

November 12, 2009

EXECUTIVE VICE CHANCELLOR AND PROVOST  
CHIEF EXECUTIVE OFFICER-UC IRVINE MEDICAL CENTER  
DEAN-SCHOOL OF MEDICINE  
VICE CHANCELLOR-ADMINISTRATIVE & BUSINESS SERVICES  
VICE CHANCELLOR-STUDENT AFFAIRS  
DIRECTOR-MATERIEL & RISK MANAGEMENT  
DIRECTOR-OFFICE OF EQUAL OPPORTUNITY AND DIVERSITY

Re: Redelegation of Authority--Settlements of Claims and Separation Agreements

In his Delegation of Authority dated May 29, 2009 (DA 2222), President Yudoff delegated to me, as Chancellor, the authority and responsibilities granted to the President for settlement of claims up to \$100,000 which are not litigated, as described in The Regents' Policy on Settlement of Litigation, Claims, and Separation Agreements, approved on November 20, 2008.

The Policy defines "claim," "litigation," "separation agreement," and "consideration," and states in part that:

- (1) The President is authorized to settle claims and enter into separation agreements when the consideration paid or received by the University shall have a value of \$500,000 or less;
- (2) The President shall obtain concurrence of the General Counsel when the consideration paid or received by the University for settlement of claims or separation agreements exceeds \$100,000;
- (3) All litigation settlements shall be reviewed and approved by the General Counsel or The Regents;
- (4) Release provisions of all settlements of claims and separation agreements, regardless of the amount of consideration, shall be in a format approved by the General Counsel;
- (5) Settlement of claims shall be subject to appropriate funding;
- (6) Settlements of any amount involving significant questions of University policy shall be submitted to The Regents for prior approval.

Effective the date of this memo, the authority and responsibilities delegated to the Chancellor for settlement of claims up to \$100,000 which are not litigated are redelegated as follows:

**(a)** To the Chief Executive Officer, UCI Medical Center, for employment-related claims by or for the benefit of Medical Center funded employees; medical malpractice claims involving UCI physicians or residents, wherever the claims occur; claims by patients and visitors for injuries occurring within the Medical Center, including clinics (e.g., slip and falls, lost articles, broken teeth, disputed bills); and claims made by any local, state or federal agency relating to the operation of the Medical Center.

**(b)** To the Dean, School of Medicine, for all claims arising under the Medical School Compensation Plans; and for claims by Medical School residents.

**(c)** To the Director, Materiel & Risk Management, for all claims to be funded under the Risk Management Program other than those delegated to the Chief Executive Officer, UCI Medical Center.

**(d)** To the Executive Vice Chancellor and Provost for academic personnel who have claims subject to the Academic Senate procedures for grievances and discipline or under APM 140, and student academic matters.

**(e)** To the Vice Chancellor, Student Affairs, for claims of students relating to housing, financial aid, student matters (non-academic), or the provision of any other services to students, except as may be delegated to others.

**(f)** To the Vice Chancellor, Administrative & Business Services, for employment related claims by or for the benefit of campus-funded employees; design, construction and facilities claims; claims made by any local, state, or federal agency relating to the operation of the campus, except the UCI Medical Center; and any other claims by or against the university not otherwise delegated.

As a reminder, settlement of any claim that includes allegations of discrimination or sexual harassment must have the concurrence of the Director, Office of Equal Opportunity and Diversity.

I will retain authority and responsibility for campus recommendations for settlement of all other litigated claims in any amount and non-litigated claims over \$100,000, consistent with President Yudoff's December 12, 2008 delegation. Consultation with Campus Counsel is required concerning settlements of both litigated and non-litigated claims. Campus Counsel will be responsible for soliciting the approval of the Office of General Counsel as required.

In determining the settlement amount, all consideration paid or received must be valued, including amounts paid to employees during periods of leave, and employee benefits. Settlement of claims must be consistent with guidelines, procedures, and reporting requirements to be established by the Office of the President and the Office of the General Counsel.

As required by President Yudoff's delegation, all settlements involving consideration of \$50,000 or more shall be reported to Campus Counsel for transmission to General Counsel for required reporting to The Regents.

The Chief Executive Officer, UCI Medical Center, and Vice Chancellor, Administrative and Business Services, only, may redelegate this authority further. Any redelegations should be in writing with copies to me and the list below.

This redelegation supersedes my May 15, 2009, delegation of authority on the same subject (IDA 469).

A handwritten signature in black ink, appearing to read "M. Drake", enclosed within a large, loopy oval shape.

Michael V. Drake, M.D.  
Chancellor

- C: President  
Senior Vice President - Business and Finance  
General Counsel and Vice President for Legal Affairs  
Universitywide Policy Office  
Chief Campus Counsel  
Director, Internal Audit  
Administrative Policies Coordinator