

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of November 10, 2016

The regular meeting of the Second Injury Board convened at 9:03 a.m.

The following were present:

1. Mr. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Ms. Lynette Mack, representing the State Treasurer
3. Mr. Steve Hawkland, representing the Secretary of State
4. Pauline Williams, Deputy Director/Acting Director of Second Injury Board
5. Michelle Sumrall, SIB Compliance Supervisor
6. Karl Scott, General Counsel
7. Meridith Trahan, General Counsel
8. Darrick Lee, General Counsel
9. Shaneka Davis, 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. Hawkland moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Ms. Mack and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda for hearings. No hearings were scheduled so the Chairman moved to *Item 3*.

Item 3 on the agenda lists (9) claims where recommendations were made for payment starting with Claim #15-0467 and ending with Claim #16-0469. The motion to approve the claims for payment was made by Ms. Mack, seconded by Mr. Hawkland and passed unanimously.

1.	15-0467	City of New Orleans	104 week deductible
2.	15-0538	Stonetrust Commercial Insurance Co.	104 week deductible
3.	15-0543	Stonetrust Commercial Insurance Co.	104 week deductible
4.	15-0808	Plantation Mgmt. Company, LLC	104 week deductible
5.	15-0810	Archdiocese of New Orleans	104 week deductible
6.	16-0002	LUBA Casualty Insurance Co.	104 week deductible
7.	16-0209	Zurich American Insurance Company	104 week deductible
8.	16-0397	Louisiana Workers' Compensation Corporation	104 week deductible
9.	16-0469	Louisiana Construction & Industry - SIF	104 week deductible

The Chairman moved to *Item 4* on the agenda, being the recommendation of staff to deny reimbursement for the following (50) claims; beginning with Claim #15-0149 and ending with Claim #16-0637. The motion to deny reimbursement was made by Mr. Hawkland, seconded by Ms. Mack and passed unanimously.

1. 15-0149 St. Tammany Parish School Board
2. 15-0537 City of New Orleans
3. 15-0549 Indemnity Insurance Company of North America
4. 15-0567 Louisiana Workers' Compensation Corporation
5. 15-0602 New Hampshire Insurance Company
6. 15-0603 Stonetrust Commercial Ins. Co.
7. 15-0803 Louisiana Commerce & Trade Association
8. 15-0829 Louisiana Auto Dealers Association
9. 15-0849 Louisiana Home Builders Association- SIF
10. 15-0859 Midwest Employers Casualty Company
11. 15-0881 Retailers Casualty Insurance Company
12. 15-0890 Unverified
13. 16-0028 Lafayette Parish School Board
14. 16-0037 New Hampshire Insurance Company
15. 16-0040 Unverified
16. 16-0052 Lafayette Parish School Board
17. 16-0064 Unverified
18. 16-0068 Louisiana Construction & Industry- SIF
19. 16-0073 Louisiana Office of Risk Management
20. 16-0077 Louisiana Retailers Mutual Insurance Company
21. 16-0080 Bridgefield Casualty Insurance Company
22. 16-0082 Louisiana Office of Risk Management
23. 16-0089 Lafayette Parish School Board
24. 16-0118 Louisiana Office of Risk Management
25. 16-0125 Midwest Employers Casualty Company
26. 16-0131 Louisiana Construction & Industry- SIF
27. 16-0143 Louisiana Workers' Compensation Corporation
28. 16-0146 Louisiana Office of Risk Management
29. 16-0149 LUBA Casualty Insurance Company
30. 16-0152 Unverified
31. 16-0170 St. Charles Parish School Board
32. 16-0175 LUBA Casualty Insurance Company
33. 16-0189 LUBA Casualty Insurance Co.
34. 16-0221 LUBA Casualty Insurance Company
35. 16-0230 Louisiana Construction & Industry- SIF
36. 16-0238 St. Tammany Parish Government
37. 16-0254 LUBA Casualty Insurance Company
38. 16-0255 LA. Automobile Dealers Assn.
39. 16-0265 LUBA Casualty Insurance Company
40. 16-0301 Sentry Insurance
41. 16-0311 Louisiana Workers' Compensation Corporation
42. 16-0347 Louisiana Health Care- Self Ins. Fund
43. 16-0398 Sentry Insurance
44. 16-0419 Ace American Insurance Co.
45. 16-0464 Louisiana Restaurant Association
46. 16-0478 Louisiana Workers' Compensation Corporation
47. 16-0548 Louisiana Restaurant Association
48. 16-0575 Louisiana Municipal Risk Management Agency

49. 16-0614 LA Home Builders Assn.- SIF
50. 16-0637 St. Joseph of Harahan, LLC

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (300) partial payments beginning with Claim #80-0247 and ending with Claim #14-0787. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of November 10, 2016. 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 (95) quarterly payments due beginning with Claim #88-0220 and ending with Claim #13-0984. Ms. Mack moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of November 10, 2016. 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 and the Chairman moved to *Item 8* on the agenda. Mr. Hawkland made a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Ms. Mack seconded the motion and it was passed unanimously.

Upon returning from Executive Session, the Chairman moved to *Item 8a* of the agenda, being settlement recommendations on (6) claims. 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 claims:

1. 03-0252
2. 12-0446
3. 12-0972 Indemnity Only
4. 14-0843
5. 15-0099
6. 15-0624

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

The following (3) claims were recommended for settlement denial and to continue to be paid on an on-going basis:

1. 10-0680

2. 11-0541
3. 12-0708

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 a motion to grant authority to legal counsel as discussed in Executive Session, to represent the Board in the following manner:

1. Claim #10-0416 Settlement Authority
2. Claim #10-0486 Continued Litigation
3. Claim #10-0600 Continued Litigation
4. Claim #10-0892 Settlement Authority
5. Claim #11-0129 Settlement Authority
6. Claim #13-0249 Settlement Authority
7. Claim #14-0117 Settlement Authority
8. Claim #14-0196 Settlement Authority
9. Claim #14-0358 Settlement Authority
10. Claim #14-0481 Settlement Authority
11. Claim #14-0850 Settlement Authority
12. Claim #14-0849 Continued Litigation

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

The Chairman asked if there were any other matters to discuss. Mrs. Williams sought authority to set the 2016 SIB Assessment Rate at 5.95% (see attached). Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

There being no further business to discuss, the Chairman asked for a motion to adjourn. Ms. Mack moved to adjourn. The motion was seconded by Mr. Hawkland and passed unanimously.

The meeting was adjourned at 9:33am
Recording Secretary: Shaneka Davis