

## PROFESSIONAL LIABILITY INSURANCE REIMBURSEMENT DEFINITIONS

1. Professional liability insurance is defined as insurance which provides coverage for:

(a) Legal liability for damages due to injuries to other persons, damage to their property, or other damage or loss to such persons (including the expenses of litigation and settlement) resulting from or arising out of any tortuous act, error, or omission of the covered individual (whether common law, statutory, or constitutional) while in the performance of such individual's official duties as a qualified (eligible) employee; and

(b) The cost of legal representation for the covered individual in connection with any administrative or judicial proceeding (including any investigation or disciplinary proceeding) relating to any act, error, or omission of the covered individual while in the performance of such individual's official duties as a qualified employee, and other legal costs and fees relating to any such administrative or judicial proceeding.

2. "Law enforcement officer" means an employee, the duties of whose position are primarily the investigation, apprehension, prosecution, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States, including any law enforcement officer under Section 8331(20) or 8401(17) of Title 5, or under Section 4823 of Title 22, United States Code.

3. "Supervisor is" defined in Section 7103(a) of Title 5 of the United States Code, means an individual employed by an agency having authority in the interest of the agency to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove employees, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature but requires the consistent exercise of independent judgment, except that, with respect to any unit which includes firefighters or nurses, the term "supervisor" includes only those individuals who devote a preponderance of their employment time to exercising such authority.

4. "Management official" is defined as an employee as set forth in Section 7103(a) of title 5 of the United States Code means an individual employed by an agency in a position the duties and responsibilities of which require or authorize the individual to formulate, determine, or influence the policies of the agency.

5. "Temporary fire line manager" means an individual employed by an agency whose duties meet, as determined by the employing agency, one of the following three criteria:

1. Temporary supervision or management of personnel engaged in wildland or managed fire activities.
2. Providing analysis or information that affects a supervisor's or manager's decision about a wildland or managed fire, or
3. Directing the deployment of equipment for wildland or managed fire.