

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of March 5, 2020

The regular meeting of the Second Injury Board convened at 2:15 p.m.

The following were present:

1. Charles Hansberry, representing the Commission of Insurance, Chairman
2. Makesha Judson, representing Dept. of Children and Family Services
3. Ashley C. Delrie, representing Dept. of Treasury
4. Meridith Trahant, Director of Second Injury Board
5. Karl Scott, General Counsel
6. Shana Veade, General Counsel
7. Claudia Rush, General Counsel
8. Michelle Sumrall, SIB Compliance Supervisor
9. Chandra Cola, SIB Audit & Finance Supervisor
10. Tiffany Mason, SIB Compliance Officer
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. Delrie, seconded by Ms. Judson, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda listing one hearing request.

1. 19-0511 LA Construction & Industry SIF

Ms. Trahant presented the item, stating that the claim had a recommendation for denial based on insufficient information in the file. She found no issues warranting a hearing and she recommended the Board deny the request. Ms. Judson made a motion to deny the request for a hearing. Ms. Delrie seconded the motion and it passed unanimously.

Item 3 on the agenda lists (6) claims where recommendations were made for payment starting with Claim #18-0714 and ending with Claim #19-0957. Ms. Delrie made a motion to approve the claims for payment. Ms. Judson seconded the motion and it passed unanimously.

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| 1. | 18-0714 | LA Workers' Compensation Corp. | 104 week deductible |
| 2. | 19-0375 | Commerce And Industry Insurance Company | 104 week deductible |
| 3. | 19-0456 | Lafayette Parish School Board | 104 week deductible |
| 4. | 19-0686 | LA Workers' Compensation Corp. | 104 week deductible |
| 5. | 19-0865 | City of Crowley | 104 week deductible |
| 6. | 19-0957 | LA Workers' Compensation Corp. | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, (79) claims recommended for denial, beginning with Claim #17-0675, ending with Claim #19-0851. The Chairman then requested a motion to approve the recommendation to deny the claims as described in the March 5, 2020 agenda. Ms. Judson made motion to deny the claims for payment. Ms. Delrie seconded the motion and it passed unanimously.

1. 17-0675 XL Specialty Insurance Company
2. 18-0107 Everest National Insurance Company
3. 18-0876 Office of Risk Management
4. 18-0881 LA Construction & Industry
5. 18-0885 LA Workers' Compensation Corp.
6. 19-0191 LA Workers' Compensation Corp.
7. 19-0244 - Unverified
8. 19-0247 LA Health Care- Self Ins. Fund
9. 19-0259 LA Workers' Compensation Corp.
10. 19-0262 Indemnity Ins. Co. of North America
11. 19-0265 City of New Orleans
12. 19-0280 Stonetrust Commercial Ins. Co.
13. 19-0304 Walgreen Company
14. 19-0316 New Hampshire Insurance Company (AIG)
15. 19-0318 Office of Risk Management
16. 19-0319 City of Shreveport
17. 19-0334 LA Construction & Industry
18. 19-0344 Bridgefield Casualty Insurance Company
19. 19-0346 Lafayette Parish School Board
20. 19-0348 Office of Risk Management
21. 19-0379 Eastern Alliance Insurance Co.
22. 19-0382 LA Workers' Compensation Corp.
23. 19-0388 Bridgefield Casualty Insurance Company
24. 19-0391 LA Automobile Dealers Assn.
25. 19-0394 LA Workers' Compensation Corp.
26. 19-0397 LUBA Casualty Insurance Company
27. 19-0412 LA Workers' Compensation Corp.
28. 19-0415 Office of Risk Management
29. 19-0427 - Unverified
30. 19-0460 Bridgefield Casualty Insurance Company
31. 19-0462 Old Republic Insurance Company
32. 19-0463 Old Republic Insurance Company
33. 19-0464 Valero Services, Inc.
34. 19-0466 Eastern Alliance Insurance Co.
35. 19-0468 Bridgefield Casualty Insurance Company
36. 19-0480 Bridgefield Casualty Insurance Company
37. 19-0481 Office of Risk Management
38. 19-0483 Travelers Indemnity Company
39. 19-0486 Target Corporation
40. 19-0487 Accident Fund Ins. Co. of America
41. 19-0490 Louisiana Restaurant Association
42. 19-0496 National Union Fire Insurance - Pittsburgh, PA (AIG)
43. 19-0499 Office of Risk Management

Minutes (cont'd)

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44. 19-0500 LA Construction & Industry
45. 19-0501 - Unverified
46. 19-0504 LA Workers' Compensation Corp.
47. 19-0510 LA Workers' Compensation Corp.
48. 19-0513 Lafayette Parish School Board
49. 19-0517 Eastern Alliance Insurance Co.
50. 19-0529 Louisiana Restaurant Association
51. 19-0536 City of New Orleans
52. 19-0557 Milford Casualty Ins. Co. (formerly Milwaukee Casualty Ins. Corp.)
53. 19-0569 - Unverified
54. 19-0581 Norguard Insurance Company
55. 19-0587 Stonetrust Commercial Ins. Co.
56. 19-0590 City of New Orleans
57. 19-0604 LA Workers' Compensation Corp.
58. 19-0608 LA Health Care- Self Ins. Fund
59. 19-0610 West Jefferson Medical Center
60. 19-0612 City of New Orleans
61. 19-0614 Sentry Insurance A Mutual Company
62. 19-0620 Norguard Insurance Company
63. 19-0624 City of New Orleans
64. 19-0626 Safety National Casualty Corporation
65. 19-0628 - Unknown
66. 19-0629 Iberia Parish School Board
67. 19-0633 Terrebonne General Medical Center
68. 19-0634 LA Workers' Compensation Corp.
69. 19-0636 EBR Parish School Board
70. 19-0639 LA Construction & Industry
71. 19-0648 Iberia Parish School Board
72. 19-0654 Bridgefield Casualty Insurance Company
73. 19-0656 Bridgefield Casualty Insurance Company
74. 19-0658 LA Construction & Industry
75. 19-0677 Wal-Mart Associates, Inc.
76. 19-0679 De Soto Parish School Board
77. 19-0681 Louisiana Restaurant Association
78. 19-0751 LUBA Casualty Insurance Company
79. 19-0851 LA Construction & Industry

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (192) partial payments beginning with Claim #81-0333 and ending with Claim #18-0583. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of March 5 2020. Ms. Delrie made the motion. Ms. Judson seconded the motion and it passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (67) quarterly payments due beginning with Claim #83-0557 and ending with Claim #18-0009. Ms. Delrie

moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of March 5, 2020. Ms. Judson seconded the motion and it passed unanimously.

The Chairman moved to *Item 7*, Public Comment. There was no one from the public present.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Ms. Delrie made the motion. Ms. Judson 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 (17) claims.

1. 01-0048 – Indemnity only
2. 04-0396
3. 05-0596
4. 12-0644
5. 16-0227
6. 16-0479
7. 16-0542
8. 17-0259
9. 17-0261 – Indemnity only
10. 17-0784
11. 17-0794
12. 18-0057
13. 18-0185
14. 18-0301
15. 18-0330
16. 18-0466
17. 18-0490

Ms. Delrie moved to accept the recommendation. Ms. Judson seconded the motion and it passed unanimously.

The following (2) claims had recommendations for settlement denial and that reimbursement continue on and on-going basis:

1. 02-0655
2. 14-0014

Ms. Judson moved to accept the recommendation. Ms. Delrie 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 #10-0486 Continue Litigation
2. Claim #12-0160 Settlement Authority
3. Claim #13-0851 Settlement Authority
4. Claim #14-0751 Settlement Authority
5. Claim #16-0121 Settlement Authority
6. Claim #16-0632 Settlement Authority
7. Claim #17-0038 Settlement Authority
8. Claim #17-0559 Settlement Authority
9. Claim #17-0894 Settlement Authority
10. Claim #18-0125 Settlement Authority
11. Claim #18-0250 Settlement Authority
12. Claim #18-0321 Settlement Authority
13. Claim #18-0326 Settlement Authority
14. Claim #18-0367 Continue Litigation
15. Claim #18-0733 Settlement Authority

Ms. Judson made the motion. Ms. Delrie seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss. Ms. Trahan presented information pertaining to LA Rehabilitation Services to the new Board members along with current statistics.

There were then no other matters to discuss. The Chairman asked for a motion to adjourn. Ms. Judson moved to adjourn. Ms. Delrie seconded the motion and it passed unanimously.

The meeting adjourned at 2:57 pm

Recording Secretary: Claudia Brumfield