

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of October 05, 2017

The regular meeting of the Second Injury Board convened at 2:03 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. Chip Coulter, representing the Children and Family Services
5. Meridith Trahan, Acting Director of Second Injury Board
6. Michelle Bradley, General Counsel
7. Karl Scott, General Counsel
8. Darrick Lee, General Counsel
9. Tiffany Mason, SIB Program Compliance Officer
10. Lakisha Johnson, SIB Program 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 Mr. Hawkland seconded by Mr. Coulter 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 (6) claims where recommendations were made for payment starting with Claim #16-0408 and ending with Claim #17-0180. The motion to approve the claims for payment was made by Ms. Mack, seconded by Mr. Hawkland and passed unanimously.

1.	16-0408	Ouachita Parish Police Jury	104 week deductible
2.	16-0503	Ouachita Parish School Board	104 week deductible
3.	16-0649	LA Workers' Compensation Corp.	104 week deductible
4.	16-0709	LA Workers' Compensation Corp.	104 week deductible
5.	16-0763	Brookshire Grocery Company	104 week deductible
6.	17-0180	Our Lady of the Lake, Inc.	104 week deductible

The Chairman moved to *Item 4* on the agenda, (52) claims recommended for denial, beginning with Claim #16-0112 and ending with Claim #17-0549, excluding #24, #25, #37 and # 39 which were postponed. A request was made for a motion to approve the recommendation to deny and postponed the claims as described in the October 5, 2017 agenda. The motion was made by Mr. Hawkland; seconded by Ms. Mack and passed unanimously.

Minutes (cont'd)

Page 2

October 5, 2017

1. 16-0112 Louisiana Workers' Compensation Corporation
2. 16-0597 Louisiana Restaurant Association
3. 16-0718 EBR Parish School Board
4. 16-0735 American Casualty of Reading, PA
5. 16-0863 LUBA Casualty Insurance Company
6. 16-0897 St. Tammany Parish School Board
7. 17-0006 Wesco Insurance Company
8. 17-0024 Safety National Casualty Corporation
9. 17-0029 LUBA Casualty Insurance Company
10. 17-0032 Office of Risk Management
11. 17-0035 Christus St. Frances Cabrini Hospital
12. 17-0041 Amtrust Ins. Co. of Kansas
13. 17-0050 EBR Parish School Board
14. 17-0059 Office of Risk Management
15. 17-0068 LUBA Casualty Insurance Company
16. 17-0071 LUBA Casualty Insurance Company
17. 17-0074 Office of Risk Management
18. 17-0080 Office of Risk Management
19. 17-0086 Commerce And Industry Insurance Company
20. 17-0089 Office of Risk Management
21. 17-0090 Jefferson Parish
22. 17-0092 Coca-Cola Bottling Company United
23. 17-0093 Travelers Indemnity of America
24. ~~17-0095 LA Health Care Self Ins. Fund~~ **POSTPONED**
25. ~~17-0101 LA Automobile Dealers Assn.~~ **POSTPONED**
26. 17-0113 LUBA Casualty Insurance Company
27. 17-0115 LUBA Casualty Insurance Company
28. 17-0153 Indemnity Ins. Co. of North America
29. 17-0156 LA Workers' Compensation Corp.
30. 17-0159 LA Automobile Dealers Assn.
31. 17-0165 Bridgefield Employers Insurance Company
32. 17-0168 LUBA Casualty Insurance Company
33. 17-0171 Harrah's Operating Company, Inc.
34. 17-0174 Federated Rural Electric Insurance
35. 17-0177 Ace American Ins. Co
36. 17-0183 Office of Risk Management
37. ~~17-0189 LA Automobile Dealers Assn.~~ **POSTPONED**
38. 17-0192 LA Commerce & Trade Assn.
39. ~~17-0194 St. Tammany Parish School Board~~ **POSTPONED**
40. 17-0203 LA Automobile Dealers Assn.
41. 17-0207 LUBA Casualty Insurance Company
42. 17-0209 LA Automobile Dealers Assn.
43. 17-0227 Calcasieu Parish School Board
44. 17-0230 Acadia Parish School Board
45. 17-0233 QBE Insurance Corporation
46. 17-0239 Argonaut Insurance Group
47. 17-0242 Terrebonne General Medical Center
48. 17-0253 LUBA Casualty Insurance Company
49. 17-0284 Ochsner Hospital (Ochsner Clinic Foundation)
50. 17-0293 LUBA Casualty Insurance Company
51. 17-0346 Louisiana Workers' Compensation Corporation
52. 17-0549 Libbey, Inc.

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (254) partial payments beginning with Claim #82-0298 and ending with Claim #16-0032. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of October 5, 2017. The motion was made by Mr. Coulter seconded by Mr. Hawkland, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (87) quarterly payments due beginning with Claim #88-0204 and ending with Claim #15-0509. Ms. Mack moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of October 5, 2017. 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; therefore, the Chairman 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. Mr. Hawkland made the motion. It was seconded by Ms. Mack 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 quarterly basis for the following (8) claims.

1. 02-0535
2. 08-0483 – medical only
3. 11-0188
4. 11-0713
5. 14-0004
6. 14-0030
7. 15-0736

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

The following (1) claim was recommended for settlement denial and that it continues to be paid on an on-going basis:

1. 15-0677

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 motion to grant authority to legal counsel to proceed in the manner shown on the following claims, as discussed in Executive Session.

1. Claim #06-0010 Continued Litigation
2. Claim #11-0813 Settlement Authority
3. Claim #13-0471 **POSTPONED**
4. Claim #14-0132 Continued Litigation
5. Claim #14-0915 Continued Litigation
6. Claim #15-0165 Continued Litigation
7. Claim #15-0823 Continued Litigation
8. Claim #15-0880 Settlement Authority
9. Claim #16-0029 Settlement Authority
10. Claim #16-0114 Settlement Authority
11. Claim #16-0286 Continued Litigation
12. Claim #16-0338 Continued Litigation
13. Claim #16-0349 Continued Litigation
14. Claim #16-0370 Continued Litigation
15. Claim #16-0493 Continued Litigation
16. Claim #16-0546 Continued Litigation
17. Claim #15-0567 Continued Litigation
18. Claim #16-0661 Continued Litigation
19. Claim #16-0705 Continued Litigation
20. Claim #16-0736 Continued Litigation

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

The Chairman moved to *Item 9*, asking if there were any other matters to discuss. There were 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 was adjourned at 2:42pm

Recording Secretary: Claudia Brumfield