

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of October 2, 2014

The regular meeting of the Second Injury Board convened at 2:03 p.m.

The following were present:

1. Mr. Charles Hansberry, Chairman, representing Commissioner of Insurance
2. Mr. Wes Hataway, OWCA Director
3. Ms. Lynette Mack, representing State Treasury
4. Mr. Steve Hawkland, representing Secretary of State
5. Michelle Sumrall, Compliance Supervisor
6. Karl Scott, General Counsel
7. Meridith Trahan, General Counsel
8. Shaneka Davis, Recording Secretary

Mr. Hansberry, Chairman, 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.

The Chairman moved to *Item 2* on the agenda, no hearing schedule for this month. Next the Chairman moved to *Item 3* on the agenda, being the recommendation of staff to approve reimbursement on the following (3) claims; beginning with Claim #13-0925 and ending with Claim #14-0113. The motion was made by Ms. Mack and seconded by Mr. Hawkland and passed unanimously.

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| 1. | 13-0925 | Louisiana Workers' Compensation Corporation | 104 week deductible |
| 2. | 13-1092 | Louisiana Safety Association of Timbermen | 104 week deductible |
| 3. | 14-0113 | Jefferson Parish School Board | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, being the recommendation of staff to deny reimbursement for the following (47) claims; beginning with Claim #12-0769 and ending with Claim #14-0586, *Item 8* claim# 13-0664 has been postpone.

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| 1. | 12-0769 | Plaquemine Parish School Board | |
| 2. | 13-0239 | Louisiana Workers' Compensation Corporation | |
| 3. | 13-0494 | LEMIC Insurance Company | |
| 4. | 13-0510 | Our Lady of the Lake, Inc | |
| 5. | 13-0515 | Bridgefield Casualty Insurance Company | |
| 6. | 13-0548 | None Documented | |
| 7. | 13-0657 | City of New Orleans | |
| 8. | 13-0664 | Louisiana Construction & Industry | POSTPONE |
| 9. | 13-0775 | New Hampshire Insurance Company | |
| 10. | 13-0832 | Louisiana Workers' Compensation Corporation | |

11. 13-0877 East Baton Rouge Parish School Board
12. 13-0928 None Documented
13. 13-0950 None Documented
14. 13-0987 St. Martin Parish School Board
15. 13-1021 Louisiana Retailers Mutual Insurance Company
16. 13-1035 Louisiana Office of Risk Management
17. 13-1058 City of Crowley
18. 13-1076 LEMIC Insurance Company
19. 14-0024 City of Baton Rouge, East Baton Rouge Parish
20. 14-0045 Louisiana Health Care SIF
21. 14-0053 Louisiana Workers' Compensation Corporation
22. 14-0076 Plaquemine Parish School Board
23. 14-0086 Woldenberg Village
24. 14-0090 City of Baton Rouge, East Baton Rouge Parish
25. 14-0091 Louisiana Commerce & Trade Association
26. 14-0096 Louisiana Workers' Compensation Corporation
27. 14-0123 Terrebonne Parish School Board
28. 14-0129 LUBA Casualty Insurance Company
29. 14-0136 Bridgefield Casualty Insurance Company
30. 14-0137 Louisiana Municipal Risk Management Agency
31. 14-0140 City of Shreveport
32. 14-0143 Zurich American Insurance Company
33. 14-0151 Arch Insurance Company
34. 14-0160 None Documented
35. 14-0163 Louisiana Retailers Mutual Insurance Company
36. 14-0173 St. Landry Parish School Board
37. 14-0209 Jefferson Parish School Board
38. 14-0260 LUBA Casualty Insurance Company
39. 14-0279 Ace American Insurance Company
40. 14-0350 LUBA Casualty Insurance Company
41. 14-0367 LUBA Casualty Insurance Company
42. 14-0496 Travelers Property Casualty Company of America
43. 14-0508 LUBA Casualty Insurance Company
44. 14-0528 Louisiana Office of Risk Management
45. 14-0529 Old Republic Insurance Company
46. 14-0567 Illinois National Insurance Company
47. 14-0586 Louisiana Office of Risk Management

Mr. Hawkland moved to accept the recommendation of staff to deny these claims. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (147) partial payments beginning with Claim #81-0040 and ending with Claim #12-0637. Mr. Hansberry asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on

the agenda of October 2, 2014. The motion was made by Mr. Hawkland, seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (102) quarterly payments due beginning with Claim #87-0341 and ending with Claim #12-0789. Mr. Hawkland moved to accept the recommendation of the Director and approve reimbursement of quarterly payments as submitted on the agenda of October 2, 2014. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 7*, Public Comment. No members from the public were in attendance. The Chairman moved to *Item 8* on the agenda. Ms. Mack made a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland 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. Recommendation was requested to expand the agenda and make amendments. Expand the agenda under *Item 8a* to add Claim# 12-0891 and under section (b) Litigation expand the agenda to add Liberty Mutual Insurance Company vs. Louisiana Worker's Compensation SIB; Claim#06-0298. The employee is Dana LeBlanc, Suite# 558,577. Motion to expand the agenda was by Mr. Hawkland and second by Ms. Mack and passed unanimously. It's been recommended by staff that (9) items be paid on a quarterly bases, (see attached). 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. 94-0263
2. 04-0149
3. 11-0029
4. 11-0143
5. 11-0810
6. 12-0891
7. 13-0110 – Indemnity Only
8. 13-0490
9. 13-0595 – Indemnity Only

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

There's (4) times were recommended to be denied for settlement and be paid on an on-going basis:

1. 01-0383
2. 05-0100
3. 05-0664
4. 10-0978

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

1. Claim #12-0060 continue litigation
2. Claim #12-0386 settlement authority
3. Claim #09-0830 settlement authority
4. Claim #12-0365 settlement authority
5. Claim #06-0175 settlement authority
6. Claim #07-0179 settlement authority
7. Claim #10-0040 settlement authority
8. Claim #12-0614 settlement authority
9. Claim #13-0772 settlement authority
10. Claim #13-0116 settlement authority
11. Claim #09-0802 continue litigation
12. Claim #09-0714 settlement authority
13. Claim #06-0298 settlement authority

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

The Chairman states that there are no members from the public. There being no further business to discuss, the Chairman asked for a motion to adjourn. Mr. Hawkland made the motion which was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 2:32 p.m.

Recording Secretary: Shaneka Davis