

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of November 1, 2018

The regular meeting of the Second Injury Board convened at 2:02 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. John Schroder, State Treasurer
5. Meridith Trahant, Director of Second Injury Board
6. Karl Scott, General Counsel
7. Judy Franklin, General Counsel
8. Michelle Bradley, General Counsel
9. Michelle Sumrall, SIB Compliance Supervisor
10. 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 Mr. Hawkland, seconded by Ms. Mack, 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 (8) claims where recommendations were made for payment starting with Claim #17-0575 and ending with Claim #18-0091. A motion to approve the claims for payment was made by Ms. Mack, seconded by Mr. Hawkland, and passed unanimously.

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| 1. | 17-0575 | LA Automobile Dealers Assn. | 104 week deductible |
| 2. | 17-0609 | St. Tammany Parish School Board | 104 week deductible |
| 3. | 17-0645 | Audubon Nature Institute, Inc. | 104 week deductible |
| 4. | 17-0648 | LA Health Care- Self Ins. Fund | 104 week deductible |
| 5. | 17-0663 | LA Municipal Risk Mgmt. Agency | 104 week deductible |
| 6. | 17-0788 | Hartford Ins. Co. of the Midwest | 104 week deductible |
| 7. | 18-0016 | LUBA Casualty Insurance Company | 104 week deductible |
| 8. | 18-0091 | City of New Orleans | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, (41) claims recommended for denial, beginning with Claim #17-0067 and ending with Claim #18-0480. A request was made for a motion to approve the recommendation to deny the claims as described in the November 1, 2018 agenda. The motion was made by Mr. Hawkland, seconded by Ms. Mack and passed unanimously.

1. 17-0067 LA Workers' Compensation Corp.
2. 17-0070 LA Workers' Compensation Corp.
3. 17-0167 Charter Oak Fire Insurance Company, The
4. 17-0261 LA Workers' Compensation Corp.
5. 17-0330 Louisiana Restaurant Association
6. 17-0393 LUBA Casualty Insurance Company
7. 17-0400 LUBA Casualty Insurance Company
8. 17-0458 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
9. 17-0515 LA Workers' Compensation Corp.
10. 17-0594 LA Workers' Compensation Corp.
11. 17-0603 City of New Orleans
12. 17-0626 LA Automobile Dealers Assn.
13. 17-0638 LA Workers' Compensation Corp.
14. 17-0656 LA Home Builders Assn.- SIF
15. 17-0665 LA Health Care- Self Ins. Fund
16. 18-0045 LUBA Casualty Insurance Company
17. 18-0051 Ace American Ins. Co
18. 18-0123 Office of Risk Management
19. 18-0131 Roman Catholic Church of New Orleans
20. 18-0133 LA Municipal Risk Mgmt. Agency
21. 18-0137 - Unverified
22. 18-0141 - Unverified
23. 18-0149 Argonaut Insurance Group
24. 18-0151 LUBA Casualty Insurance Company
25. 18-0153 City of New Orleans
26. 18-0155 Lafayette Parish School Board
27. 18-0157 LA Municipal Risk Mgmt. Agency
28. 18-0159 - Unverified
29. 18-0163 Zurich American Insurance Company
30. 18-0165 LA Workers' Compensation Corp.
31. 18-0170 - Unverified
32. 18-0176 Jefferson Parish Public School System
33. 18-0177 LUBA Casualty Insurance Company
34. 18-0180 Zurich American Insurance Company
35. 18-0185 LA Workers' Compensation Corp.
36. 18-0252 Indemnity Ins. Co. of North America
37. 18-0320 Travelers Property Casualty Company of America
38. 18-0351 Technology Insurance Company
39. 18-0424 Franciscan Missionaries of Our
40. 18-0459 Roman Catholic Church of New Orleans
41. 18-0480 LA Construction & Industry

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (248) partial payments beginning with Claim #80-0247 and ending with Claim #17-0056. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of November 1 2018. The motion was made by Ms. Mack, seconded by Mr. Hawkland, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (73) quarterly payments due beginning with Claim #97-1350 and ending with Claim #16-0753. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of November 1, 2018. The motion was seconded by Ms. Mack 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. Ms. Mack made the motion. It was seconded by Mr. Hawkland 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 (13) claims.

1. 97-0537
2. 06-0675
3. 09-0911
4. 10-0105
5. 11-0186
6. 13-0140
7. 15-0293
8. 16-0025
9. 16-0224
10. 16-0561
11. 17-0263
12. 17-0487
13. 18-0145

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack 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 #10-0490 Continue Litigation
2. Claim #11-0118 Continue Litigation
3. Claim #11-0210 Settlement Authority
4. Claim #13-0210 Continue Litigation
5. Claim #13-0246 Continue Litigation
6. Claim #13-0500 Settlement Authority
7. Claim #13-0915 Continue Litigation
8. Claim #13-0941 Continue Litigation
9. Claim #13-0958 Continue Litigation
10. Claim #14-0043 Continue Litigation
11. Claim #14-0683 Continue Litigation
12. Claim #15-0212 Settlement Authority
13. Claim #16-0041 Continue Litigation
14. Claim #16-0052 Settlement Authority
15. Claim #16-0075 Settlement Authority
16. Claim #16-0113 Continue Litigation
17. Claim #16-0230 Continue Litigation
18. Claim #16-0279 Continue Litigation
19. Claim #16-0359 Settlement Authority
20. Claim #16-0390 Continue Litigation
21. Claim #16-0477 Settlement Authority
22. Claim #16-0621 Continue Litigation
23. Claim #16-0698 Settlement Authority
24. Claim #16-0733 Continue Litigation
25. Claim #16-0757 Continue Litigation
26. Claim #17-0101 Continue Litigation
27. Claim #17-0205 Continue Litigation
28. Claim #17-0294 Continue Litigation
29. Claim #17-0301 Settlement Authority
30. Claim #17-0791 Continue Litigation
31. Claim #17-0795 Continue Litigation

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

The Chairman moved to *Item 9*, any other matters to discuss, which listed one item, the 2018 SIF Assessment Rate recommendation. Ms. Trahan made a recommendation to have no change in the assessment rate and for it to remain at 6.75%. The motion was made by Mr. Hawkland to accept the assessment recommendation of the Director. It was seconded by Mr. Mack, and passed unanimously.

Minutes (cont'd)
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There were then no other matters to discuss. The Chairman asked for a motion to adjourn. Mr. Hawkland moved to adjourn. The motion was seconded by Ms. Mack and passed unanimously.

The meeting adjourned at 2:47 pm
Recording Secretary: Claudia Brumfield