

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of April 6, 2017

The regular meeting of the Second Injury Board convened at 2:00 p.m.

The following were present:

1. Mr. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Ms. Lynette Mack, representing the State Treasurer
3. Mr. Steve Hawkland, representing Secretary of State
4. Mr. Chip Coulter, representing the DCFS
5. Meridith Trahant, Acting Director of Second Injury Board
6. Michelle Sumrall, SIB Compliance Supervisor
7. Karl Scott, General Counsel
8. Darrick Lee, General Counsel
9. Shaneka Davis, Recording Secretary

Mr. Hansberry called the meeting to order and began with *Item 1* on the agenda, being the reading of the minutes from the previous meeting. Ms. Mack moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Mr. Coulter and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda for hearings. No hearings were scheduled so the Chairman moved to *Item 3*.

Item 3 on the agenda lists (4) claims where recommendations were made for payment starting with Claim #16-0187 and ending with Claim #16-0770. The motion to approve the claims for payment was made by Mr. Hawkland, seconded by Mr. Coulter and passed unanimously.

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|----|---------|--|---------------------|
| 1. | 16-0187 | Lake Charles Memorial Hospital | 104 week deductible |
| 2. | 16-0217 | American Casualty or Reading, PA | 104 week deductible |
| 3. | 16-0402 | Bridgefield Casualty Insurance Company | 104 week deductible |
| 4. | 16-0770 | La Construction & Industry | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, (71) claims recommended for denial, beginning with Claim #15-0001 and ending with Claim #17-0085. A request was made for a motion to approve the recommendation to deny the claims as described in the April 6, 2017 agenda, with the exception of # 40 which was postponed. The motion was made by Ms. Mack; seconded by Mr. Hawkland and passed unanimously.

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| 1. | 15-0001 | Louisiana Office of Risk Management |
| 2. | 15-0362 | City of Shreveport |
| 3. | 15-0515 | LUBA Casualty Insurance Company |
| 4. | 15-0617 | LUBA Casualty Insurance Company |
| 5. | 15-0770 | Lafayette Parish School Board |

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6. 16-0004 Jefferson Parish School Board
7. 16-0035 Louisiana Home Builders Association
8. 16-0074 Unverified
9. 16-0086 St. Charles Parish School Board
10. 16-0113 Louisiana Workers' Compensation Corporation
11. 16-0213 LA Construction & Industry
12. 16-0282 Zurich American Insurance Co.
13. 16-0323 Retailers Casualty Insurance Company
14. 16-0329 New Hampshire Insurance Company
15. 16-0342 LA. Municipal Risk Mgmt Agency
16. 16-0385 LUBA Casualty Insurance Co.
17. 16-0404 LCTA Casualty Ins. Co.
18. 16-0413 East Jefferson General Hospital
19. 16-0430 Argonaut Insurance Group
20. 16-0450 Amguard Insurance Company
21. 16-0472 Office of Risk Management
22. 16-0481 Bridgefield Casualty Insurance Company
23. 16-0484 Lafayette Parish School Board
24. 16-0496 Office of Risk Management
25. 16-0499 Office of Risk Management
26. 16-0502 Louisiana Workers' Compensation Corporation
27. 16-0505 Unverified
28. 16-0511 Office of Risk Management
29. 16-0514 Office of Risk Management
30. 16-0520 LA Construction & Industry
31. 16-0523 Retailers Casualty Insurance Company
32. 16-0525 Bridgefield Casualty Insurance Company
33. 16-0526 Retailers Casualty Insurance Company
34. 16-0528 Retailers Casualty Insurance Company
35. 16-0529 Indemnity Ins. Co. of North America
36. 16-0534 Old Republic Insurance Company
37. 16-0535 Louisiana Workers' Compensation Corporation
38. 16-0537 LA Workers' Compensation Corp.
39. 16-0540 LA Workers' Compensation Corp.
40. ~~16-0545 LA Health Care Self Ins. Fund~~ POSTPONE
41. 16-0547 Unverified
42. 16-0552 Louisiana Workers' Compensation Corporation
43. 16-0561 Bridgefield Casualty Insurance Company
44. 16-0570 Office of Risk Management
45. 16-0572 LUBA Casualty Insurance Company
46. 16-0581 Office of Risk Management
47. 16-0584 LUBA Casualty Insurance Company
48. 16-0586 LA Construction & Industry
49. 16-0592 Lafayette Parish School Board
50. 16-0593 Wal-Mart Associates, Inc.
51. 16-0595 LA Construction & Industry
52. 16-0596 Diocese of Baton Rouge
53. 16-0598 LUBA Casualty Insurance Co.
54. 16-0599 LUBA Casualty Insurance Company

- 55. 16-0602 Plaquemines Parish Sheriff's Office
- 56. 16-0605 Old Republic Insurance Company
- 57. 16-0607 Unverified
- 58. 16-0608 LUBA Casualty Insurance Company
- 59. 16-0610 Louisiana Office of Risk Management
- 60. 16-0613 Louisiana Office of Risk Management
- 61. 16-0634 Jefferson Parish Public School System
- 62. 16-0652 City of New Orleans
- 63. 16-0655 Louisiana Restaurant Association
- 64. 16-0658 Bridgefield Casualty Insurance Co.
- 65. 16-0664 St. Tammany Parish School Board
- 66. 16-0679 LUBA Casualty Insurance Co.
- 67. 16-0684 LUBA Casualty Insurance Co.
- 68. 16-0777 Great American Insurance Company
- 69. 16-0842 LUBA Casualty Insurance Company
- 70. 17-0051 City of Hammond
- 71. 17-0085 Office of Risk Management

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (365) partial payments beginning with Claim #81-0470 and ending with Claim #15-0221. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of April 6, 2017. The motion was made by Mr. Hawkland seconded by Ms. Mack, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (78) quarterly payments due beginning with Claim #88-0204 and ending with Claim #15-0201. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of April 6, 2017. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 7*, Public Comment. No one from the public was present and the Chairman moved to *Item 8* on the agenda, Executive Session. Ms. Mack made a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland seconded the motion and it passed unanimously.

Upon returning from Executive Session, the Chairman moved to *Item 8a* of the agenda, being settlement recommendations. The Chairman requested a motion to approve the recommendations of the Director regarding settlement authority as discussed in Executive Session and to extend settlement authority to be reimbursed on quarterly basis for the following (12) claims:

1. 83-0557
2. 08-0483
3. 08-0586
4. 09-0322
5. 09-0827
6. 12-0011
7. 12-0391
8. 12-0851
9. 13-0464
10. 14-0479
11. 15-0568
12. 16-0060

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

The following (1) claim was recommended for settlement denial and to continue to be paid on an on-going basis:

1. 13-0780

Mr. Hawkland moved to accept the recommendation. It was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 8b* of the agenda, being Second Injury Board litigation. The Chairman asked for motion to grant authority to legal counsel to represent the Board in the following manner, as discussed in Executive Session.

1. Claim #10-0486 Continued Litigation
2. Claim #13-1037 Settlement Authority
3. Claim #14-0254 Continued Litigation
4. Claim #14-0500 Continued Litigation
5. Claim #15-0111 Settlement Authority
6. Claim #15-0158 Continued Litigation
7. Claim #15-0353 Settlement Authority

Mr. Coulter briefly asked what amounts are being settled when the board grants Settlement Authority on a claim. Mrs. Trahant (acting Director) answered, when the board votes to grant Settlement Authority, it will reimburse 100 % of the amount due under Title 23 (see attached).

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

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The Chairman moved to *Item 9* by asking if there were any other matters to discuss. Mrs. Trahant (acting Director) stated that the Agenda will list hearing requests by claim number under Item 2 in order to give the board the ability to make a motion regarding granting the hearings. There being no further business to discuss, the Chairman asked for a motion to adjourn. Mr. Hawkland moved to adjourn. The motion was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 2:25pm

Recording Secretary: Shaneka Davis