

GOVERNMENT CLAIMS PROGRAM

Frequently Asked Questions

GENERAL QUESTIONS

WHY CAN'T I OPEN THE CLAIM FORM(S)?

You may be using an unsupported browser that blocks our downloads. Please try downloading our forms using Google Chrome. Microsoft Edge, Safari, and Firefox may run into complications.

If your issue is about an older version of Adobe or opening the download you may need another version. See below for links to some other file formats that might be more accessible for your computer or device.

GCP Claim Form (ORIM 006) | [PDF](#) | [Word Doc](#) | [JPEG](#)

Filing Fee Waiver (ORIM 005) | [PDF](#) | [Word Doc](#) | [JPEG](#)

WHAT IF I HIT A POTHOLE? WHAT IF MY WINDSHIELD WAS DAMAGED ON A STATE HIGHWAY?

Damages can include:

- Potholes
- Debris hitting windshield
- Construction damage

First, ensure that the roadway where the incident occurred is owned or controlled by the state. GCP doesn't have access to this information. You may be able to access this info from the city, county, or Caltrans district where the incident occurred. Please reach out to them to confirm.

Next, you want to determine how much your damages are worth.

Claims for \$12,500 or less need to be filed directly with Caltrans. (...)

Claims for more than \$12,500 can be filed with the Government Claims Program.

Please include any repair estimates or receipts to support your claim.

If you would like to file a claim with GCP regarding pothole damage or damage caused by debris on a CA highway, your claim must meet the following requirements:

- The damages must equal **\$12,500 USD or more**, and you must be able to prove this, for example, through an invoice from an auto shop assessing the damages and the cost needed to fix them

- The damages must be caused by a state entity (i.e. Department of Transportation) to be under GCP's jurisdiction. [For a list of all state entities please click here.](#)

If it only meets one of the requirements, [please click here to file your claim with the Department of Transportation.](#)

If you mistakenly file a claim with us, your claim risks getting rejected with no compensation.

I FILED A CLAIM WITH CALTRANS. WHERE IS IT?

If your claim was submitted directly to Caltrans, you must contact Caltrans to follow up. [Please click here to find the contact information](#) for the appropriate Caltrans District. Or you may call Caltrans Headquarters at **(916) 654-2852**.

If your claim is against Caltrans but filed with us at GCP please refer to [How Can I check the Status of My Claim?](#) For how to get updates on your claim.

HOW CAN I TELL IF I FILED WITH GCP OR ANOTHER AGENCY?

There are a few ways to tell who your claim has been filed with! You can check:

1. The way the claim form looks
2. The claim number that was assigned
3. The mailing address the claim was sent to

CLAIM FORM APPEARANCE

The claim form for the Government Claims Program looks like the one below. Check for the label "DGS ORIM 006" to confirm that it is our claim form.

STATE OF CALIFORNIA
GOVERNMENT CLAIM
DGS ORIM 006 (Rev. 08/19)

DEPARTMENT OF GENERAL SERVICES
OFFICE OF RISK AND INSURANCE MANAGEMENT

CLAIMANT INFORMATION		
LAST NAME	FIRST NAME	MIDDLE INITIAL
INMATE OR PATIENT IDENTIFICATION NUMBER (if applicable)		BUSINESS NAME(if applicable)

If you submitted a form like this:

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
CLAIM AGAINST DEPARTMENT OF TRANSPORTATION FOR AMOUNTS \$10,000 OR LESS
LD-0274 (REV 05/2017)

PERSONAL INFORMATION NOTICE

Pursuant to the Federal Privacy Act (Section 552 et seq.) and the Information Practices Act of 1977 (IPA) (Civil Code Sections 1798 et seq.), notice is hereby given for the request of personal information by this form. The requested personal information is voluntary. The principal purpose of the voluntary information is to facilitate the processing of this form. The failure to provide all or any part of the requested information may delay processing of this form. No disclosure of personal information will be made unless permissible under Article 6, Section 1798.24 of the IPA of 1977. Each individual has the right upon request and proper

Please note that the Caltrans claim form says '\$10,000 or less', but the limit is actually \$12,500

You may have submitted a form for CalTrans to our office, which would then be forwarded to them. You can reach out to CalTrans to check with [them by clicking here and reaching out](#) to the appropriate district.

THE CLAIM NUMBER

All claims filed after March 1, 2022, are assigned a claim number starting with "GCP".

If your claim number looks different than the examples below, you may have filed a claim with a different department.

GCP Claim Number Examples:

GCP202300612

GCP-21008734

MAILING ADDRESS

The Government Claim Program's mailing address is:

**Government Claims Program
P.O. Box 989052, MS 414
West Sacramento, CA 95798-9052**

If this is the location that you sent your form to, then it has been filed with GCP. Any other address would be long to another agency.

If you sent your claim here, but the form is not ORIM 006, then our staff may have forwarded it to the appropriate department to be filed with them.

CLAIM REQUIREMENTS

MAY I GET HELP FILLING OUT THE CLAIM FORM?

GCP Staff is not legally authorized to represent claimants. If you need help, filling out the form, we recommend you have someone you trust, or an attorney represent you.

WHAT DO I NEED TO FILE A CLAIM WITH GCP?

The information needed to file a claim with the Government Claims Program is below:

- Claimant's name and mailing address
- Inmate ID (only required for individuals housed in state facilities)
- The name and mailing address of the person representing you, if you have chosen to be represented.
- The date the event occurred which made you want to file a claim
- A general description on the damage, injury, or financial loss
- The name(s) of the state entity or employee causing the damages
- The dollar amount you believe you are owed
 - Please make sure you provide an explanation and support for the amount

- A signature by the representative or claimant
 - We accept e-signatures
- A \$25 filing fee per claimant listed or a filled Fee Waiver or Fee Reduction Request Form (ORIM 005)

Please **do NOT** submit the following:

- Social Security Numbers
- Original documents
- Entire medical records or bills
- Banking information
- Birth, Marriage, and/or Death certificate

GCP scans documents received and destroys the originals, so we cannot return original documents to you. If we need any extra information or proof to help your investigation, our staff will reach out to you.

I HAVE A LOT OF ADDITIONAL INFORMATION THAT CAN'T BE MAILED? WHAT DO I DO?

For security reasons, please don't submit CD's flash drives, (...)

External links, secured e-mails (i.e. Dropbox) cannot be accepted

HOW DO I SUBMIT MY CLAIM FORM?

Compile your claim form, supporting documentation, and filing fee or fee waiver form and mail these papers to:

Government Claims Program
P.O. Box 989052, MS 414
West Sacramento, CA 95798-9052

We will reference the post date or the date when the mail was sent out for your deadlines. You can also drop your claim at the drop box at the address:

707 3rd Street
West Sacramento, CA 95798-9052

Currently, GCP only accepts claim submission via postal mail or our drop box. We can't accept an e-mailed claim form as an official submission.

WHAT IF I HAVE NO INMATE ID?

An inmate ID is only required for filing a claim if you are housed in a state institution. Please submit the form without this information if it does not apply to you.

WHAT IF I DON'T KNOW THE AMOUNT TO CLAIM?

Your claim can't be processed without an amount. If you believe the total exceeds \$10,000 USDS indicate whether the claim is a limited civil case (less than \$25,000) or a non-limited civil case (above \$25,000) by checking either box on the form.

CIVIL CASE TYPE(Required, if amount is more than \$10,000)	
<input type="checkbox"/> Limited (\$25,000 or less)	<input type="checkbox"/> Non-Limited (over \$25,000)

Otherwise, you can get an estimate of the cost of damages by a professional.

HOW DO I FILE WITH MULTIPLE CLAIMANTS?

You can choose to fill out one GCP form and add the names of the additional claimants using extra paper. Please note **that every additional claimant must pay another filing fee** of \$25.

For example: 2 claimants
 $2 \times \$25 = \50

IS MY CLAIM MEANT FOR THE GOVERNMENT CLAIMS PROGRAM?

If you believe you have suffered damages that total over \$100 USD and were caused by a California State agency, you can file a claim with our program. Otherwise, please contact the agency directly.

Unsure what entities are considered state entities? [You can click here for a list of all state agencies in California and their contact information.](#)

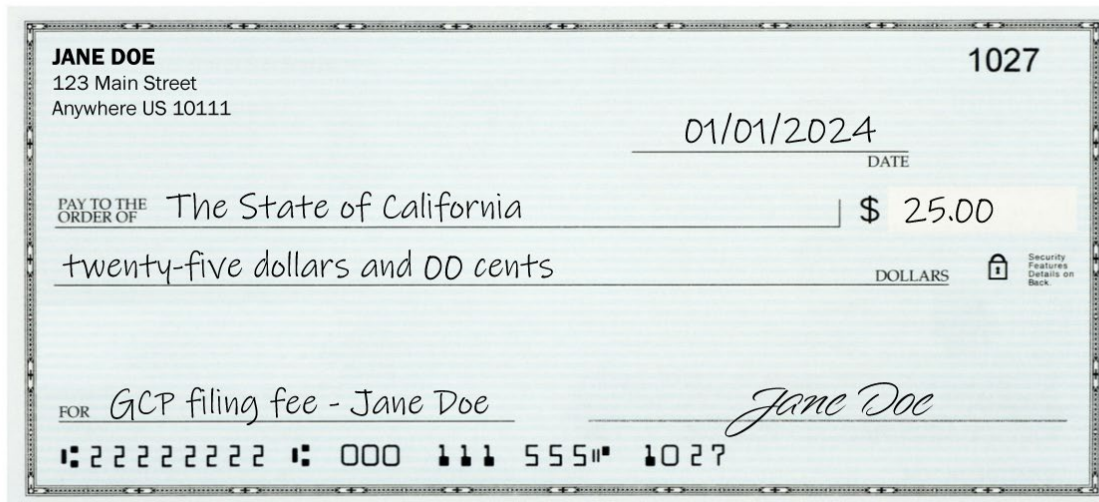
Additionally, some agencies also handle claims themselves if they are up to \$1000 USD in damages. If your claim is against any of these agencies and the damages total \$1000 or less, please file directly with them:

- California Highway Patrol
- Department of Consumer Affairs
- Department of Motor Vehicles
- Department of Corrections and Rehabilitation
- Department of State Hospitals

If you mistakenly file a claim with us, your claim risks getting rejected with no compensation.

HOW DO I FILL OUT MY CHECK FOR THE \$25 FILING FEE?

Please fill the check as you normally would. For Pay to the Order of, write "The State of California" and for the memo please write "GCP Claim" or "GCP filing fee" and then the name of the claimant, so that if the claim gets separated from the check, we can still match the two together. If you know your claim number, you can also include that in the memo line too. See the example below.



CLAIM PROCESS EXPECTATIONS

HOW LONG DOES THE CLAIMS PROCESS TAKE?

The Government Claims Program processes claims on a case-by-case basis, so there is no set amount of time for a claim to be resolved.

When the GCP receives a claim, staff determines if it meets the needs for sufficiency, [GCP's authority to decide](#), and [timeliness](#). Often, the program works together with the named department to reach a solution. When this investigation is opened, it can take some time between GCP and the other department to make sure all the facts line up. Then, GCP uses this information to create a recommendation for the claimant.

HOW CAN I CHECK ON THE STATUS OF MY CLAIM?

Please make sure you allow for at least 1 month before following up on your claim status. Once claim investigation starts, you will receive a notice via mail to the address you provided on your claim form.

You can reach out by writing to our mailing address: Government Claims Program P.O. Box 989052, MS 414 West Sacramento, CA 95798-9052.

HOW DO I MAKE AMENDMENTS TO MY CLAIM?

Our site has a basic guide on filing amendments to previously filed claims, if they have not already had a determination reached below the "How to File a Claim" section. You can click the link here, [to be redirected](#).

WHAT ARE CONSIDERED AMENDMENTS TO A CLAIM?

Claim amendments are any additional documents requested by an analyst, such as invoices and supporting evidence. Other amendments include change of address or representative, so that notices continue to be received by the claimant.

CAN I AMEND A CLAIM IF I DON'T AGREE WITH THE OUTCOME?

If a claim is closed, you may not amend it. You must file a new claim and repay the filing fee.

An amendment can only be filed within 6 months from the date of incident or before GCP acts on the claim (whichever comes later). A GCP action includes: a rejection, approval, late claim approval, or late claim rejection.

However, claim rejection doesn't mean you do not have a case! You may be able to receive compensation outside of GCP's means and/or in a court of law instead. [See here for more information.](#)

CLAIM EXCEPTIONS

I AM FILING A CLAIM AS/FOR A SMALL BUSINESS. HOW DO I FILL OUT A GCP CLAIM FORM?

GCP uses a single claim form for a variety of claims we accept, so please use the claim form (ORIM 006) and fill the necessary fields as appropriate.

- **Claimant Name:** Business Representative First and Last Name
- **Business Name**
- **Telephone Number**
- **Email Address**
- **Mailing Address:** address where notices should be sent to about the claim status
- **Representative Information:** fill out if you are being represented by an attorney; this contact information will be prioritized
- **State Agencies or Employees against whom the claim is filed:** State Agency the service was provided for
- **Date of Incident:** Date that payment was denied or when the business has reason to suspect that payment won't be made
- Anything regarding "**Damage or Injury**" can be treated as "**Debt**"
 - If you provided a service to the state and are awaiting payment you can describe the service provided
- You may attach invoice information as supplemental documentation

I CAN'T AFFORD THE \$25 FILING FEE. CAN I STILL FILE A CLAIM?

Of course! The Government Claims Program has a Fee Waiver or Fee Reduction Request form available. [Please click here to download the form ORIM 005.](#) You can fill out this form and attach it to your claim form for consideration of a reduced or waived filing fee.

For help filling out this form [please see our guide by clicking here](#).

FILING DEADLINES

WHAT DEADLINES EXIST FOR FILING A GCP CLAIM?

Claims for death or injury to a person, personal property, or growing crops must be filed within **six months** after the incident occurred. Any other claim must be filed within **one year** of the incident.

WHAT IF I WANT TO CLAIM DAMAGES THAT HAPPENED OVER A YEAR AGO?

If your claim should have been filed within six months and you missed the deadline, you may request leave to present a late claim within one year of the date of incident by detailing your reason for filing beyond the deadline on the GCP claim form or in a supplemental letter.

The department must act on requests within 45 days. If the department does not take action within 45 days, the application is deemed denied.

WHEN IS A LATE CLAIM REQUEST GRANTED?

The department may allow a claim for any of the following reasons:

- Mistake, inadvertence, surprise or excusable neglect where the public entity was not prejudiced by the failure to file within the deadline
- Claimant was a minor during all the time allotted
- Injured claimant was physically or mentally incapacitated during all the time allotted and for that reason failed to file in time.
- Injured person died before the expiration of the time allotted for filing the claim

CLAIM RESULTS

MY CLAIM HAS BEEN DELEGATED. WHAT DOES THAT MEAN?

Claims for certain dollar amounts can be resolved directly by the involved departments without the need for the GCP's review and approval.

If you have received a notice that your claim has been delegated, then your claim has been forwarded to the involved department to expedite to the process. If you have any questions about your claim, please feel free to contact the involved department directly.

This process is possible through Government Code 935.6.

WHAT CAN I DO IF MY CLAIM WAS REJECTED?

If your claim was rejected, it doesn't necessarily mean it's the end of the line! It simply means that your claim cannot be resolved through GCP.

Sometimes, when GCP finds a claim should be dealt with in another way, we issue a rejection so that path can officially be opened up. A rejection from GCP, while harsh in tone, might mean you can get compensated for more through the court system. If this is the case, please proceed to seek outside counsel through an attorney or otherwise.

If you continue to try and resubmit the same claim through GCP after receiving a rejection, you will likely receive another rejection and are still required to pay the filing fee regardless.

HOW LONG DOES PAYMENT TAKE AFTER A CLAIM HAS BEEN APPROVED?

Once payment is approved for a claim, the **named department** whom the claim is against is expected to issue payment.

A waiver and release form will be sent to you by the involved agency, and it **must be signed and sent back** for them to issue payment. The amount of time it takes to issue payment is determined by this process.

If you are still facing a delay in payment after this has been completed, please let us know and we can reach out to the department regarding your payment status.