

June 16, 2020

General Liability, Communicable Disease Exclusion County Extension Districts

LMC Insurance & Risk Management

Updates provided by Andrea Nelson, Assistant Vice President for County Services

Clarification of updates will be provided here as received from LMC Insurance & Risk Management, insurance provider for Extension Districts. This information is not voluntary and applies to all Extension Districts and the assurance to LMC is that all will abide by the tenets of the coverage.

LMC Insurance & Risk Management recommends using [Open for Iowa](#) as the health and safety protocols to follow for county extension programs and activities.

If your office is currently planning face-to-face programming or events, it is strongly recommended that all Extension Districts in discussions with regional directors follow guidance from LMC Insurance & Risk Management, Whitfield & Eddy, and adhere to the resources from [ISU Extension and Outreach Open for Iowa](#) and [Iowa 4-H Summer 2020 Best Practices](#).

Update #5 – August 21

Derecho storm recovery is ongoing. We have some communities distributing food and Extension staff are lending a hand. This is not a violation of the LMC insurance policy.

Assisting the community during a disaster:

No concerns about having staff help with distributing food in an emergency. Typically, staff would be working shifts to help another organization with preparing or handing out food, or assembling food boxes, for members of the community as part of an emergency response. The preference is that ISU Extension and Outreach would be working under the direction of another entity. The partnering the entity provides the food; Extension staff help with the manpower.

Programming:

In general, food preparation or distribution of Extension provided ingredients is not allowed. Ingredient “kits” prepared by county extension offices sent home with youth or adults to participate in virtual food preparation programming is not allowed. Participants may purchase their own ingredients to take part in a virtual food preparation program. **Food may be paid for by Extension but picked up or delivered by the vendor. Extension may provide utensils and equipment by participant use.**

In-person food demonstrations when led by a qualified extension educator are allowed, but no sampling or participant involvement in the preparation of the food may take place. This includes the food preparation portion of programs such as Buy. Eat. Live Healthy and summer day camps, such as, The Science of BBQ. Participants may bring ingredients from home; however, no food can be shared during preparation or be consumed.

NOTE: Update #4 still is in effect.

Update #4 – June 16

No prepared food can be served, sold or provided by staff, volunteers or participants at any county extension hosted program or activity regardless of the program or activity location.

After more discussion with LMC Insurance & Risk Management and the liability insurance carrier explaining the nuances of our programs and activities involving food, additional guidance from the previous updates are as follows:

Communicable disease exclusion includes a broad suspension of food in programming, meals and refreshments. However, there are some approved food uses in county extension hosted programs and activities.

Effective immediately and until further notice selling or providing prepared food by extension staff, volunteers or participants is suspended. Prepared food examples include: pie auctions, prepared food fundraisers, food stands selling prepared food, and 4-H club activities such as ice cream socials, barbecues, potlucks, etc.

Snacks and Food Stands:

Extension staff, council members, volunteers, and 4-H members shall not prepare or serve food. Individually pre-packaged foods and drink may be provided or sold (e.g., individually wrapped granola bars, individual bottles of water). Fresh fruit can be provided or sold if no preparation is required (e.g., bananas or apples). Alternatively, a county extension owned or operated food stand may contract out their stand to a third party to prepare and serve food.

Catering and Boxed Lunches:

Extension staff, council members, volunteers, and 4-H members cannot provide prepared food to the general public. County extension offices can contract for catered meals and box lunches for county extension staff, council members, volunteers and participants, but only when the third party is distributing the food. Extension cannot repackage or resale food from a third party.

It is allowable for a third-party association to provide a barbecue at a livestock show or auction (e.g., 4-H participants and/or auction buyers). Extension staff, volunteers and 4-H members shall not prepare or serve food in these cases.

Programming:

In general, food preparation or distribution of Extension provided ingredients is not allowed. Ingredient “kits” prepared by county extension offices sent home with youth or adults to participate in virtual food

preparation programming is not allowed. Participants may purchase their own ingredients to take part in a virtual food preparation program.

In-person food demonstrations when led by a qualified extension educator are allowed, but no sampling or participant involvement in the preparation of the food may take place. This includes the food preparation portion of programs such as Buy. Eat. Live Healthy and summer day camps, such as, The Science of BBQ. Participants may bring ingredients from home; however, no food can be shared during preparation or be consumed.

Exhibiting:

Youth food exhibits may only be judged on presentation and appearance at county fairs. Judges may not taste or consume the food exhibits prepared by 4-H members this summer.

This includes exhibits that are a result of Pride of Iowa, BBQ cooking contests, or any food preparation competition sponsored by the county extension 4-H program.

Club Meetings and Gatherings:

4-H clubs should abide by the same guidance and only serve individually pre-packaged food or food prepared and delivered by a third-party vendor (e.g., delivered pizza).

Update #3 – June 11

An important update in regards to the removal of the communicable disease exclusion on the current general liability policy for county extension programs and activities:

Youth bringing food exhibits for county fair judging can only have the food judged based on presentation/appearance. Judges will not be able to taste or consume the food exhibits prepared by 4-H members this summer.

This includes exhibits that are a result of Pride of Iowa, BBQ cooking contests, or any food preparation competition sponsored by the county extension/4-H program.

Additional clarification on Update #2: Participants are able to bring their own prepared foods for their own consumption to county extension programs and activities. Sharing prepared foods with other participants is not allowable.

Update #2 – June 11

After many conversations with our General Liability carrier, LMC has been able to get our carrier to remove the Communicable Disease Exclusion found on the current general liability policy **effective immediately** (6/11/2020). The communicable disease exclusion took coverage away from our current policy, eliminating coverage and protection for someone getting sick as a result of COVID-19. With the exclusion now removed, we can move forward with coverage for this exposure. This insurance change

applies to all county extension office hosted programs and activities regardless of the program or activity location.

The insurance underwriter is providing the coverage with one concession – in order to have communicable disease coverage, no prepared food can be served, sold or provided at any county extension office hosted program or activity regardless of the program or activity location. Individually pre-packaged foods and drink (e.g., individually wrapped granola bars, individual bottles of water) may be provided or sold. Therefore effective immediately, until further notice, selling or providing prepared food is suspended. Prepared food examples include: catering, box lunches, pie auctions, prepared food fundraisers, food stands selling prepared food, and 4-H club activities such as ice cream socials, pizza parties, barbecues, etc.

In-person food demonstrations when led by a qualified extension educator are allowed, but no sampling or participant involvement in the preparation of the food may take place.

If your office is currently planning face-to-face programming, events, or county fair activities, it is strongly recommended that you follow guidance from [LMC Insurance & Risk Management](#), Whitfield & Eddy, and adhere to the resources from [ISU Extension and Outreach Open for Iowa](#) and [Iowa 4-H Summer 2020 Best Practices](#).

Update #1 – June 9

After closer review of our insurance policies provided through [LMC Insurance & Risk Management](#), county extension districts, council members and county staff are not afforded coverage under any of the insurance policies, which would provide protection for someone getting sick as a result of COVID-19.

If your office is currently planning face-to-face programming or events, it is strongly recommended that you follow guidance from LMC Insurance & Risk Management, Whitfield & Eddy, and adhere to the resources from [ISU Extension and Outreach Open for Iowa](#) and [Iowa 4-H Summer 2020 Best Practices](#).

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