

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of July 1, 2021

The regular meeting of the Second Injury Board convened at 2:08 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. John M. Schroder, LA State Treasurer
6. Darrick Lee, Acting Director of Second Injury Board
7. Shana Veade, General Counsel
8. Ta'Tanisha Youngblood, General Counsel
9. Michelle Sumrall, SIB Compliance Supervisor
10. Chandra Cola, SIB Audit & Finance Supervisor
11. Claudia Brumfield, Recording Secretary

Mr. Lee made note that the Board was holding the meeting through video/teleconference pursuant to John Bel Edwards' Executive Order #84-2020, Section 2c.

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 of June 3, 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 Ms. Faber, seconded by Mr. Coulter, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. There was no hearing listed.

Item 3 on the agenda lists (8) claims where recommendations were made for payment starting with Claim #19-0696 and ending with Claim #21-0271. Mr. Hawkland made a motion to approve the claims for payment. Mr. Coulter seconded the motion and it passed unanimously.

1. 19-0696 City of Monroe
2. 19-0849 Louisiana Restaurant Association
3. 20-0175 LA Workers' Compensation Corp.
4. 20-0240 Louisiana Restaurant Association
5. 20-0525 LUBA Casualty Insurance Company
6. 20-0749 LA Workers' Compensation Corp.
7. 20-0771 LUBA Casualty Insurance Company
8. 21-0271 LA Construction & Industry SIF

The Chairman moved to *Item 4* on the agenda, (73) claims recommended for denial, beginning with Claim #19-0958 and ending with Claim #21-0322. The Chairman requested a motion to approve the

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recommendation to deny the claims as described in the July 1, 2021 agenda. Mr. Hawkland made a motion to deny the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 19-0958 Walgreen Company
2. 19-0989 City of Crowley
3. 20-0091 LUBA Casualty Insurance Company
4. 20-0253 LA Workers' Compensation Corp.
5. 20-0344 LA Workers' Compensation Corp.
6. 20-0358 Retailers Casualty Insurance Company
7. 20-0365 Ohio Security Insurance Co.
8. 20-0395 LA Automobile Dealers Assn.
9. 20-0396 Silver Oak Casualty Insurance
10. 20-0402 Office of Risk Management
11. 20-0406 Argonaut Insurance Group
12. 20-0408 LA Workers' Compensation Corp.
13. 20-0410 - Unknown
14. 20-0414 LUBA Casualty Insurance Company
15. 20-0416 Louisiana Restaurant Association
16. 20-0420 Walgreen Company
17. 20-0426 ACE Indemnity Insurance Co.
18. 20-0454 Lafayette Consolidated Government
19. 20-0456 Liberty Mutual Ins. Co.
20. 20-0458 Bridgefield Casualty Insurance Company
21. 20-0460 Indemnity Ins. Co. of North America
22. 20-0462 LA Workers' Compensation Corp.
23. 20-0464 LA Workers' Compensation Corp.
24. 20-0468 New Hampshire Insurance Company (AIG)
25. 20-0470 St. Tammany Parish School Board
26. 20-0472 - Unverified
27. 20-0476 Bridgefield Casualty Insurance Company
28. 20-0503 Louisiana Restaurant Association
29. 20-0506 Jefferson Parish
30. 20-0520 LCTA Casualty Ins. Co.
31. 20-0524 Ace American Ins. Co
32. 20-0553 XL Specialty Insurance Company
33. 20-0580 - Unverified
34. 20-0582 LA Home Builders Assn.- SIF
35. 20-0661 State National Insurance Company
36. 20-0690 - Unverified
37. 20-0705 LA Construction & Industry SIF
38. 20-0708 LA Workers' Compensation Corp.
39. 20-0713 - Unknown
40. 20-0723 LUBA Casualty Insurance Company
41. 20-0725 Arch Insurance Company
42. 20-0729 LA Health Care- Self Ins. Fund
43. 20-0732 LA Workers' Compensation Corp.
44. 20-0735 Liberty Insurance Corporation
45. 20-0738 Liberty Mutual Ins. Co.
46. 20-0741 East Jefferson General Hospital
47. 20-0756 LA Workers' Compensation Corp.
48. 20-0757 - Unknown
49. 20-0758 Retailers Casualty Insurance Company

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50. 20-0769 Lafayette Parish School Board
51. 20-0772 Terrebonne General Medical Center
52. 20-0775 St. Charles Parish School Board
53. 20-0781 Louisiana Restaurant Association
54. 20-0784 Office of Risk Management
55. 20-0793 - Unverified
56. 20-0797 Indemnity Ins. Co. of North America
57. 20-0799 Wal-Mart Associates, Inc.
58. 20-0811 LUBA Casualty Insurance Company
59. 20-0911 Continental Indemnity Company
60. 20-0918 Liberty Mutual Ins. Co.
61. 20-0967 Continental Indemnity Company
62. 20-0994 Liberty Mutual Ins. Co.
63. 20-0997 Crum & Foster Indemnity Company
64. 20-1007 Louisiana Restaurant Association
65. 20-1009 Liberty Mutual Ins. Co.
66. 20-1017 St. John Parish School Board
67. 20-1018 LA Construction & Industry SIF
68. 21-0020 Liberty Mutual Ins. Co.
69. 21-0021 Retailers Casualty Insurance Company
70. 21-0068 Liberty Mutual Ins. Co.
71. 21-0182 Diocese of Houma -Thibodaux
72. 21-0196 St. Martin Parish School Board
73. 21-0322 LUBA Casualty Insurance Company

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (157) partial payments due beginning with Claim #87-0229 and ending with Claim #20-0104. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of July 1, 2021. Ms. Faber seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (84) quarterly payments due beginning with Claim #94-0263 and ending with Claim #19-0816. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of July 1, 2021. Ms. Faber seconded the motion and it passed unanimously.

The Chairman moved to *Item 7*, Public Comment. There were no members of the public present.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland made the motion. Ms. Faber 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 (14) claims.

1. 91-0218
2. 11-0266
3. 15-0493
4. 16-0121
5. 16-0624
6. 17-0219
7. 17-0472
8. 17-0858
9. 18-0358
10. 18-0503
11. 18-0537
12. 19-0049
13. 19-0384
14. 19-0698

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

The following (3) claims had recommendations for settlement denial and that reimbursement continue on and on-going basis:

1. 06-0298
2. 12-0644
3. 18-0649

Mr. Hawkland moved to accept the recommendation. Ms. Faber 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.

1. Claim #12-0751 Settlement Authority
2. Claim #16-0362 Settlement Authority
3. Claim #16-0713 Settlement Authority
4. Claim #17-0331 Continued Litigation
5. Claim #17-0668 Settlement Authority
6. Claim #18-0768 Settlement Authority
7. Claim #18-0843 Settlement Authority
8. Claim #19-0691 Settlement Authority
9. Claim #19-0892 Settlement Authority
10. Claim #19-0927 Settlement Authority

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Ms. Hawkland made the motion. Ms. Faber seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss, which listed the Election of Chairman and Vice-Chairman. Mr. Coulter nominated Mr. Charles Hansberry as Chairman; the motion, made by Mr. Hawkland and seconded by Faber, passed unanimously. Mr. Hawkland nominated Mr. Coulter as Vice-Chairman. The motion, made by Mr. Hawkland and seconded by Asst. Secretary Kellar, passed unanimously.

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 2:33 pm

Recording Secretary: Claudia Brumfield