# SOUTH CAROLINA STATE ACCIDENT FUND

## COLUMBIA, SOUTH CAROLINA

## FINANCIAL STATEMENTS

## YEAR ENDED JUNE 30, 2012

State of South Carolina

Office of the State Auditor

1401 MAIN STREET, SUITE 1200
COLUMBIA, S.C. 29201

RICHARD H. GILBERT, JR., CPA
DEPUTY STATE AUDITOR

(803) 253-4160
FAX (803) 343-0723

October 12, 2012

The Honorable Nikki R. Haley, Governor
and
Mr. Harry B. Gregory, Jr., Director
South Carolina State Accident Fund
Columbia, South Carolina

This report on the audit of the financial statements of the South Carolina State Accident Fund for the fiscal year ended June 30, 2012 was issued by Rogers Laban, PA, Certified Public Accountants, under contract with the South Carolina Office of the State Auditor.

If you have any questions regarding this report, please let us know.

Respectfully submitted,

Richard H. Gilbert, Jr., CPA
Deputy State Auditor

RHGjr/trb

## SOUTH CAROLINA STATE ACCIDENT FUND

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### YEAR ENDED JUNE 30, 2012

**INDEPENDENT AUDITOR'S REPORT**

Mr. Richard H. Gilbert, Jr., CPA
Deputy State Auditor
State of South Carolina
Columbia, South Carolina

We have audited the accompanying financial statements of the South Carolina State Accident Fund ("the Fund") as of and for the year ended June 30, 2012 as listed in the table of contents. These financial statements are the responsibility of the Fund's management. Our responsibility is to express an opinion on these basic financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1 to the financial statements, the financial statements of the Fund are intended to present the financial position and results of operations of only that portion of the financial reporting entity of the State of South Carolina that is attributable to the transactions of the State Accident Fund. They do not purport to and do not present the financial position of the State of South Carolina as of June 30, 2012 and changes in its financial position or cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America, and do not include any other agencies, divisions or component units of the State of South Carolina

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Fund as of June 30, 2012, and the changes in financial position and cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with Government Auditing Standards, we have also issued our report dated October 12, 2012, on our consideration of the Fund's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Governmental Auditing Standards and should be considered in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require that management's discussion and analysis on pages 3 through 7 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Rogers Laban, PA

October 12, 2012

# STATE ACCIDENT FUND

## MANAGEMENT'S DISCUSSION AND ANALYSIS

The South Carolina State Accident Fund ("Fund") presents a management's discussion and analysis of its financial statements for fiscal year 2012. The discussion includes an overview of the financial activity for the year. This report is prepared in accordance with Governmental Accounting Standards Board Statement 34, *Basic Financial Statements-and Management's Discussion and Analysis-for State and Local Governments*. This discussion should be read in conjunction with the Fund's financials statements and accompanying notes.

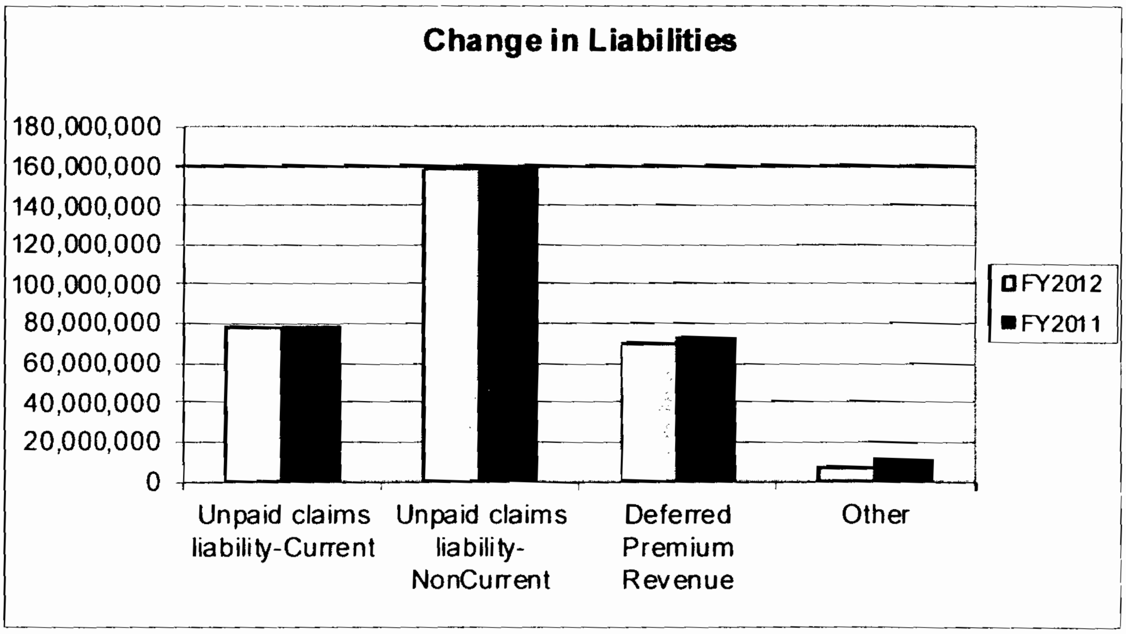
**Overview of the Financial Statements and Financial Analysis**

The Statement of Net Assets presents information reflecting the Fund's assets, liabilities, and net assets. This statement provides the reader with a snapshot view at a point in time. Net assets represent the amount of total assets less liabilities. Assets and liabilities are shown as current and noncurrent. Current assets and liabilities are those with immediate liquidity or which are collectible or due within twelve months of the statement date. The Statement of Net Assets indicates the funds available for the Fund's operation along with the liabilities that will come due during the next fiscal year. Total assets increased by $8.3 million over the prior fiscal year.

Unpaid claims liabilities are a large part of the Fund's liabilities and have been separated into current (to be paid within one year) and noncurrent (to be paid after one year). Current and noncurrent estimated unpaid claim liabilities decreased compared to the prior year. Most of the decrease in the noncurrent was due to the actuarial assessment of reserves. (See Change in Liabilities chart below.) The current liabilities decreased by $7.6 million as a result of the decrease in deferred premium revenue and accrued refundable premium. (See Statement of Net Assets chart below.) This reduction of deferred premium being primarily attributable to an overall payroll decrease brought about by current economic conditions. Deferred premium revenue represents the amount of premium billed, but not yet earned, for the future period. The decrease in accrued refundable premium is the result of efforts made to more accurately estimate premium billing. The Fund had no increase in rates effective January 1, 2012.

**State Accident Fund**
**Condensed Statements of Net Assets**
**June 30, 2012**

| | FY2012 | FY2011 |
|---|---|---|
| **ASSETS** | | |
| Current assets | $ 272,439,791 | $ 264,083,969 |
| Capital assets, net of accumulated depreciation | 76,123 | 29,012 |
| Other noncurrent assets | 436,796 | 501,125 |
| **Total assets** | 272,952,710 | 264,614,106 |
| **LIABILITIES** | | |
| Current liabilities | 154,687,669 | 162,299,071 |
| Noncurrent liabilities | 158,002,720 | 159,203,357 |
| **Total liabilities** | 312,690,389 | 321,502,428 |
| **Net Assets** | | |
| Invested in capital assets | 76,123 | 29,012 |
| Unrestricted | (39,813,802) | (56,917,334) |
| **Total net assets** | $ (39,737,679) | $ (56,888,322) |




The chart above shows the breakdown of liabilities and the change compared to the previous fiscal year.

**Statements of Revenues, Expenses, and Changes in Net Assets**

This statement represents operating revenues and expenses, as well as the non-operating revenues and expenses during the operating year. The purpose of this statement is to present the reader with information relating to monies received and expenses paid during the year. The Fund's revenue comes primarily from premium income for workers' compensation insurance coverage provided to state agencies and political subdivisions. The major expenses are from incurred claim liabilities, which include medical costs and lost wages paid to injured workers, and the change in anticipated future payments. The Fund is a quasi-governmental organization whose normal operation is similar to that of other property and casualty insurance companies. The Fund receives no state appropriations.

The Fund is a proprietary fund entity; therefore, the statement of Revenues, Expenses, and Changes in Net Assets has been prepared on the accrual basis. Statements prepared using the accrual basis recognizes revenues when earned and expenses when incurred.

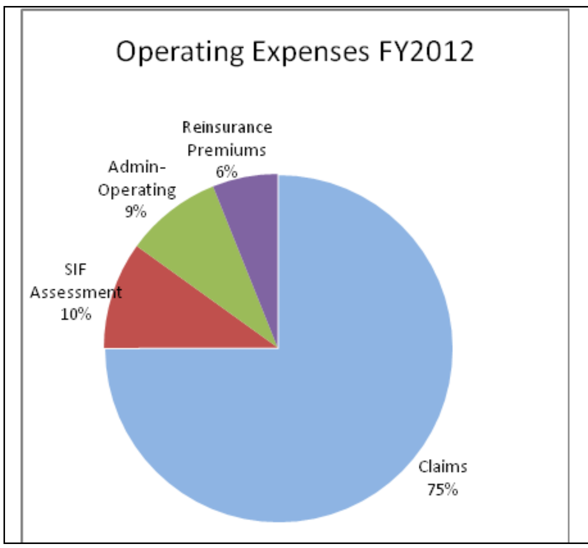
The operating revenue in this statement includes primarily premium billed based on policyholder payroll but also effected by their experience modifier. The experience modifier can either increase or decrease the policyholder's premium. As a result of reduction in payroll and improvements to policyholder experience modifiers, operating revenue decreased by $9 million in fiscal year 2012. The non-operating revenues had no change due to the little or no change in interest rates. As a result of these factors emulating primarily from the country's historic recession, the Fund's net revenues decreased by $9 million in fiscal year 2012 as compared to 2011.

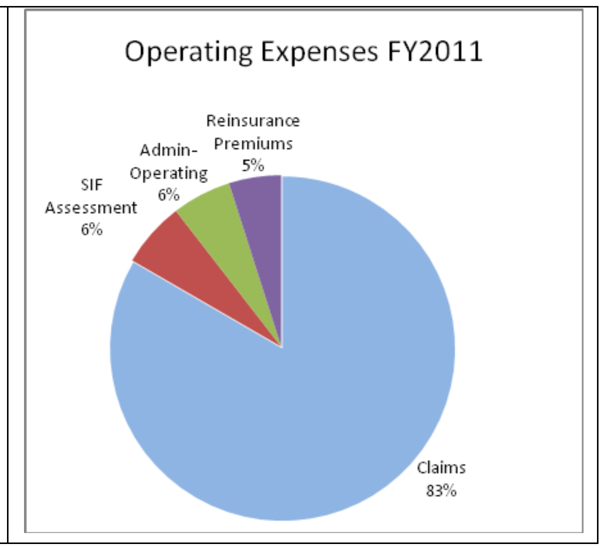
The operating expenses in this statement include administrative expenses, claims paid, and claims incurred during the year. Operating expenses decreased by $10 million compared to the prior fiscal year. This decrease was mostly due to continued cost containment efforts resulting in the reduction of claims expense and greater operational efficiency. Fiscal year 2012 had a change in reserves reduction of $5 million (which decreased the claims paid and incurred) while the fiscal year 2011 change in reserves was a $9.4 million increase. The administrative cost ratio, the amount of premium dollars used to operate the Fund, during fiscal year 2012 was 7.4%. The South Carolina State Accident Fund continues to have one of the lowest administrative cost ratios in the workers' compensation industry.

**State Accident Fund**
**Condensed Statements of Revenues, Expenses, and Changes in Net Assets**
**for the year ended June 30, 2012**

| | 2012 | 2011 |
|---|---|---|
| Operating revenues | $ 74,133,752 | $ 83,189,298 |
| Operating expenses | 60,945,582 | 70,936,333 |
| Operating gain (loss) | 13,188,170 | 12,252,965 |
| Nonoperating revenues | 3,962,473 | 3,969,889 |
| Increase in net assets | 17,150,643 | 16,222,854 |
| Nets assets - beginning of year | (56,888,322) | (73,111,176) |
| Net assets at end of year | $ (39,737,679) | $ (56,888,322) |

The charts below show that during the past two fiscal years 75-83% of expenses have been paid directly to injured workers or to medical providers on behalf of the injured worker.



**Capital Asset and Debt Activity**

Capital assets increased by $64,626 for the purchase of a projector, the replacement of two servers and network attached storage. Servers are used to connect users to the agency network. These purchases enabled the Fund to maintain and improve its operations, data storage, and enhance communication and audio capabilities. There were no other significant additions to capital assets and no capital asset retirements during the fiscal year. The Fund had no changes in credit rating or debt limitations that may affect future financing.

**Economic Outlook**

The past several years have been a challenging financial period for South Carolina and the nation as businesses and government adjusted to a historic economic downturn resulting in job reductions, stagnant or declining payroll, reduced capital, and an overall tentative business environment. In no way has the South Carolina State Accident Fund been immune to the effects of the Great Recession. The overall reduction in payroll among policyholders has severely and adversely impacted the premium revenue that provides the operational income for the Fund. Nevertheless, as a result of management initiatives implemented in 2005, years before the current economic crisis, the Fund has positioned itself to meet financial challenges through focused efforts to promote operational efficiency, quality case management, and effective premium pricing. Those efforts have paid off as Fiscal Year 2012 marks the seventh consecutive year of performance success for the South Carolina State Accident Fund which concluded the year with a net operating income of $17,150,643.

Understanding that the economic climate is still precarious, the Fund will continue to explore and develop new and innovative methods of decreasing operating expenses while maintaining low claim costs, stable premium pricing, and high customer satisfaction. Working with our actuaries and reinsurers, we will continue the ongoing efforts to improve our overall financial standing while at the same time establishing and maintaining adequate reserves to ensure the long-term financial viability of the Fund. Mindful that the effects of the recession are not unique to the State Accident Fund, we are also keenly aware that our policyholders have been adversely impacted. It is our goal to understand the challenges and needs of our policyholders and assist them in meaningful ways to reduce their overall workers' compensation costs. By maximizing efficiency without sacrificing quality customer service, we believe we accomplished this goal with resulting rate stabilization and reductions to base premiums.

As South Carolina and the nation continue to recover from the recent economic challenges, the State Accident Fund remains committed to providing stable, long-term workers' compensation coverage to state, county, and local governments as cost-effectively as possible. Our emphasis on higher efficiencies, lower costs, and improved delivery of services will help us remain well-positioned to keep our promises to our policyholders and their employees long into the future. In that way, the State Accident Fund will continue to operate in a financially stable manner while fulfilling its mission. As the economy rebounds, that is good news for South Carolina employers and workers.

**SOUTH CAROLINA STATE ACCIDENT FUND**

**STATEMENT OF NET ASSETS**
**JUNE 30, 2012**

**ASSETS**

| | | |
|---|---|---|
| Current Assets: | | |
| Cash and cash equivalents | $ | 208,049,917 |
| Premiums receivable | | 61,611,205 |
| Claims recoveries and reimbursement receivables, net of allowance for doubtful accounts of $706,690 | | 1,891,180 |
| Recoverable under reinsurance annuity contract, current portion | | 42,088 |
| Accrued interest receivable | | 835,134 |
| Prepaid expenses | | 10,267 |
| Total current assets | | 272,439,791 |
| Noncurrent Assets: | | |
| Capital assets, net of accumulated depreciation | | 76,123 |
| Recoverable under reinsurance annuity contract, noncurrent | | 30,347 |
| Investment in reinsurance annuity contract, net of accumulated amortization of $875,845 | | 406,449 |
| Total noncurrent assets | | 512,919 |
| Total assets | $ | 272,952,710 |

**LIABILITIES AND NET ASSETS**

| | | |
|---|---|---|
| Current Liabilities: | | |
| Cash overdraft | $ | 417,418 |
| Accounts payable | | 240,454 |
| Accrued compensated absences and related benefits | | 283,674 |
| Accrued payroll and related liabilities | | 258,867 |
| Accrued refundable premiums | | 6,298,366 |
| Deferred premium revenue | | 69,670,826 |
| Unpaid claims liability and claims adjustment expenses payable within one year - net | | 77,518,064 |
| Total current liabilities | | 154,687,669 |
| Noncurrent Liabilities: | | |
| Accrued compensated absences and related benefits | | 70,784 |
| Unpaid claims liability and claims adjustment expenses payable beyond one year - net | | 157,931,936 |
| Total noncurrent liabilities | | 158,002,720 |
| Total liabilities | | 312,690,389 |
| Net assets | | |
| Invested in capital assets | | 76,123 |
| Unrestricted deficit | | (39,813,802) |
| Total net assets | | (39,737,679) |
| Total liabilities and net assets | $ | 272,952,710 |

**See accompanying Notes to Financial Statements.**

## SOUTH CAROLINA STATE ACCIDENT FUND

### STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS
### YEAR ENDED JUNE 30, 2012

| | | |
|---|---|---|
| **OPERATING REVENUES** | | |
| Premiums | $ | 74,133,752 |
| **OPERATING EXPENSES** | | |
| Claims | | 45,688,483 |
| Second Injury Fund assessment | | 6,079,775 |
| Administrative: | | |
| Personal services and employee benefits | | 3,676,042 |
| Contractual services | | 505,261 |
| Rent and insurance | | 345,226 |
| Supplies and materials | | 68,963 |
| Depreciation | | 17,515 |
| Amortization expense - reinsurance annuity contract premium | | 37,621 |
| Reinsurance premiums | | 3,697,761 |
| Bad debts | | 751,243 |
| Other expenses | | 52,692 |
| Actuarial fee | | 25,000 |
| Total administrative expenses | | 9,177,324 |
| Total operating expenses | | 60,945,582 |
| **OPERATING INCOME** | | 13,188,170 |
| **NONOPERATING REVENUES** | | |
| Interest/investment income | | 3,962,473 |
| **CHANGE IN NET ASSETS** | | 17,150,643 |
| **NET ASSETS (DEFICIT), AT BEGINNING OF YEAR** | | (56,888,322) |
| **NET ASSETS (DEFICIT), AT END OF YEAR** | $ | (39,737,679) |

**See accompanying Notes to Financial Statements.**

## SOUTH CAROLINA STATE ACCIDENT FUND

### STATEMENT OF CASH FLOWS
### YEAR ENDED JUNE 30, 2012

| | | |
|---|---|---|
| **CASH FLOWS FROM OPERATING ACTIVITIES:** | | |
| Cash received for premiums from state agencies | $ | 53,179,639 |
| Cash received for premiums from other entities | | 16,026,023 |
| Cash received for reimbursements of claims expense from state agencies | | 12,289,781 |
| Cash received for reimbursements of claims expense from other entities | | 3,815,351 |
| Cash received for reimbursements of other administrative expenses from other entities | | 319,918 |
| Payments for claims | | (65,692,629) |
| Refunds of premiums to other entities | | (182,353) |
| Payments for salaries and related benefits | | (3,694,591) |
| Payment of second injury fund assessment to other state agency | | (6,079,775) |
| Payments for other administrative expenses to other state agencies | | (521,408) |
| Payments for other administrative expenses to other entities | | (5,259,012) |
| Net cash provided by operating activities | | 4,200,944 |
| **CASH FLOWS FROM NON-CAPITAL AND RELATED FINANCING ACTIVITIES:** | | |
| Loans from cash overdraft | | 417,418 |
| Net cash provided by non-capital and related financing activities | | 417,418 |
| **CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:** | | |
| Acquisition of capital assets | | (64,626) |
| Net cash used by capital and related financing activities | | (64,626) |
| **CASH FLOWS FROM INVESTING ACTIVITIES:** | | |
| Interest/investment income received | | 4,016,182 |
| Net cash provided by investing activities | | 4,016,182 |
| **NET INCREASE IN CASH AND CASH EQUIVALENTS** | | 8,569,918 |
| **CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR** | | 199,479,999 |
| **CASH AND CASH EQUIVALENTS AT END OF YEAR** | $ | 208,049,917 |

**Reconciliation of net operating revenues to net cash provided by operating activities:**

| | | |
|---|---|---|
| Operating income | $ | 13,188,170 |
| Adjustments to reconcile operating income to net cash provided by operating activities: | | |
| Depreciation and amortization | | 55,136 |
| Changes in assets and liabilities: | | |
| (Increase) decrease in premiums receivable | | 1,746,041 |
| (Increase) decrease in claims recoveries and reimbursement receivables | | (1,585,722) |
| (Increase) decrease in prepaid expenses | | 68 |
| (Increase) decrease in recoverable under reinsurance annuity contract | | 26,708 |
| Increase (decrease) in accounts payable | | (14,424) |
| Increase (decrease) in accrued compensated absences and related benefits | | 5,325 |
| Increase (decrease) in accrued payroll and related liabilities | | (23,874) |
| Increase (decrease) in accrued refundable premiums | | (3,834,670) |
| Increase (decrease) in deferred premium revenue | | (3,021,814) |
| Increase (decrease) in estimate of unpaid claims liability | | (2,340,000) |
| Total adjustments | | (8,987,226) |
| Net cash provided by operating activities | $ | 4,200,944 |

**See accompanying Notes to Financial Statements.**

## NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

The financial statements of South Carolina State Accident Fund (the Fund) were prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to governmental entities. The Government Accounting Standards Board (GASB) is the accepted standard-setting body in the United States of America for establishing governmental accounting and financial reporting principles. The more significant of the Fund's accounting policies are described below.

### Reporting Entity

The South Carolina State Accident Fund, a primary entity, is part of the primary government of the State of South Carolina and is included in the Comprehensive Annual Financial Report of the State of South Carolina. The Fund was established by Section 42-7-10 of the Code of Laws of South Carolina, as amended, to provide worker's compensation insurance coverage to State entities. Although the State of South Carolina is the Fund's predominant participant, counties, municipalities, and other political subdivisions of the State may elect to participate. The State assumes the full risk for the covered claims. The Fund is responsible for investigating, adjusting and paying worker's compensation claims as awarded by the Worker's Compensation Fund for job related accidental injury, disease, or death to employees of participants.

The Fund is administered by a director, appointed by the Governor, with the advice and consent of the Senate, for a term of six years. The accompanying financial statements present the financial position, results of operations, and cash flows solely of the Fund and do not include any other departments, institutions, component units, etc. of the State of South Carolina.

The core of the financial reporting entity is the primary government which has a separately elected governing body. As required by accounting principles generally accepted in the United States of America ("GAAP"), the financial reporting entity includes both the primary government and all of its component units. Component units are legally separate organizations for which the elected officials of the primary government are financially accountable. In turn, component units may have component units.

An organization other than a primary government may serve as a nucleus for a reporting entity when it issues separate financial statements. That organization is identified herein as a primary entity.

A primary government or entity is financially accountable if it appoints a voting majority of the organization's governing body including situations in which the voting majority consists of the primary entity's officials serving as required by law (e.g., employees who serve in an ex officio capacity on the component unit's board are considered appointments by the primary entity) <u>and</u> (1) it is able to impose its will on that organization <u>or</u> (2) there is a potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the primary entity. The primary entity also may be financially accountable if an organization is fiscally dependent on it even if it does not appoint a voting majority of the board. An organization is fiscally dependent on the primary government or entity that holds one or more of the following powers:

(1) Determines its budget without another government's having the Fund to approve and modify that budget.
(2) Levies taxes or set rates or charges without approval by another government.
(3) Issues bonded debt without approval by another government.

An organization can also be a component unit of another entity if the exclusion of that organization would be misleading to the users of the primary entity's financial statements.

## NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED):

The organization is fiscally independent if it holds all three of those powers. Based on the criteria, the Fund has determined it is not a component of another entity and it has no component units.

The budget, personnel, procurement, and other laws of the State and the policies and procedures for State agencies are applicable to the activities of the Fund.

### Fund Accounting

The South Carolina state government uses funds to report its financial position and the results of its operations. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fund is a separate fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with related liabilities and residual equities or balances and changes therein which are segregated to carry on specific activities or attain certain objectives in accordance with applicable regulations, restrictions, or limitations.

The South Carolina State Accident Fund is an internal service fund of the proprietary fund types of the State of South Carolina. Such funds account for the financing of goods and services that are used primarily by the State.

### Basis of Accounting

The accounting policies of the Fund conform to generally accepted accounting principles (GAAP) applicable to proprietary activities as prescribed by the Governmental Accounting Standards Board (GASB), the recognized standard-setting body for GAAP for all state governmental entities. Proprietary fund entities use the accrual basis of accounting. If measurable, revenues are recognized when earned and expenses when incurred. In accordance with GASB Statement 20, the Fund has elected to apply all applicable GASB pronouncements and not to apply FASB pronouncements and interpretations issued after November 30, 1989.

### Cash and Cash Equivalents

The amount shown in the financial statements as “cash and cash equivalents” represents cash on deposit with the State’s Treasurer, cash in banks, and cash invested in various instruments by the State Treasurer as part of the State’s internal cash management pool (the “Pool”) and short-term investments not held by the State Treasurer's Office and having a maturity at purchase of three months or less.

Because the Pool operates as a demand deposit account, amounts invested in the Pool are classified as cash and cash equivalents. The Pool includes some long-term investments such as obligations of the United States and certain agencies of the United States, obligations of the State of South Carolina and certain of its political subdivisions, certificates of deposit, collateralized repurchase agreements, and certain corporate bonds.

The Pool consists of a general deposit account and several special deposit accounts. The State records each fund’s equity interest in the general deposit account; however, all earnings on that account are credited to the General Fund of the State. Investments held by the Pool are carried at fair value. Interest earned on the agency’s special deposit account is posted to the agency’s account at the end of each month and is retained by the agency. The Fund records and reports its deposits in the general deposit account at cost.

## NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED):

The Fund reports its deposits in the special deposit accounts at fair value. Interest earnings are allocated based on the percentage of the Fund's accumulated daily income receivable to the total interest receivable of the Pool. Reported investment income includes interest earnings, realized gains/losses and unrealized gains/losses on investments in the Pool arising from changes in fair value. Realized gains and losses are allocated daily and are included in the accumulated income receivable. Unrealized gains and losses are allocated at year-end based on the percentage ownership in the Pool.

Although the Pool includes some long-term investments, it operates as a demand deposit account, therefore, for credit and other risk information pertaining to the Pool, see the Comprehensive Annual Financial Report ("CAFR") of the State.

### Capital Assets

Capital assets are recorded at cost at the date of acquisition. The Fund follows capitalization guidelines established by the State of South Carolina. All land is capitalized, regardless of cost. The Fund capitalizes movable personal property with a unit value in excess of $5,000 and a useful life in excess of two years and intangible assets including software costing in excess of $100,000. Routine repairs and maintenance are charged to operating expenses in the year in which the expense was incurred.

Depreciation is computed using the straight-line method over the estimated useful lives of the assets, generally 3 to 10 years.

### Unpaid Claims Liability

The Fund establishes unpaid claims liabilities based on estimates of the ultimate cost of claims that have been reported but not settled, and of claims that have been incurred but not reported. The amount accrued includes estimated specific incremental claims adjustment expenses. Estimated amounts of salvage and subrogation and reinsurance recoverable, if any, on both settled and unsettled claims have been deducted from the liability for unpaid claims to the extent reasonably estimable. In addition, to the extent reasonably estimable, the liability for unpaid claims has been adjusted for amounts to be recovered or reimbursed from participants who retain the risk of loss for specific periods. This includes amounts recoverable from the State of South Carolina for state agency claims prior to July 1, 1986. See Note 8 for further explanation. Claims liabilities for claims of the South Carolina Department of Transportation ("DOT") prior to January 1, 1994, are not included in the State Accident Fund's claims liability. See below and Note 4 for further information. Because actual claims costs depend on such complex factors as inflation, changes in doctrine of legal liability, and damage awards, the process used in computing claims liabilities does not necessarily result in an exact amount. Claims liabilities are recomputed annually as of fiscal year end using a variety of actuarial and statistical techniques to produce current estimates that reflect recent settlements, claim frequency, and other economic and social factors. While management believes that the amount is adequate, the ultimate liability may be in excess of or less than the amounts provided.

The methods for making such estimates and for establishing the resulting liability are continually reviewed, and any adjustments are reflected in current earnings. A provision for inflation in the calculation of estimated future claims costs is implicit in the calculation because reliance is placed both on actual historical data that reflect past inflation and on other factors that are considered to be appropriate modifiers of past experience. Adjustments to claims liabilities are charged or credited to expense in the periods in which they are made.

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED):**

DOT and the South Carolina Department of Public Safety ("DPS") managed their own workers' compensation claims prior to the State's restructuring in 1993. When they became policyholders, the Fund agreed to provide claim services for their claims with a date of injury prior to January 1, 1994 for DOT and August 1, 1993 for DPS. Because the Fund was not the insurer and had not collected premiums to cover these losses, the agencies reimbursed the Fund for the cost of these claims. In the 1998-1999 Appropriations Bill 700, Proviso 44.4 stated, "(SAF: Workers' Compensation Claims) from the funds in the Workers' Compensation Trust Fund, the Fund shall purchase an annuity for the purpose of funding the future obligation for workers' compensation claims filed prior to restructuring by South Carolina Department of Highways and Public Transportation employees." After June 30, 1998 the Fund was no longer reimbursed, as originally agreed upon. Instead, it used the funds received from the annuity purchased under the proviso to pay these claims. This annuity is being amortized over the life of the contract in proportion to annuity proceeds received. See Note 4 for further discussion.

**Reinsurance**

The Fund has obtained reinsurance coverage to reduce its exposure to losses on insured events. Losses in excess of $1,000,000 from an insured event are covered up to limits based on the type of injury as set by the worker's compensation statutes of the South Carolina Code of Laws, with the Fund retaining the risk for the first $1,000,000 of loss. Reinsurance permits recovery of a portion of losses from reinsurers, although it does not discharge the primary liability of the Fund as direct insurer of the risks reinsured. The Fund does not report reinsured risks as liabilities, unless it is probable that those risks will not be covered by reinsurers. The reinsurance coverage also reduces its exposure to losses on insured events related to State owned aircrafts in excess of $1,000,000 per occurrence up to the limit of $9,000,000.

**Recognition of Premium Revenue, Receivables and Deferred Revenue**

Premiums are recognized as revenue on a pro rata basis over the policy term. Policies are billed and issued on both the fiscal year and calendar year basis. Premiums are based on an actuarial method and are currently adjusted so that over a reasonable period of time expected revenues, including investment income, and anticipated expenses will be approximately equal. In addition, premium revenue includes accrued premium adjustments for additional premiums owed by policyholders as determined based on actual payrolls for the policy period which are in excess of estimated premiums billed. This premium revenue was based on estimated payroll costs. Revenue is reduced for refunds payable. Estimated premiums receivables and refund payables are recorded as of year-end for future anticipated premium adjustments for the policy years which end within the Fund's fiscal year. A receivable is recorded at the time the annual estimated premium is billed even though some/all of the amounts may not be currently due. Deferred revenue is recognized to the extent that the premiums billed and not yet received are for future periods. In addition, deferred revenue is recognized for unearned premiums received.

**Budget Policy**

The Fund is granted an annual appropriation for operating purposes by the South Carolina General Assembly (the "General Assembly") to be funded by workers' compensation premiums and interest earned thereon. The Appropriation, as enacted, becomes the legal operating budget for the Fund. The Appropriations Act authorizes expenditures from the General Fund of the State and authorizes expenditures of total funds. The General Assembly enacts the budget through passage of specific line-item appropriations by program within budgetary unit, within budgetary fund category, the General Fund or other budgeted funds. Budgetary control is maintained at the line-item level of the entity. Agencies may process disbursement vouchers in the State's budgetary accounting system only if enough cash and appropriation authorization exist.

## NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED):

Transfers of funds may be approved by the State Budget and Control Board under its Fund or by the agency as set forth in the 2012 Appropriations Act proviso 89.10 as follows: Agencies are authorized to transfer appropriations within programs and within the agency with notification to the Division of Budget and Analyses and the State Comptroller General. No such transfer may exceed twenty percent of the program budget. Transfers from personal services accounts or from other operating accounts may be restricted to any level set by the Board.

Current legislation states that the General Assembly intends to appropriate all monies to operate State government for the current fiscal year. Any unexpended appropriations as of June 30 automatically lapse on July 31 unless authorization is received from the General Assembly to carry over the funds to the ensuing fiscal year. State law does not precisely define the budgetary basis of accounting. For each fiscal year, the level of legal control for each agency is reported in a publication by the State Comptroller General. The State's annual budget is prepared primarily on the modified accrual basis of accounting with several exceptions, principally the cash basis for payroll expenses and certain non-State appropriations revenue.

The Fund's budget includes administrative expenses and specifically excludes claims expense and the Second Injury Fund assessment. Amounts to be expended for capital assets are also budgeted. Expenses prepared on the accrual basis do not vary significantly from the budgetary basis. In accordance with GAAP applicable to business-type activities, a comparison of actual revenues and expenses to the budgeted amounts has not been presented.

### Statement of Cash Flows

For purposes of cash flows, the Fund considers all highly liquid investments with a maturity of three months or less when purchased to be cash equivalents. The Pool is included in this definition of cash equivalents.

### Compensated Absences

Generally, all permanent full-time State employees and certain part-time employees scheduled to work at least one-half of the Fund's workweek are entitled to accrue and carry forward at calendar year-end maximums of 180 days sick leave and of 45 days annual vacation leave.

Upon termination of State employment, employees are entitled to be paid for accumulated unused annual vacation leave up to the maximum, but are not entitled to any payment for unused sick leave. The compensated absences liability includes accrued annual leave and compensatory holiday and overtime leave earned for which the employees are entitled to paid time off or payment at termination. The Fund calculates the compensated absences liability based on recorded balances of unused leave for which the employer expects to compensate employees through paid time off or cash payments at termination. That liability is determined by using fiscal year-end current salary costs and the cost of the salary-related benefit payments. The net change in the liability is recorded in the current year in the personal services and employee benefits expense category.

### Operating and Nonoperating Revenues and Expenses

The Fund distinguishes operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and delivering goods in connection with a proprietary fund's principal ongoing operations. The Fund's primary operating revenues are from premium revenues. Operating expenses include the cost of services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses. Nonoperating revenues include interest/investment income and other revenues.

## NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED):

### Net Assets

The Fund reports under the provisions of GASB Statement No. 34 of the GASB, *Basic Financial Statements and Management's Discussion and Analysis for State and Local Governments* ("GASB 34"). GASB 34 established standards for external financial reporting for all state and local governmental entities, which includes a statement of net assets, with classification of net assets into three components. These components are categorized as follows:

*Invested in capital assets*: This represents the Fund's total investment in capital assets, net of outstanding debt obligations, if any, related to those capital assets. To the extent debt has been incurred but not yet expended for capital assets, such amounts are not included as a component of invested in capital assets, net of related debt.

*Unrestricted net assets*: Unrestricted net assets (deficit) represent the remainder of the Fund's liabilities in excess of assets excluding those net assets reported in other categories.

### Use of Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates. Such estimates include the unpaid claims liability.

## NOTE 2 RISK MANAGEMENT:

### Insurance Coverage

The Fund, an administrative agency, is exposed to various risks of loss and maintains State or commercial insurance coverage for each of those risks. Management believes such coverage is sufficient to preclude any significant uninsured losses for the covered risks. The cost of settled claims and claim losses has not exceeded this coverage in any of the past three years. The Fund pays insurance premiums to itself and certain other State agencies to cover risks that may occur in normal operations. The insurers promise to pay to or on behalf of the insured for covered economic losses sustained during the policy period in accordance with insurance policy and benefit program limits.

State management believes it is more economical to manage certain risks internally and set aside assets for claim settlement. Several State funds accumulate assets and the State itself assumes substantially all risks for the following type of claims:

1. Claims of State employees for unemployment compensation benefits. This type of claim is handled through the South Carolina Department of Employment and Workforce;
2. Claims of covered employees for workers' compensation benefits for job-related illnesses or injuries. This type of claim is handled by the State Accident Fund;
3. Claims of covered public employees for health and dental insurance benefits. This type of claim is handled by the Office of Insurance Services; and
4. Claims of covered public employees for long-term disability and group-life insurance benefits. This type of claim is handled through the Office of Insurance Services.

## NOTE 2 RISK MANAGEMENT (CONTINUED):

Employees elect health coverage through either a health maintenance organization or through the State's self-insured plan. All of the other coverages listed above are through the applicable State self-insured plan except dependent and optional life premiums are remitted to commercial carriers.

The Fund and other entities pay premiums to the State's Insurance Reserve Fund (IRF) which issues policies, accumulates assets to cover the risks of loss, and pays claims incurred for covered losses related to the following assets, activities, and/or events:

1. Theft of, damage to, or destruction of assets – building contents;
2. General tort claims; and
3. Data processing equipment.

The IRF is a self-insurer and purchases reinsurance to obtain certain services and specialized coverage and to limit losses in the areas of property insurance. Also, the IRF purchases reinsurance for catastrophic property insurance. Reinsurance permits partial recovery of losses from reinsurers, but the IRF remains primarily liable. The IRF's rates are determined actuarially.

State agencies and other entities are the primary participants in the State's Health and Disability Insurance Fund and in the IRF.

The Fund has not transferred the portion of the risk of loss related to insurance policy deductibles for its property contents or general torts to a State or commercial insurer, and does not carry fidelity bond coverage on its employees. There were no expenses incurred for the year ended June 30, 2012 for actual claim payments related to such retained risk of loss.

The Fund has not reported an estimated claims loss expense and the related liability at June 30, 2012, based on the requirements of GASB Statements No. 10 and No. 30, which state that a liability for claims must be reported only if information prior to issuance of the financial statements indicates that it is probable that an asset has been impaired or a liability has been incurred on or before June 30, 2012, and the amount of loss is reasonably estimable. In management's opinion, claims losses in excess of insurance coverage, if any, are unlikely and, if incurred, would be insignificant to the Fund's financial position. Furthermore, there is no evidence of asset impairment or other information to indicate that a loss should be recorded. Therefore, no loss accrual has been recorded.

## NOTE 3 DEPOSITS AND INVESTMENTS:

Cash and cash equivalents consist of deposits under the control of the State Treasurer, who by law, has sole authority for investing State funds and deposits under the control of the State Accident Fund. However, as authorized by the State Treasurer's office, certain funds used to pay claims are deposited with financial institutions.

## NOTE 3 DEPOSITS AND INVESTMENTS (CONTINUED):

### Deposits

State law requires full collateralization of all State Treasurer's bank balances. The State Treasurer must correct any deficiencies in collateral within seven days. With respect to investments in the State's Pool, all of the State Treasurer's investments are insured or registered or are investments for which the securities are held by the State or its agents in the State's name. Information pertaining to the carrying amounts, market values, credit and other risks as required by GASB Statement No. 40, *Deposit and Investment Risk Disclosures*, of the State Treasurer's investments is disclosed in the CAFR of the State. Copies of this report may be obtained from the South Carolina Office of the Comptroller General, 1200 Senate Street, 305 Wade Hampton Office Building, Columbia, South Carolina 29201 or by visiting the Comptroller General's website at http://www.cg.state.sc.us/.

At June 30, 2012, cash and cash equivalents was $208,049,917 which was in accounts with the State Treasurer and the Treasurer's balance was $209,750,994. At June 30, 2012, the bank balance in financial institutions was $1,694,337 and the amount reported in the financial statements was a cash overdraft of $417,418. The entire bank balance was covered by FDIC insurance.

### Investments

Investments meet the State's investment guidelines and consist of overnight repurchase agreements which are fully collateralized by U.S. Treasury securities. Because of the relatively small amount of the investments in overnight repurchase agreements, management does not believe that there is any concentration of credit risk associated with its investments. Fair value of investments approximates cost because of the short maturity of these investments.

All of the Fund's investments are stated at fair value except those meeting certain specific requirements. Purchases and sales are accounted for on the trade date. Unrealized gains and losses on investments have been recorded on the accrual basis. Earnings are recorded on the accrual basis. The Fund had investment in reinsurance annuity contract of $406,449 at June 30, 2012. Further details of this investment are found in Note 4.

## NOTE 4 INVESTMENT IN REINSURANCE ANNUITY CONTRACT:

Under the 1993 Restructuring Act, the DOT and the DPS were created and were charged with responsibilities of the former Department of Highways and Public Transportation effective July 1, 1993. Proviso 44.4 of the 1998-1999 Appropriation Act passed by the General Assembly required the Fund to purchase an annuity for the purpose of funding the future obligation for workers' compensation claims filed prior to restructuring by the Department of Highways and Public Transportation employees using funds from the Workers' Compensation Trust Fund. While the State believes the annuity will provide funding adequate to cover this liability, the Fund has ultimate responsibility to pay these claims should the annuity funding be inadequate. On March 11, 1999 the Fund purchased a Type One annuity that will pay a fixed amount quarterly for a period of forty years. The annuity was effective as of January 1, 1999. The Fund received its first quarterly annuity payment on April 5, 1999. For the year ended June 30, 2012, the Fund paid approximately $33,000 of the DOT claims covered by this annuity. They received reimbursement of $60,088 under this contract for the year ended June 30, 2012. For the year ended June 30, 2012, the amount of $72,435 shown on the statement of net assets, as current and noncurrent, as recoverable under reinsurance annuity contract, represents amounts due under the annuity that will be collected in the future for cumulative claims payments in excess of cumulative annuity receipts. The estimated future claims for DOT is $515,000, which is not included in the unpaid claims liability and claims adjustment expenses payable on the statement of net assets.

## NOTE 4 INVESTMENT IN REINSURANCE ANNUITY CONTRACT (CONTINUED):

Under the terms of the annuity the Fund will receive 160 quarterly payments. For the first forty payments the Fund will receive $30,091 per quarter, the next forty payments will be for $15,022, the next forty payments will be for $3,726, and the last forty will be for $2,364. Total amount to be received under the annuity will be $2,048,120.

The total price of the annuity was $1,282,294 and was paid in a single premium. The amount of the annuity to purchase was determined actuarially. The amount remaining to be received by the Fund at June 30, 2012 was $649,194.

The liability for these claims is not reported by either the Fund or the DOT because the State feels that the proceeds from the annuity contract will provide adequate funding to pay these claims and the risk of loss is remote. The annuity is being amortized over the life of the annuity in proportion to annuity proceeds received. The amount of amortization charged for the year ended June 30, 2012 was $37,621, and is included as amortization expense in the Statement of Revenues, Expenses and Changes in Net Assets.

## NOTE 5 PREMIUMS RECEIVABLE:

Premiums receivable consist of amounts receivable from the following:

| | |
|---|---|
| County and Municipal Governments and Agencies | $ 3,558,240 |
| State Agencies | 58,052,965 |
| | $ 61,611,205 |

The majority of premiums receivable represent billings for future periods which have not been earned as of fiscal year-end.

## NOTE 6 CAPITAL ASSETS:

Capital assets activity for the year ended June 30, 2012 is summarized as follows:

| | Beginning Balance June 30, 2011 | Increases | Decreases | Ending Balance June 30, 2012 |
|---|---|---|---|---|
| Equipment and furniture | $ 926,511 | $ 64,626 | $ - | $ 991,137 |
| Software | 8,152,000 | - | - | 8,152,000 |
| Total capital assets at historical cost | 9,078,511 | 64,626 | - | 9,143,137 |
| Less accumulated depreciation for: | | | | |
| Equipment and furniture | (897,499) | (17,515) | - | (915,014) |
| Software | (8,152,000) | - | - | (8,152,000) |
| Total accumulated depreciation | (9,049,499) | (17,515) | - | (9,067,014) |
| Capital assets, net of accumulated depreciation | $ 29,012 | $ 47,111 | $ - | $ 76,123 |

Depreciation expense was $17,515 for the year ended June 30, 2012.

## NOTE 7 ACCRUED REFUNDABLE PREMIUMS:

Policyholders are billed annually for estimated premiums based on the policyholder's estimated payroll. After the policy period ends, policyholders submit the details of the actual salaries paid, and the Fund adjusts the premium based on the actual payroll and a rating modifier based on claims experience. The amount the Fund owed policyholders for estimated premiums in excess of actual adjusted premiums at June 30, 2012 was $732,995 for those county and municipal policyholders. An additional $5,565,371 was due to State agencies.

## NOTE 8 UNPAID CLAIMS LIABILITY AND CLAIMS ADJUSTMENT EXPENSES:

The amount accrued for unpaid claims liability and claims adjustment expenses is an actuarially determined amount, based on the Fund's historical claims expenses adjusted for current factors, for the estimated ultimate cost of settling claims for events which occurred on or before year-end but were unpaid at the end of the year. To the extent claims were incurred on behalf of state agencies prior to July 1, 1986, reimbursement will be due from the State when the claims are paid. Estimated amounts recoverable from subrogation have been deducted from the claims liability.

The estimated reimbursement due from the State for claims prior to July 1, 1986, which is included in unpaid claims liability and claims liability adjustment expense, is as follows:

| | |
|---|---|
| Due within one year | $ 115,000 |
| Due after one year | 510,000 |
| Total | $ 625,000 |

The amounts accrued for unpaid claims liability and claims adjustment expenses, net of amounts recoverable from the State, for the past two years are as follows:

| | 2012 | 2011 |
|---|---|---|
| Unpaid claims liability and claim adjustment expenses at beginning of year | $ 237,790,000 | $ 228,145,000 |
| Current year claims and changes in estimates | 45,688,483 | 56,251,403 |
| Claims payments | (48,028,483) | (46,606,403) |
| Total unpaid claims liability and claim adjustment expenses at the end of year | $ 235,450,000 | $ 237,790,000 |
| This claims liability is further categorized as follows: | | |
| State Agencies | $ 177,509,000 | $ 201,114,000 |
| Counties and Municipalities | 57,941,000 | 36,676,000 |
| Total | $ 235,450,000 | $ 237,790,000 |

## NOTE 9 SECOND INJURY FUND ASSESSMENT:

The Fund is required to pay an annual assessment to the Second Injury Fund of the State. The assessment is usually billed in the first quarter of the fiscal year and is based on a specified percentage of total claims paid by the Second Injury Fund during the previous calendar year. The Second Injury Fund handles claims for workers who have permanent physical impairments and incur subsequent disability from injury by accidents arising out of and in the course of employment.

## NOTE 9 SECOND INJURY FUND ASSESSMENT (CONTINUED):

The assessment for fiscal year 2012 was $6,079,775. The Fund receives reimbursements of claims expense from the Second Injury Fund. The total amount recovered during fiscal year 2012 was $12,283,709 which is reported as a reduction of claims expense.

## NOTE 10 PENSION PLAN:

The Retirement Division of the State Budget and Control Board maintains five independent defined benefit plans and issues its own publicly available Comprehensive Annual Financial Report ("Retirement CAFR") which includes financial statements and required supplementary information. A copy of the separately issued Retirement CAFR may be obtained by writing to the Retirement Division, 202 Arbor Lake Drive, Columbia, South Carolina 29223. Furthermore, the Division and the four pension plans are included in the CAFR of the State.

The majority of employees of the Fund are covered by a retirement plan through the South Carolina Retirement System ("SCRS"), a cost-sharing multiple-employer defined benefit pension plan administered by the Retirement Division, a public employee retirement system. Generally, all state employees are required to participate in and contribute to the SCRS as a condition of employment unless exempted by law as provided in Section 9-1-480 of the South Carolina Code of Laws. This plan provides retirement annuity benefits as well as disability, cost of living adjustment, death, and group-life insurance benefits to eligible employees and retirees.

Under the SCRS, employees are eligible for a full service retirement annuity upon reaching age 65 or completion of 28 years credited service regardless of age. The benefit formula for full benefits effective since July 1, 1989, for the SCRS is 1.82 percent of an employee's average final compensation multiplied by the number of years of credited service. Early retirement options with reduced benefits are available as early as age 55. Employees are vested for a deferred annuity after five years of service and qualify for a survivor's benefit upon completion of 15 years credited service (five years effective January 1, 2001). Disability annuity benefits are payable to employees totally and permanently disabled provided they have a minimum of five years credited service. This requirement does not apply if the disability is a result of a job related injury. A group-life insurance benefit equal to an employee's annual rate of compensation is payable upon the death of an active employee with a minimum of one year of credited service.

Effective January 1, 2001, Section 9-1-2210 of the South Carolina Code of Laws allows employees eligible for service retirement to participate in the Teacher and Employee Retention Incentive ("TERI") Program. TERI participants may retire and begin accumulating retirement benefits on a deferred basis without terminating employment for up to five years. Upon termination of employment or at the end of the TERI period, whichever is earlier, participants will begin receiving monthly service retirement benefits which will include any cost of living adjustments granted during the TERI period. Participants are considered retired during the TERI period, do not service credit, and are ineligible to receive group life insurance benefits or disability retirement benefits. Beginning July 1, 2005, TERI participants are required to make SCRS contributions.

Effective July 1, 2006, employees participating in the SCRS were required to contribute 6.5% of all compensation. Effective July 1, 2011, the employer contribution rate became 13.685% which included a 4.30% surcharge to fund retiree health and dental insurance coverage. The Fund's actual contributions to the SCRS for the years ended June 30, 2012, 2011 and 2010 were approximately $237,000, $233,000, and $238,000, respectively, and equaled the required contribution (excluding the surcharge) of 9.385%, 9.24%, and 9.24% for 2012, 2011, and 2010, respectively. Also, the Fund paid employer group life insurance contributions of approximately $3,800 at the rate of .15% of compensation for the fiscal year ending June 30, 2012. The amounts paid by the Fund for pension, group-life, and post-retirement benefits are included as personal services and employee benefit expenses.

## NOTE 10 PENSION PLAN (CONTINUED):

Article X, Section 16, of the South Carolina Constitution requires that all State-operated retirement systems be funded on a sound actuarial basis. Title 9 of the South Carolina Code of Laws of 1976, as amended, prescribes requirements relating to membership, benefits, and employee/employer contributions for each pension plan. Employee and employer contribution rates to SCRS are actuarially determined. The surcharges to fund retiree health and dental insurance are not part of the actuarially established rates. Annual benefits, payable monthly for life, are based on length of service and on average final compensation (an annualized average of the employee's highest 12 consecutive quarters of compensation).

The SCRS does not make separate measurements of assets and pension liabilities obligations for individual employers. Under Title 9 of the South Carolina Code of Laws, the Fund's liability under the plans is limited to the amount of contributions (stated as a percentage of covered payroll) established by the State Budget and Control Board. Therefore, the Fund's liability under the pension plans is limited to the contribution requirements for the applicable year from amounts appropriated therefore in the Appropriations Act and amounts from other applicable revenue sources. Accordingly, the Fund recognizes no contingent liability for unfunded costs associated with participation in plans. At retirement, employees participating in the SCRS may receive additional service credit (at a rate of 20 days equal to one month of service) for up to 90 days for accumulated unused sick leave.

Certain State employees may elect to participate in the Optional Retirement Program (ORP), a defined contribution plan. The ORP was established in 1987 under Title 9, Chapter 17, of the South Carolina Code of Laws. The ORP provides retirement and death benefits through the purchase of individual fixed or variable annuity contracts that are issued to, and become the property of, the participants.

The State assumes no liability for this plan other than for payment of contributions to designated insurance companies. To elect participation in the ORP, eligible employees must irrevocably waive SCRS membership within their first thirty days of employment. Under State law, contributions to the ORP are required at the same rates as for the SCRS, 9.385 percent plus the retiree surcharge of 4.30 percent from the employer in fiscal year 2012.

For the fiscal year, total contributions requirements to the ORP were approximately $23,000 (excluding the surcharge) from the Fund as employer and approximately $16,000 from its employees as plan members. Employee contributions of 6.50 percent, and 5.00 percent of the employer contribution were remitted directly to the respective annuity policy providers. The balance of the employer portion was remitted to the Retirement Division of the State Budget and Control Board. The obligation for payment of benefit resides with the insurance companies. Also, the Fund paid employer group life insurance contributions of approximately $400 in the current fiscal year at the rate of .15 percent of compensation for ORP participants.

## NOTE 11 POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS:

### Plan Description

In accordance with the South Carolina Code of Laws and the annual Appropriations Act, the State provides post-employment health and dental and long-term disability benefits to retired State and school district employees and their covered dependents. The Fund contributes to the Retiree Medical Plan (RMP) and the Long-term Disability Plan (LTDP), cost-sharing multiple-employer defined benefit postemployment healthcare and long-term disability plans administered by the Employee Insurance Program (EIP), a part of the State Budget and Control Board (SBCB). Generally, retirees are eligible for the health and dental benefits if they have established at least ten years of retirement service credit.

## NOTE 11 POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (CONTINUED):

For new hires May 2, 2008 and after, retirees are eligible for benefits if they have established twenty-five years of service for 100% employer funding and fifteen through twenty-four years of service for 50% employer funding. Benefits become effective when the former employee retires under a State retirement system. Basic long-term disability (BLTD) benefits are provided to active state, public school district and participating local government employees approved for disability.

### Funding Policies

Section 1-11-710 and 1-11-720 of the South Carolina Code of Laws of 1976, as amended, requires these postemployment healthcare and long-term disability benefits be funded though annual appropriations by the General Assembly for active employees to the EIP and participating retirees to the SBCB except the portion funded through the pension surcharge and provided from other applicable sources of the EIP for its active employees who are not funded by State General Fund appropriations. Employers participating in the RMP are mandated by State statute to contribute at a rate assessed each year by the Office of the State Budget, 4.30% and 3.90% of annual covered payroll for 2012 and 2011, respectively. The EIP sets the employer contribution rate based on a pay-as-you-go basis. The Fund paid approximately $119,000 applicable to the surcharge included with the employer contribution for retirement benefits for the fiscal year ended June 30, 2012. BLTD benefits are funded through a per person premium charged to State agencies, public school districts, and other participating local governments. The monthly premium per active employee paid to EIP was $3.22 for fiscal years ended June 30, 2012 and June 30, 2011, respectively.

Effective May 1, 2008 the State established two trust funds through Act 195 for the purpose of funding and accounting for the employer costs of retiree health and dental insurance benefits and long-term disability insurance benefits. The South Carolina Retiree Health Insurance Trust Fund is primarily funded through the payroll surcharge. Other sources of funding include additional State appropriated dollars, accumulated EIP reserves, and income generated from investments. The Long Term Disability Insurance Trust Fund is primarily funded through investment income and employer contributions.

Complete financial statements for the benefit plans and the trust funds can be obtained from Employee Insurance Program, 1201 Main Street, Suite 360, Columbia, SC 29201.

## NOTE 12 DEFERRED COMPENSATION PLANS:

Several optional deferred compensation plans are available to State employees and employers of its political subdivisions. Certain employees of the Fund have elected to participate. The multiple-employer plans, created under Internal Revenue Code Sections 457, 401 (k), and 403 (b), are administered by third parties and are not included in the CAFR of the State. Compensation deferred under the plans is placed in trust for the contributing employees.

The State has no liability for losses under the plans. Employees may withdraw the current value of their contributions when they terminate State employment. Employees may also withdraw contributions prior to termination if they meet requirements specified by the applicable plan.

## NOTE 13 OPERATING LEASES:

The Fund leases its office space and computers from an external party. The lease for the rental of office space expires on June 30, 2014 and the rental rate is $23,876 per month. The two leases for computers expire on January 18, 2014 and February 8, 2014, and the rental rates are $833 and $2,168 per month, respectively. It also leases office equipment and vehicles under short-term and/or cancelable operating leases. In the normal course of business, operating leases are generally renewed or replaced by other leases. Operating leases are generally payable on a monthly basis. Minimum future rental obligations under the noncancelable lease with a remaining term in excess of one year are as follows:

| Fiscal Year Ending June 30, | Amount |
|---|---|
| 2013 | 322,531 |
| 2014 | 309,691 |
| Totals | $ 632,222 |

Operating lease expenses for the fiscal year ended June 30, 2012 was approximately $332,000.

## NOTE 14 LONG-TERM LIABILITIES:

Long-term liability activity for the year ended June 30, 2012 was as follows:

| | June 30, 2011 | Additions | Reductions | June 30, 2012 | Due within One year |
|---|---|---|---|---|---|
| Accrued compensated absences and related benefits | $ 349,133 | $ 288,999 | $ (283,674) | $ 354,458 | $ 283,674 |
| Unpaid claims liability and claims adjustment expense payable | $ 237,790,000 | $ 45,688,483 | $ (48,028,483) | $ 235,450,000 | $ 77,518,064 |

## NOTE 15 TRANSACTIONS WITH STATE ENTITIES:

The Fund has significant transactions with the State of South Carolina and various State agencies. Services received at no cost from State Agencies include maintenance of certain accounting records and payroll and disbursement processing from the Comptroller General's office; check preparation, banking, and investment functions from the State Treasurer; legal services from the Attorney General's office; and record storage for the Department of Archives and History.

Other services received at no cost from the various divisions of the State Budget and Control Board include pension plan administration, insurance plans administration, audit services, personnel management, assistance in the preparation of the State Budget, property management and record keeping, review and approval of certain budget amendments, procurement services, and other centralized functions.

The Fund had financial transactions with various State Agencies during the year ended June 30, 2012. Significant payments were made to divisions of the State Budget and Control Board for pension and insurance plan contributions, vehicle rental, insurance coverage, office supplies, printing, telephone, interagency mail, and data processing services. Payments were also made for unemployment coverage for employees to the Department of Employment and Workforce. The amount of expenses applicable to these transactions is not readily determinable.

The Fund provided no services free of charge to other State Agencies during the year ended June 30, 2012.

Total revenues from other State agencies based on the agency classification chart prepared by the South Carolina Comptroller General's Office are as follows:

| | |
|---|---|
| General Government | $ 1,496,266 |
| Administration of Justice | 13,898,794 |
| Education | 5,288,157 |
| External | 902,954 |
| Higher Education | 13,328,530 |
| Health and Environment | 10,390,493 |
| Housing Authority | 42,839 |
| Resource and Economic Development | 1,825,997 |
| Social Services | 1,907,602 |
| Transportation | 9,863,736 |
| Unemployment Compensation | 307,612 |
| Other business Types | 85,454 |
| | $ 59,338,434 |

During the fiscal year, the Fund did not receive any reimbursements of claims expense from the State of South Carolina for claims prior to 1986. $12,708 was billed subsequent to June 30, 2012 for the last of fiscal year 2012 and is included in the claims recoveries and reimbursement receivables account on the balance sheet.

**NOTE 16 NET LOSS/NET ASSETS DEFICIT:**

The Fund has a retained earnings deficit of approximately $39,700,000. The deficit includes lost interest earnings through 1995. Prior to 1990, all investment income earnings of the Fund were credited to the General Fund of the State. For fiscal years 1991 and 1992, the Fund received one-third and two-thirds of the investment income. Section 42-7-75 of the South Carolina Code of Laws require the State Treasurer to deposit in the Fund's trust account monthly sufficient funds to pay expenses and claims required by law to be paid with the amount limited to the amount of investment income which the Fund would have earned since its inception if all investment earnings had been credited to the Fund. Estimates prepared by management in 1995 estimated that limit to be approximately $12,300,000 assuming an interest rate of 4% to approximately $20,600,000 using an interest rate of 6%.

**NOTE 17 CONCENTRATIONS OF CREDIT RISK AND OTHER CONCENTRATIONS:**

The Fund has reinsurance contracts with providers which share or limit the Fund’s exposure to losses. However, should the reinsurance providers be unable to meet their obligations settlement of these amounts will ultimately be the responsibility of the South Carolina State Accident Fund. The Fund provides services to South Carolina governmental entities. The limited make-up of the membership group, as well as the limited geographic region in which the Fund operates, increases the Fund’s exposure to business concentrations.

**NOTE 18 CONTINGENCIES**

The Fund is a defendant in a lawsuit filed by one of its providers seeking actual and consequential damages of approximately $75,000 along with attorney fees, costs and punitive damages. The Fund is actively investigating the merits of the claims and is conducting an investigation of the fees in dispute. Outside counsel for the Fund has advised that it is difficult to evaluate the likelihood of an unfavorable outcome at this time.

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Mr. Richard H. Gilbert, Jr., CPA
Deputy State Auditor
State of South Carolina
Columbia, South Carolina

We have audited the financial statements of the South Carolina State Accident Fund ("the Fund") as of and for the year ended June 30, 2012, and have issued our report thereon dated October 12, 2012. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United States.

**Internal Control Over Financial Reporting**

Management of the Fund is responsible for establishing and maintaining effective internal control over financial reporting. In planning and performing our audit, we considered the Fund's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Fund's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Fund's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be significant deficiencies, or material weaknesses and therefore, there can be no assurance that all deficiencies, significant deficiencies, or material weaknesses have been identified. However, as described in the accompanying schedule of findings, we identified certain deficiencies in internal control over financial reporting that we consider to be a material weakness.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the deficiencies described in the accompanying schedule of findings as item 2012-1 to be a material weakness.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Fund's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under Government Auditing Standards and which are described in the accompanying schedule of findings as item 2012-2.




Rogers Laban, PA • 1919 Bull Street • Columbia, SC 29201 • 803.779.5870 • Fax 803.765.0072 • www.RogersLaban.com

The Fund's response to the findings identified in our audit is described in Appendix A. We did not audit the Fund's response and, accordingly, we express no opinion on it.

This report is intended solely for the information and use of the Governor of the State of South Carolina, State Auditor, and Fund management, and is not intended to be and should not be used by anyone other than these specified parties.

Rogers Laban, PA

October 12, 2012

## SOUTH CAROLINA STATE ACCIDENT FUND

## SCHEDULE OF FINDINGS
## JUNE 30, 2012

2012-1 Deficiencies Noted in Financial Records and Statements

Condition: Our audit disclosed various deficiencies in the preparation of financial statements, reconciliation processes, and recording of transactions in the books of the Fund. The deficiencies include the following:

1. The initial entry recorded by the Fund to estimate the adjustments related to premium audits not performed as of year-end was incorrect. The Fund did not use the correct experience modification factors to calculate the estimated adjustments causing an overstatement of revenues of approximately $269,000.
2. The initial entry recorded by the Fund to record premium refunds payable as of year-end was incorrect. The Fund improperly included the balance of an account that had been closed prior to year-end. As a result, an adjustment was recorded to reduce premium accounts receivable and premium refunds payable by approximately $314,000.

Cause: There was no separate review by someone other than the preparer for the figures used to calculate the adjustments related to premium audits not performed as of year-end.

Effect: Procedures in place by the Fund did not detect items that caused the financial records to be inaccurate.

Criteria: Generally accepted accounting principles require that all transactions be properly recorded and good internal control procedures require procedures to be in place to detect errors. The Auditing Standards Board (ASB) has issued guidance to auditors related to an entity's internal controls over financial reporting. These recently issued auditing standards emphasize that the auditor cannot be part of your system of internal control over financial reporting.

Recommendation: The Fund should implement procedures to ensure that all information used to prepare the financial statements is accurate and that documentation exists to support the estimated adjustments related to premium audits not performed as of year-end. The Fund should ensure that all information reported in the financial statements including the notes is accurately stated in accordance with generally accepted accounting principles.

2012-2 Error in Calculation of Claims Payments

Condition: Our testing of indemnity claims payments disclosed that two people out of seventeen tested had been receiving weekly payments that were not calculated properly because the total wages entered into the system were incorrect.

Cause: Failure to agree amount keyed into the system with the form 20 and the lack of a review to ensure that the amounts were correctly entered into the system.

Effect: Miscalculation of claims amounts paid.

Criteria: Good business practice requires procedures to ensure that all amounts are correctly entered and calculated. Section 42-1-40 of the SC Code of Laws contains the requirements to calculate the average weekly wages on which the benefits are based.

Recommendation: The Fund should implement procedures to ensure amounts are entered correctly into the system including a review process.

## SOUTH CAROLINA STATE ACCIDENT FUND

### STATUS OF PRIOR FINDINGS
### JUNE 30, 2012

During our current audit, we reviewed the status of action taken on the findings we reported on our report on the financial statements of the Fund dated October 6, 2011 resulting from the audit of the financial statements for the year ended June 30, 2011. The following findings were reported:

1. Our audit disclosed various deficiencies in the preparation of financial statements, reconciliation processes, and recording of transactions in the books of the Fund. The deficiencies include the following:
   A. The initial entry recorded by the Fund to estimate the adjustments related to premium audits not performed as of year-end was incorrect. The listing omitted one state entity that did not have the premium audit performed prior to June 30, 2011 and it should have been listed as an estimate.
   B. The payroll audit premium adjustment for two state entities was calculated incorrectly due to the fact that the Fund did not properly include the overtime payroll in the premium calculations. Also note that for one of the state entities previously mentioned, the Fund did not calculate the drug discount to reduce the employer's premium.
2. Our testing of receipts disclosed four instances where the receipts were not deposited within one week of receipt.
3. Our testing of indemnity claims payments disclosed that three people out of nineteen tested had been receiving weekly payments that were not calculated properly because the total wages entered into the system were incorrect.

Note that the finding listed above as number 2 was corrected. The findings listed above as number 1 and 3 were repeated in the current year.

# MANAGEMENT'S RESPONSE

# APPENDIX A

**State Accident Fund's Response to Findings**

2012-1 Deficiencies Noted in Financial Records and Statements

1. The report used to calculate the estimated audited premium has been corrected to ensure the accurate experience modifiers are utilized. In the future, there will be separate and independent review conducted by someone other than the preparer.
2. This was an isolated error in connection with closing a quote. In the future, there will be quarterly supervisor review to ensure that all unaccepted quotes have been closed with a zero balance.

2012-2 Error in Calculation of Claims Payments

1. In both instances, the benefit payments were established prior to the corrective training implemented in 2011. One claim has already closed and the remaining open claim has been corrected. Training has been implemented to correct this issue.