

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of March 10, 2022

The regular meeting of the Second Injury Board convened at 2:04 p.m.

The following were present or attended via Zoom/Teleconference:

1. Charles Hansberry, representing the Commissioner 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 February 3, 2022. 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 Ms. Faber, and passed unanimously.

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

Item 3 on the agenda lists (3) claims where recommendations were made for payment starting with Claim #20-0818 and ending with Claim #21-0219. Mr. Hawkland made a motion to approve the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 20-0818 LUBA Casualty Insurance Company
2. 20-0944 XL Specialty Insurance Company
3. 21-0219 LA Home Builders Assn.- SIF

The Chairman moved to *Item 4* on the agenda, (46) claims recommended for denial, beginning with Claim #19-0547 and ending with Claim #21-0825. The Chairman requested a motion to approve the recommendation to deny the claims as described in the March 10, 2022 agenda. Mr. Hawkland made a motion to deny the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 19-0547 Markel Insurance Company
2. 20-0953 LA Health Care- Self Ins. Fund
3. 21-0041 Louisiana Restaurant Association
4. 21-0057 St. Charles Parish School Board
5. 21-0076 LUBA Casualty Insurance Company
6. 21-0124 LA Workers' Compensation Corp.

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7. 21-0133 Liberty Mutual Ins. Co.
8. 21-0136 City of New Orleans
9. 21-0139 LA Workers' Compensation Corp.
10. 21-0157 Saia Motor Freight Line
11. 21-0166 Bridgefield Employers Insurance Company
12. 21-0178 Indemnity Ins. Co. of North America
13. 21-0181 City of New Orleans
14. 21-0190 Office of Risk Management
15. 21-0193 Ace Fire Underwriters Ins. Co.
16. 21-0215 - Unverified
17. 21-0247 Great American Insurance Company
18. 21-0285 - Unknown
19. 21-0297 Bridgefield Casualty Insurance Company
20. 21-0341 LUBA Casualty Insurance Company
21. 21-0346 Travelers Indemnity Company
22. 21-0352 - Unknown
23. 21-0367 Stonetrust Commercial Ins. Co.
24. 21-0373 City of New Orleans
25. 21-0382 New Hampshire Insurance Company (AIG)
26. 21-0388 LA Construction & Industry SIF
27. 21-0391 City of New Orleans
28. 21-0394 Jefferson Parish Public School System
29. 21-0397 - Unknown
30. 21-0415 Cracker Barrel Stores, Inc.
31. 21-0459 Jefferson Parish
32. 21-0468 Office of Risk Management
33. 21-0471 City of New Orleans
34. 21-0483 Office of Risk Management
35. 21-0486 City of Lake Charles
36. 21-0495 New Hampshire Insurance Company (AIG)
37. 21-0498 - Unverified
38. 21-0504 City of New Orleans
39. 21-0507 LA Health Care- Self Ins. Fund
40. 21-0513 - Unknown
41. 21-0519 Travelers Indemnity Company
42. 21-0522 Great American Alliance Insurance Company
43. 21-0528 City of New Orleans
44. 21-0541 City of New Orleans
45. 21-0549 LA Health Care- Self Ins. Fund
46. 21-0825 Ins. Co. of N. America

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (186) partial payments due beginning with Claim #00-0380 and ending with Claim #98-1194. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of March 10, 2022. Ms. Faber seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (75) 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 March 10, 2022. Ms. Faber seconded the motion and it passed unanimously.

Mr. Hansberry called on *Item 7*, Public Comments. No one from the public had comments regarding business of the Board.

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. 11-0546
2. 16-0191
3. 16-0192
4. 17-0125
5. 17-0331
6. 19-0600
7. 19-0972
8. 19-0978
9. 20-0092
10. 20-0191
11. 20-0196
12. 20-0374
13. 20-0984
14. 21-0517

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

The following (6) claim had a recommendation for settlement denial and that reimbursement continue on and on-going basis:

1. 08-0518
2. 10-0867
3. 11-0184
4. 13-0116
5. 16-0537
6. 19-0430

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.

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| 1. Claim # 02-1253 | Continue Litigation |
| 2. Claim # 12-0896 | Continue Litigation |
| 3. Claim # 14-0239 | Settlement Authority |
| 4. Claim # 15-0438 | Continue Litigation |
| 5. Claim # 16-0541 | Settlement Authority |
| 6. Claim # 16-0792 | Continue Litigation |
| 7. Claim # 17-0295 | Continue Litigation |
| 8. Claim # 17-0571 | Continue Litigation |
| 9. Claim # 17-0706 | Settlement Authority |
| 10. Claim # 17-0908 | Continue Litigation |
| 11. Claim # 18-0658 | Settlement Authority |
| 12. Claim # 19-0062 | Settlement Authority |
| 13. Claim # 19-0275 | Settlement Authority |
| 14. Claim # 19-0325 | Settlement Authority |
| 15. Claim # 19-0552 | Continue Litigation |
| 16. Claim # 19-0585 | Continue Litigation |
| 17. Claim # 19-0778 | Settlement Authority |
| 18. Claim # 19-0792 | Settlement Authority |
| 19. Claim # 19-0820 | Settlement Authority |
| 20. Claim # 19-0828 | Settlement Authority |
| 21. Claim # 19-0852 | Continue Litigation |
| 22. Claim # 19-0856 | Settlement Authority |
| 23. Claim # 19-0881 | Settlement Authority |
| 24. Claim # 19-0897 | Settlement Authority |
| 25. Claim # 19-0922 | Continue Litigation |
| 26. Claim # 20-0127 | Continue Litigation |
| 27. Claim # 20-0220 | Settlement Authority |
| 28. Claim # 20-0265 | Settlement Authority |
| 29. Claim # 20-0408 | Continue Litigation |
| 30. Claim # 20-0431 | Continue Litigation |
| 31. Claim # 20-0479 | Settlement Authority |
| 32. Claim # 20-0492 | Continue Litigation |
| 33. Claim # 20-0494 | Continue Litigation |
| 34. Claim # 20-0588 | Continue Litigation |
| 35. Claim # 20-0623 | Continue Litigation |
| 36. Claim # 20-0741 | Continue Litigation |
| 37. Claim # 20-0774 | Continue Litigation |
| 38. Claim # 20-0993 | Continue Litigation |
| 39. Claim # 21-0231 | Continue Litigation |
| 40. Claim # 21-0399 | Continue Litigation |

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Mr. Hawkland made the motion. Ms. Faber 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 2:51 pm

Recording Secretary: Claudia Brumfield