

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of February 7, 2019

The regular meeting of the Second Injury Board convened at 2:01 p.m.

The following were present:

1. Mr. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Mr. Steve Hawkland, representing the Secretary of State, Vice-Chairman
3. Ms. Lynette Mack, representing the State Treasurer
4. Mr. Chip Coulter, representing the Department of Children and Family Services
5. Meridith Trahant, Director of Second Injury Board
6. Karl Scott, General Counsel
7. Ariel, Assistant Attorney, Fraud
8. Mr. Chris Anthony, Louisiana Rehabilitation Services
9. Mr. John Schweitzer, Louisiana Rehabilitation Services
10. Michelle Sumrall, SIB Compliance Supervisor
11. Claudia Brumfield, 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. 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 Ms. Mack, seconded by Mr. Hawkland, and passed unanimously.

Mr. Hansberry moved to *Item 3* on the agenda being there were no hearing requests listed under *Item 2*.

Item 3 on the agenda lists (3) claims where recommendations were made for payment starting with Claim #17-0390 and ending with Claim #17-0811. A motion to approve the claims for payment was made by Mr. Hawkland, seconded by Ms. Mack, and passed unanimously.

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| 1. | 17-0390 | Bridgefield Employers Insurance Company | 104 week deductible |
| 2. | 17-0544 | Walgreen Company | 104 week deductible |
| 3. | 17-0811 | LA Construction & Industry | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, (56) claims recommended for denial, beginning with Claim #17-0342, ending with Claim #18-0748. A request was made for a motion to approve the recommendation to deny the claims as described in the February 7, 2019 agenda. The motion was made by Mr. Hawkland, seconded by Ms. Mack and passed unanimously.

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| 1. | 17-0342 | City of New Orleans |
| 2. | 17-0388 | Indemnity Ins. Co. of North America |
| 3. | 17-0454 | New Hampshire Insurance Company (AIG) |

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4. 17-0552 City of Abbeville
5. 17-0653 Bridgefield Employers Insurance Company
6. 17-0840 Lafayette Parish School Board
7. 17-0857 LA Construction & Industry
8. 17-0858 LA Workers' Compensation Corp.
9. 17-0924 Electric Insurance Company/GE
10. 18-0043 LUBA Casualty Insurance Company
11. 18-0140 City of New Orleans
12. 18-0171 Jefferson Parish Public School System
13. 18-0250 Travelers Property Casualty Company of America
14. 18-0312 Great American Insurance Company
15. 18-0316 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
16. 18-0317 Zurich American Insurance Company
17. 18-0346 Recreation & Park Commission of East Baton Rouge
18. 18-0371 LA Automobile Dealers Assn.
19. 18-0380 LUBA Casualty Insurance Company
20. 18-0384 East Jefferson General Hospital
21. 18-0386 Chubb Group of Insurance
22. 18-0396 Sewerage & Water Board of New Orleans
23. 18-0398 - Unknown
24. 18-0399 LA Workers' Compensation Corp.
25. 18-0400 Travelers Property Casualty Company of America
26. 18-0402 Office of Risk Management
27. 18-0404 Tulane University
28. 18-0410 Office of Risk Management
29. 18-0413 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
30. 18-0414 - Unverified
31. 18-0416 LA Construction & Industry
32. 18-0419 New Hampshire Insurance Company (AIG)
33. 18-0420 LA Construction & Industry
34. 18-0425 LUBA Casualty Insurance Company
35. 18-0426 New Hampshire Insurance Company (AIG)
36. 18-0432 LA Workers' Compensation Corp.
37. 18-0435 Roman Catholic Church of New Orleans
38. 18-0443 BITCO General Ins. Corp. (Formerly Bituminous Casualty
39. 18-0466 Travelers Property Casualty Company of America
40. 18-0471 Argonaut Insurance Group
41. 18-0475 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
42. 18-0481 Zurich American Insurance Company
43. 18-0487 XL Specialty Insurance Company
44. 18-0492 LA Construction & Industry
45. 18-0499 Liberty Mutual Ins. Co.
46. 18-0505 City of New Orleans
47. 18-0508 XL Specialty Insurance Company
48. 18-0514 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
49. 18-0517 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
50. 18-0531 Bridgefield Casualty Insurance Company
51. 18-0538 LUBA Casualty Insurance Company
52. 18-0550 Ace American Ins. Co
53. 18-0580 LA Workers' Compensation Corp.
54. 18-0610 LUBA Casualty Insurance Company
55. 18-0628 LUBA Casualty Insurance Company
56. 18-0748 Lafayette Parish School Board

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (257) partial payments beginning with Claim #82-0350 and ending with Claim #17-0021. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of February 7, 2019. Mr. Hawkland made the motion. It was seconded by Ms. Mack, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (72) quarterly payments due beginning with Claim #99-0558 and ending with Claim #16-0753. Ms. Mack moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of February 7, 2019. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman moved to *Item 7*, Public Comment. No one from the public was present. The Chairman then moved to the next item on the agenda.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland made the motion. It was seconded by Ms. Mack 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 (8) claims.

1. 13-0042
2. 13-0126
3. 16-0001
4. 16-0324
5. 17-0021
6. 17-0465
7. 17-0729
8. 18-0032

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

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The following (2) claims were recommended for settlement denial and that they continue to be paid on an on-going basis:

1. 06-0298
2. 08-0285

Ms. Mack moved to accept the recommendation. It was seconded by Mr. Hawkland 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 proceed in the manner shown on the following claims, as discussed in Executive Session.

1. Claim #11-0842 Claim Dismissed
2. Claim #13-0118 Continue Litigation
3. Claim #13-0210 Resolved
4. Claim #13-0246 Continue Litigation
5. Claim #13-0941 Continue Litigation
6. Claim #13-0958 Continue Litigation
7. Claim #15-0535 Settlement Authority
8. Claim #16-0227 Settlement Authority
9. Claim #16-0766 Settlement Authority
10. Claim #17-0433 Settlement Authority
11. Claim #17-0450 Settlement Authority

A motion was made Mr. Hawkland, seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss. Ms. Trahan gave an update from LRS. To date, there have been 386 case closures with 355 being successful. Currently there are 289 open cases. There have been 675 employees served. SIB funding and Federal drawdown totals \$1,911,276.00 averaging \$2,800.00 per case.

There were then no other matters to discuss. The Chairman asked for a motion to adjourn. Mr. Coulter moved to adjourn. The motion was seconded by Ms. Mack and passed unanimously.

The meeting adjourned at 2:29 pm

Recording Secretary: Claudia Brumfield