected person knew or should have

In light of the injuries that can occur while sledding, public officials are encouraged to ensure that designated recreational facilities, including sledding hills, are safe to use. This will help further reduce risk of injuries and potential liability.

The possibility of injury while sledding does exist, but can be largely mitigated if safety precautions are taken, observed and enforced. The safety guidelines presented on the following page are encouraged to be implemented, in an effort to ensure that sledding activities can be enjoyed by all.

continued on following page









There are many different types of sleds, but they can all pose risks!



If your municipality has a designated sledding hill, general safety measures should be taken to ensure that the hill is maintained and used in a reasonably safe condition. Such measures can include (but are not limited to):

- 1 Providing a sledding path that is free of trees, rocks, cement barriers, telephone poles, benches, tables, grills, playground equipment and other objects that could be impacted. Additional hazards to avoid are ponds, streams, and roads that are located along the sides and bottom of sledding hills.
- **2** Establishing a run out area (at the bottom of the hill) that is a minimum of two times (2x) the height of the hill.
- Designating a safe area for sledders to walk back up the hill. This should be outside of the sledding path. Providing a soft physical barrier, such as straw bales, can help maintain separation of this area and can also help keep sledders on the intended sledding path.
- 4 Regularly inspecting and maintaining hills. Hills found to be in poor condition (e.g. those with ice, bare spots, user-constructed snow ramps or drifts) should be closed, and signs should be posted stating the area is closed to sledding. Using physical access barriers, such as fencing, can help prevent sledding activities when hills are closed.
- 5 Posting signs with sledding rules and safety measures at the top of the hill. Using visual pictograms can help highlight the established rules.
- 6 Post "No Sledding Signs" at all other locations where the public may attempt to sled.

More resources are available in ICAP's Resource eLibrary. Click to login!



The ICAP Board of Directors is pleased to announce Tom Roth, City Representative, and Dave Hageman, County Representative, have been re-elected to the ICAP Board of Directors. Both Mr. Roth and Mr. Hageman have been re-elected to serve in their respective seats for the January 2017 through December 2020 term. Read more about both representatives below!



Click to contact Tom!

Tom Roth, City Representative for the City of Bellevue

Tom has served on the ICAP Board of Directors since 1990. When the City of Bellevue joined ICAP, Tom was responsible for procuring and evaluating the insurance/risk management proposals for his community.

Tom joined the Bellevue State Bank in 1998 and became a licensed insurance agent, holding licenses for both personal and commercial lines, as well as life and health insurance. Upon election to the Bellevue City Council in 1999, he moved into a policymaker's position to evaluate insurance and risk management programs. Tom returned to municipal management full time in 2007, when he became the first city administrator for the City of Camanche. Tom retired in September of this year.

Tom is a graduate of Loras College in Dubuque, lowa, and is a lifelong lowan. Tom and his wife, Lisa, are the proud parents of three daughters.



Click to contact Dave!

Dave Hageman, County Representative for Winneshiek County

Dave Hageman served five terms on the Winneshiek County Board of Supervisors, with his most recent term ending in 2002. He recently retired from his position as the Landfill Manager for Winneshiek County; prior to this position, he served as the Maintenance Superintendent for Allamakee County.

Dave served the Fort Atkinson Fire Department for many years, and currently serves as Adjutant for the American Legion Post. David and his wife, Nancy, have two sons.





The year she began working with public entities.

1990



The number of members she represents.

54

Pretty impressive, right?

WE THINK SO, AND WE INVITE YOU TO MEET WILLENE WHITE!

MARKETING:

You started working in insurance back in 1988; how did that come about?

WILLENE-

I've been in insurance since my husband and I moved to lowa that year. I remember, in an interview, Russ (Sporer) asked me, "Why do you want to get into insurance?" I didn't know how to answer! But I did know what my experience with insurance had been, and I know that, growing up, my dad had an insurance agent that always went above and beyond. I wanted to do that.

MARKETING:

And do that, you do. You're very participative with the members you represent, and very involved with the ICAP program. What does that involvement mean to you?

WILLENE:

Being involved is totally necessary to provide the best service. My belief is that each entity has a limited amount of money to spend. I don't care if it's my smallest city or my largest county, it has a set amount of money to spend, and that amount is limited - it's finite. The services and programs each entity has access to, however, can be unlimited. Every dollar a municipality has to spend counts, and it's my job to be sure the municipalities I represent are getting the best bang for their buck. I am responsible

for making sure my members are aware they have options, and of what those options are. I want my work to benefit every citizen that lives there and is a part of the community.

MARKETING:

That's a big responsibility, and a lot of work. How do you go about handling it?

NOELINSURANGE







"My philosophy - my belief - is, if you're going to do something, you do it right."

WILLENE:

We're in a very litigious society, which reflects a scary mentality. I search the internet often; I review trade journals, and I'm constantly looking at trends and different types of exposures. That's the thing about working with municipalities - you have to stay current. I always try to look at my member's meeting minutes, postings, expenditures and so on, so I can make sure their coverages and schedules are current and up-to-date.

FOUR FUN FACTS

- 1 She has seven siblings.
- 2 She grew up in Illinois, in a town of just 150 people.
- 3 She is a proud mother and grandmother.
- 4 She is the Agent of Record for Mahariski Vedic City, the last city added in the State.

MARKETING:

I know firsthand that can be tough to do. How do you stay on top of it?

WILLENE:

It can be a challenge, but we try! Municipal needs vary from council to council, supervisors to supervisors and, working with elected officials, roles often change. We are constantly in the business of educating each other. I'm learning about their needs and exposures, and they're learning about the Pool and their options. We just constantly keep communicating those things. We always want to be sure our clients have the information necessary to make educated decisions. I want them to be aware of their options - that's my job.

MARKETING:

For the 54 public entities you represent, the selected option was ICAP. Why is that?

WILLENE:

The big thing is, the Pool is theirs (the members). They have say in it. They own it. And the Pool offers benefits in ways the standard, traditional insurance market does not. For example, ICAP excels at listening to its membership and expanding its services and coverages while, at the same time, protecting the rest of the Pool. The Pool makes changes from the ground up, which is really, really beneficial to the membership.



In March 2012, hackers broke into the Utah Department of Health's Medicaid server, exposing claims records and compromising health data records for nearly 500,000 people.

Some of the records compromised included patient names, treatment codes, social security numbers, birth dates and addresses, among other things. They included information that is personal in its very nature — information that we, as consumers, typically prefer not be put out in the public domain.

And yet, with just one small hack, it was. Unfortunately, this instance doesn't stand alone.

Organizations around the world – public entities included – are affected by network security and data breaches on a daily basis. In fact, more than 83 million records were exposed in 2014 alone.

No type of entity is immune, and no type of entity should go unprotected. Especially not municipalities.

In fact, according to a report from the Center for Digital Government, "the threats to government entities are so pervasive and sophisticated that anyone can fall victim (to such an attack), particularly as government agencies are strapped for resources."

The report goes on, "statistical data shows a startling scenario of the cyber threats with which state and local governments must contend." (www.govtech.com/cdg)

The amount of personal information stored by municipal departments can be overwhelming; the amount and nature

of such data can actually serve to make municipalities a target for such crimes. Thus, it is essential ICAP members protect themselves.

In August of this year, the State of lowa announced intentions of moving forward with efforts to combat cybersecurity threats, specifically those that might threaten government or private operations, with Governor Branstad stating, "Cybersecurity is a top priority for Iowa."

In today's society, it's no wonder why. Our daily operations are heavily reliant on technology; we use email and

In December 2015, IBM Security and the Ponemon Institute found the average cost of a data breach has grown to \$4 million, up from \$3.79 million in the year prior.



The threats to government entities are so pervasive and sophisticated that anyone can fall victim (to such an attack), particularly as government agencies are strapped for resources.

computer messengers for routine interactions. We rely on processing, payment and tracking systems to get the job done. And we regularly store information on computers and networks without thinking twice.

To some, these activities may seem ordinary and mundane; to others, they may seem like the perfect set of circumstances for a lucrative cyber crime. And, indeed – they can be.

Our interaction with – and reliance on – technology can make our counties desirable targets for security exposures and data breach.

Such a breach can compromise the integrity and information of its citizens; it can also result in exorbitant costs to an entity.

Not only for their own sake, but also for the sake of their citizens, municipalities must take measures to secure coverage for such a loss, and to educate employees and volunteers of steps that can be taken to mitigate such a cyber exposure/data breach risk.

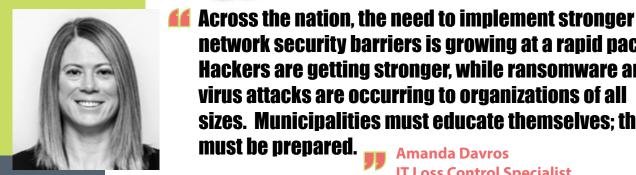
ICAP HELPS ITS MEMBERS DO JUST THATI

We afford our members coverage for first- and third-party claims related to such losses and, through partnership with NetDiligence, a privately-held cyber risk assessment and data breach services company, provide our members access to tools and resources that may help combat a data breach.

Learn more about a new ICAP resource on the following page!

Resources are available free-of-charge via The Cyber erisk Hub. Access it through the ICAP website! www.icapiowa.com/cyber-erisk

Technology Valuations



virus attacks are occurring to organizations of all sizes. Municipalities must educate themselves: they must be prepared. **Amanda Davros IT Loss Control Specialist**

Click to email Amanda!

In addition, ICAP now employs an Information Technology Loss Control Specialist, Amanda Davros, who works directly with members to provide on-site system evaluations, internal control risk assessments and consultative services.

network security barriers is growing at a rapid pace. Hackers are getting stronger, while ransomware and

The goal of such work is to improve data security and help ICAP members establish the framework for stronger, more stable security measures.

This service is of immeasurable value to municipalities, as there can often be a disconnect in information and systems between various departments. The IT Loss Control Specialist can help bridge the gap from some of that disconnect by assisting with:

- Asset Management;
- Network Security;
- Management of Networks;
- Business Continuity and Disaster Planning;
- Training and resource allocation for IT security; and more.

These services and offerings are all customized to the needs of a given ICAP member, as are the solutions and recommendations that result from such consultation.

Services are available to all member classes. Those that do not have a third party vendor managing its software/networks, or that have had a data breach or virus attack within the last twelve months, are encouraged to schedule a consultation immediately. Member representatives may do so by contacting Amanda Davros, ICAP's IT Loss Control Specialist, via email to amanda@icapiowa.com

"We've really identified a need to provide a resource that helps our members manage their assets and cyber security needs," Ms. Davros said. "Our ultimate goal is to educate and improve security not only for municipalities, but also for the representatives of each."



197 PEOPLE 800 CE CREDITS

1 AGENT SEMINAR

ICAP hosted its annual Agent Seminar on Thursday, November 3, at the Hilton Garden Inn in Johnston. The one-day event was structured much the same way as previous Agent Seminars, but this event was different in that it was **our largest Agent Seminar yet!**

Nearly 200 people attended the event, including 171 local insurance agents. Of those, 169 agents received a total of 800 continuing education (CE) credits for their participation.

The theme of the event was "Servicing Public Entities: The Legalities," and it was only fitting we had several municipal attorneys on the agenda for the event. In addition to presentations by Kasi Koehler, ICAP Marketing Manager, and John Baum, ICAP's Director of Complex Casualty Claims, attendees were treated to thorough claim and service presentations by:



- Dave Schrock, Scheldrup Blades Law Firm
- Hugh Cain, Hopkins & Huebner Law Firm
- Brent Hinders, Hopkins & Huebner Law Firm

CLICK NOW TO SECURE YOUR SEAT!

2017 EVENTS



FOR MEMBERS AND AGENTS

ICAP's 2017 Educational Summit will be held Wednesday, July 19, at the Johnston Hilton Garden Inn. The Educational Summit features presentation(s) on a topic directly relevant to lowa municipalities; this is done through an outside professional who is a specialist in his/her field. The annual event is free for ICAP members; agents are invited to attend for a nominal fee.



FOR AGENTS

ICAP's 2017 Agent Seminar will be held Thursday, November 9, 2017, at the Johnston Hilton Garden Inn

Interested agents can still apply for ICAP's 2017 Agent Academy, which will begin in May. There are only a few seats left! Interested agents may contact Kasi Koehler via kasi@icapiowa.com.

ICAP has a new look and a new feel. What's it all about?

New. Enhanced. Improved. Created. Developed. Imagined.

These are all words to describe recent projects the ICAP team has been working on. We have a number of **new** services we are anxious to share!

If you're seeing this, you are already familiar with our **enhanced** version of *The ICAP Update*.

For years, the publication took the form of a brief, bimonthly newsletter that was mailed to the ICAP membership. In 2016, we **improved** the publication, taking it from a four-page newsletter to a 20-page magazine that is mailed to the membership four times each year.

Also sent to the membership, as well as to all ICAP agents, is our biweekly eBulletin. The publication was **created** in late-2016 to provide timely, relevant information to ICAP members. It features brief overviews of Pool news; details current or upcoming ICAP events; and highlights current topics that may impact municipalities.

So, too, does our new Facebook page, which highlights what the ICAP team is up to, happenings in member communities, recommendations for Loss Control, and more.

Speaking of more, we're giving more guidance in our Member Coverages and Services Guide, which was **developed** for the sole benefit of our members. The guide offers a comprehensive overview of the Pool's offerings and provides general information on many of the Pool's member service options. The guide was created in early 2016 and has since been updated to reflect the changes, developments and enhancements that have been made to the services of the Pool.

Changes, developments and enhancements that will continue, because we are not stopping there. We have **imagined** more — much more. Check out the Pool's latest offerings below, or view the page at right to learn what ICAP has in-store for the coming year!



ICAP's new website went live in November. The site features a clean image, streamlined content, easy navigation and more! Visit www.icapiowa.com to check it out!



Our Biweekly Word is exactly what our members need to stay current!



ICAP created the Technology Valuation and Security Consultation in 2016. The service offers invaluable benefits to theICAP membership. Check out page 8 to learn more!

We always alm to provide information that is valuable, but we also want to go a step further than that. We want to provide content that is meaningful, and we believe that content can take many forms.

What's Coming in 2017?

We often solicit feedback from our members and agents. Common themes of our conversations include "What do you want?" "What do you need?" "How can ICAP best respond?"

We ask these questions because we care, and because we want our services and offerings to best benefit you.

In 2016, we asked these questions a lot. And we heard your response. We listened to your feedback, and are creating new services and resources to address your needs. What resources? Check them out below!



A blog!

And not just any old blog. This won't just be about benefits or coverages. It will be about issues that are directly relevant to lowa municipalities, specifically as it relates to risk management. This will be a blog that is for you, and by you.

It will feature input and articles from you, our members and agents, as well as from ICAP representatives, associates, partners and attorneys. Look for our first blog to post on the website January 16!



Online training videos.

These videos will be custom-created to help walk you through the website, as well as through some of our online resources, including filing a claim, updating a supplement, accessing online resources and more! Watch for the first in this series of videos on the ICAP website in early 2017.



A Law Enforcement Portal!

Forms, policies, procedures and recommendations. These are a few of the many items that will be available to the ICAP membership via this Portal, and they'll be specific to law enforcement operations. Watch for this portal to go live in early 2017!

What services or resources would be of value to your entity? Let us know!

Utilize the "Contact Us" form on the ICAP website (www.icapiowa.com) or email Kasi Koehler via kasi@icapiowa.com with any feedback, comments, questions or requests.

UNMANNED AIRCRAFT SYSTEMS (UAS)

Requirements Used By Federal, State and Local Governments

We published a feature on drone usage in the second quarter 2016 issue of The ICAP Update. Why the update? Because so much has already changed! Read on to learn more.

To most of us, a UAS is commonly known as a drone or model aircraft. It comes in a wide array of designs ranging from very small to very large.

The former can typically be operated by your smart phone or a similar device, whereas the latter is generally used for military purposes.

For purposes of this article, we are referring to the former, most notably in the form of drones.

Over the last few years, drone technology has improved tremendously. Public use has made us more aware of the device's capabilities, and workplaces and governmental entities have begun using drones for various operations.

Increased drone usage has created certain liability concerns, such as general public safety, invasion of privacy, trespassing and collisions, among other things.

These liability and safety concerns, along with the potential for misuse, have led the FAA to impose new rules regulating drone use.

These rules apply to workplaces and business, as well as to Federal, State, and local governmental offices. If your entity is using - or considering use of - a drone, there are several conditions and rules you must understand.

As defined by the Federal Aviation Administration (FAA) a UAS is "an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft."

By statute, a UAS is defined as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (Public Law 112-95, section 332(8)).



Civil and criminal penalties may be imposed if drones are not registered. Drones can be registered at https://registermyuas.faa.gov/.

- All drones weighing more than .55 pounds must be registered with the FAA. This includes drones used for private and recreational use. Drones ranging between .55 and 55 pounds can be registered online; drones weighing more than 55 pounds must be registered by paper.
- Second, the FAA has imposed NEW Small UAS Rules (Part 107), which went into effect August 29, 2016. A full summary of the new rules (Part 107) is available at www.faa.gov. The following are some general rules contained within the FAA summary:
 - Rules apply to all drones less than 55 lbs. in weight (exception: Part 107 rules do not apply to recreational flying, with the exception of voluntary compliance).
 - Drones must remain in the user's line of sight at all times without visual aid.
 - Drones may not operate over any persons not directly involved in the operation, under a covered structure
 or stationary vehicle.
 - Operation is permitted during daylight hours only (30 minutes before sunrise and 30 minutes after sunset).
 - Maximum groundspeed may not exceed 100mph.
 - Maximum altitude is 400 feet above ground level or not within 400 feet of a structure if above 400 feet.
 - A maximum weather visibility of 3 miles from the control station must be maintained.
 - No careless or reckless operations are allowed.
 - Preflight inspections are required.
 - External loads may be attached only if they are secure and do not adversely affect control of aircraft.
 - Remote pilot certifications must be obtained. Operation of a drone under the direction of one who owns certification is allowed.

continued on following page

To obtain a remote pilot certification, one must be at least 16 years of age; able to read, speak, write and understand English; be in a physical and mental condition to safely operate a small drone; and pass the initial aeronautical knowledge exam at an FAA-approved knowledge testing center. Certification is good for two years. The requirements and process for becoming a drone pilot can be found online at: https://www.faa.gov/uas/getting_started/fly_for_work_business/becoming_a_pilot/.



UAS AND DRONES (continued)

- According to the FAA, Federal, State, and local governmental offices must do one of two things in order to operate a drone:
 - Follow all of Part 107 rules: or
 - 2. Apply for a public Certificate of Waiver or Authorization (COA) for certain operations.

A COA is designated only for Federal, State and local governments. It is an authorization issued by the Air Traffic Organization to a public operator for a specific drone activity.

The FAA will conduct an operational and technical review of the requested operation to be waived. Formal approval responses are given within 60 days. Rule 107 states "Because UAS constitutes a quickly changing technology, a key provision of this rule is a waiver mechanism to allow individual operations to deviate from many of the operational restrictions of this rule if the Administrator finds that the proposed operations can safely be conducted under the terms of the certificate of waiver." The FAA will allow a COA for private organizations, but it is rare. The COA application is web based and can be found at: https://ioeaaa.faa.gov/ oeaaa/Welcome.jsp

When operating a drone, it is important to know if the status of a defined range of

airspace is clear or restricted to operation. Obtaining a remote pilot certification will help you understand airspace designations. A smartphone application has been created by the FAA to assist with identifying airspace restrictions or requirements in effect at the location where a drone will be flown. The application is B4UFLY and is available on both Apple and Android operating systems.

In recap, to reduce liability associated with drone usage one should register their drone, become certified to fly a drone, follow the new Part 107 rules or obtain a COA, and know the status of the airspace in which the drone will be operated. The FAA website has an extensive question and answer section to assist with safety and compliance.



2017 ICAP GRANT

APPLICATION

Mei	mber Name	
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Cor	ntact Person	
Title	e	
Stre	eet Address	
City	<i>y</i>	
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WHAT TO EXPECT:

Submissions may be sent via postal service, fax (800-689-1918) or email (grant@icapiowa.com). Applications are reviewed on a monthly basis. Pending application approval, grant funds will be provided to the member via check payment. Each member will be responsible for purchasing its item(s) directly.

