

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of December 9, 2021

The regular meeting of the Second Injury Board convened at 2:05 p.m.

The following were present or attended via Zoom/Teleconference:

1. Charles Hansberry, representing the Commission of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State
3. Chip Coulter, representing Dept. of Children and Family Services
4. Leigh Anne Faber, representing the State Treasurer
5. Darrick Lee, Acting Director of Second Injury Board
6. Karl Scott, General Counsel
7. Shana Veade, General Counsel
8. Ta'Tanisha Youngblood, General Counsel
9. Kendra Harris, General Counsel
10. Michelle Sumrall, SIB Compliance Supervisor
11. Chandra Cola, SIB Audit & Finance Supervisor
12. Claudia Brumfield, Recording Secretary

The Chairman began the meeting with *Item 1* on the agenda, being the reading of the minutes from the previous meeting of November 4, 2021. Mr. Hansberry asked for motion to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was made by Mr. Hawkland, seconded by Mr. Coulter, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. There were none listed.

*Item 3* on the agenda lists (11) claims where recommendations were made for payment starting with Claim #20-0363 and ending with Claim #21-0012. Mr. Coulter made a motion to approve the claims for payment. Mr. Hawkland seconded the motion and it passed unanimously.

1. 20-0363 Florists Mutual Insurance Company
2. 20-0474 Louisiana Hospital Association
3. 20-0615 St. Landry Parish School Board
4. 20-0704 Indemnity Ins. Co. of North America
5. 20-0800 Travelers Property Casualty Company of America
6. 20-0814 LUBA Casualty Insurance Company
7. 20-0872 LA Workers' Compensation Corp.
8. 20-0885 LCTA Casualty Ins. Co.
9. 20-0947 Louisiana Hospital Association
10. 20-1030 Zurich American Insurance Company
11. 21-0012 LA Workers' Compensation Corp.

The Chairman moved to *Item 4* on the agenda, (65) claims recommended for denial, beginning with Claim #19-0908 and ending with Claim #21-0587. The Chairman requested a motion to approve the recommendation to deny the claims as described in the December 9, 2021 agenda. Mr. Hawkland

made a motion to deny the claims for payment. Mr. Coulter seconded the motion and it passed unanimously.

1. 19-0908 Jefferson Parish
2. 20-0422 Old Republic Insurance Company
3. 20-0436 Retailers Casualty Insurance Company
4. 20-0593 LA Automobile Dealers Assn.
5. 20-0628 Louisiana Restaurant Association
6. 20-0680 City of New Orleans
7. 20-0694 Roman Catholic Church of New Orleans
8. 20-0714 LA Workers' Compensation Corp.
9. 20-0717 LA Workers' Compensation Corp.
10. 20-0719 Safety National Casualty Corporation
11. 20-0744 LA Workers' Compensation Corp.
12. 20-0750 LA Workers' Compensation Corp.
13. 20-0779 Norguard Insurance Company
14. 20-0780 Louisiana Restaurant Association
15. 20-0904 LCTA Casualty Ins. Co.
16. 20-0921 City of Lake Charles
17. 20-0924 St. Tammany Parish School Board
18. 20-0930 Office of Risk Management
19. 20-0936 Office of Risk Management
20. 20-0948 Accident Fund Ins. Co. of America
21. 20-0949 Terrebonne Parish Cons. Government
22. 20-0957 - Unknown
23. 20-0966 Office of Risk Management
24. 20-0969 LA Workers' Compensation Corp.
25. 20-0978 Diocese of Houma -Thibodaux
26. 20-0981 Parish Government Risk Management Agency
27. 20-1003 Jefferson Parish
28. 20-1006 Jefferson Parish
29. 20-1022 City of New Orleans
30. 21-0004 Bridgefield Casualty Insurance Company
31. 21-0031 Retailers Casualty Insurance Company
32. 21-0038 Lake Charles Memorial Hospital
33. 21-0067 Indemnity Ins. Co. of North America
34. 21-0069 CNA Insurance Company
35. 21-0078 Transportation Insurance Company
36. 21-0079 Accident Fund Ins. Co. of America
37. 21-0088 Norguard Insurance Company
38. 21-0103 - Unverified
39. 21-0106 Amguard Insurance Company
40. 21-0107 LA Home Builders Assn.- SIF
41. 21-0115 Stonetrust Commercial Ins. Co.
42. 21-0210 American Zurich Ins. Co.
43. 21-0213 Safety National Casualty Corporation
44. 21-0216 New Hampshire Insurance Company (AIG)
45. 21-0225 Ace American Ins. Co
46. 21-0231 - Unverified
47. 21-0237 LA Workers' Compensation Corp.
48. 21-0240 Travelers Property Casualty Company of America
49. 21-0243 LUBA Casualty Insurance Company
50. 21-0252 LA Workers' Compensation Corp.

51. 21-0253 Indemnity Ins. Co. of North America
52. 21-0254 LA Health Care- Self Ins. Fund
53. 21-0258 LA Construction & Industry SIF
54. 21-0270 Diocese of Lake Charles (Catholic Services Center)
55. 21-0276 LA Construction & Industry SIF
56. 21-0320 LA Home Builders Assn.- SIF
57. 21-0363 City of Shreveport
58. 21-0381 - Unknown
59. 21-0403 St. Tammany Parish School Board
60. 21-0470 Jefferson Parish Public School System
61. 21-0478 - Unverified
62. 21-0535 Walgreen Company
63. 21-0559 St. Charles Parish School Board
64. 21-0582 - Unverified
65. 21-0587 LA Municipal Risk Mgmt. Agency

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (249) partial payments due beginning with Claim #00-0181 and ending with Claim #99-0981. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of December 9, 2021. Mr. Coulter seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (39) quarterly payments due beginning with Claim #04-0953 and ending with Claim #87-0229. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of December 9, 2021. Mr. Coulter seconded the motion and it passed unanimously.

Mr. Hansberry called on *Item 7*, Public Comments. No members of the public were wishing to speak at the time.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland made the motion. Mr. Coulter 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 then 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 a quarterly basis for the following (15) claims.

1. 11-0202
2. 15-0332
3. 16-0615
4. 16-0909
5. 17-0213
6. 18-0639
7. 19-0107
8. 19-0112
9. 19-0303
10. 19-0849
11. 19-0964
12. 20-0617
13. 20-0623
14. 21-0017
15. 21-0033

Mr. Hawkland moved to accept the recommendation. Mr. Coulter seconded the motion and it passed unanimously.

The following (1) claims had recommendations for settlement denial and that reimbursement continue on and on-going basis:

1. 19-0326

Mr. Hawkland moved to accept the recommendation. Mr. Coulter seconded the motion and it 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 proceed in the manner shown on the following claims, as discussed in Executive Session.

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| 1. Claim # 16-0143  | Continue Litigation  |
| 2. Claim # 16-0545  | Settlement Authority |
| 3. Claim # 17-0037  | Settlement Authority |
| 4. Claim # 17-0169  | Settlement Authority |
| 5. Claim # 17-0383  | Settlement Authority |
| 6. Claim # 17-0515  | Settlement Authority |
| 7. Claim # 17-0764  | Settlement Authority |
| 8. Claim # 17-0781  | Continue Litigation  |
| 9. Claim # 18-0069  | Settlement Authority |
| 10. Claim # 18-0124 | Continue Litigation  |
| 11. Claim # 18-0681 | Settlement Authority |
| 12. Claim # 18-0711 | Settlement Authority |
| 13. Claim # 18-0771 | Settlement Authority |
| 14. Claim # 18-0779 | Settlement Authority |

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| 15. Claim # 19-0099 | Settlement Authority |
| 16. Claim # 19-0150 | Settlement Authority |
| 17. Claim # 19-0392 | Continue Litigation  |
| 18. Claim # 19-0564 | Settlement Authority |
| 19. Claim # 19-0600 | Settlement Authority |
| 20. Claim # 19-0625 | Settlement Authority |
| 21. Claim # 19-0833 | Settlement Authority |
| 22. Claim # 19-0861 | Settlement Authority |
| 23. Claim # 19-0932 | Continue Litigation  |
| 24. Claim # 20-0051 | Settlement Authority |
| 25. Claim # 20-0324 | Continue Litigation  |
| 26. Claim # 20-0332 | Settlement Authority |
| 27. Claim # 20-0344 | Continue Litigation  |
| 28. Claim # 20-0357 | Continue Litigation  |
| 29. Claim # 20-0370 | Continue Litigation  |
| 30. Claim # 20-0374 | Settlement Authority |
| 31. Claim # 20-0390 | Settlement Authority |
| 32. Claim # 20-0393 | Continue Litigation  |
| 33. Claim # 20-0398 | Continue Litigation  |
| 34. Claim # 20-0431 | Continue Litigation  |
| 35. Claim # 20-0459 | Continue Litigation  |
| 36. Claim # 20-0470 | Continue Litigation  |
| 37. Claim # 20-0508 | Settlement Authority |
| 38. Claim # 20-0768 | Continue Litigation  |
| 39. Claim # 20-0804 | Continue Litigation  |

Mr. Hawkland made the motion. Coulter seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss.

There were no other matters to discuss; therefore, the Chairman asked for a motion to adjourn.

Mr. Hawkland moved to adjourn. Ms. Faber seconded the motion and it passed unanimously.

The meeting adjourned at 3:02 pm

Recording Secretary: Michelle Sumrall