



Brian P. Kemp
Governor

J. Alexander Atwood
Commissioner

July 17, 2019

Re: State of Georgia Self-Insurance Programs

To Whom It May Concern:

Please be advised, the Georgia Tort Claims Act (O.C.G.A. 50-21-20 *et seq.*) provides a limited waiver of sovereign immunity for claims against the State of Georgia arising from certain negligent acts or omissions of 'state officers or employees' up to a maximum damage amount of \$1,000,000 per person, \$3,000,000 per occurrence. The Georgia Tort Claims Act mandates that the Department of Administrative Services insures or self-insures and administers all claims brought against a state agency or agencies under this Act.

If a claim brought under the Georgia Tort Claims Act goes into litigation, the State Attorney General's Office has primary control over the case and constitutionally is only able to provide counsel for state agencies and their employees.

Accordingly, as a general rule, the State of Georgia will not add a private, non-state entity or individual as an additional insured and/or loss payee under the state's self-insurance programs administered by the Department of Administrative Services.

Should you have any further questions, please do not hesitate to contact me.

Sincerely,

Wade E. Damron
Director
DOAS, Risk Management Services Division