

**LOUISIANA WORKERS' COMPENSATION SECOND INJURY BOARD
MINUTES**

*Louisiana Workforce Commission
Executive Conference Room, First Floor, Annex Building
1001 North 23rd Street, Baton Rouge, Louisiana 70802
Thursday, December 7, 2023 | 2:00 p.m. CT*

I. Call to Order

Mr. Charles Hansberry, Chair, called to order the Regular Meeting of the Louisiana Workers' Compensation Second Injury Board on December 7, 2023, at 2:07 p.m.

Present

Mr. Charles Hansberry, Chair, representing the Commissioner of Insurance
Mr. Chris Kirby, representing the Secretary of the Department of Children and Family Services
Mr. Steve Hawkland, representing the Secretary of State
Ms. Kayla Kirby, representing the State Treasurer
Mr. Tavares Walker, Assistant Secretary, Office of Workers' Compensation Administration

Absent

None.

Quorum was met.

Also, participating in the meeting were: Ms. Meridith Trahant, SIB Director; Mr. Karl Scott, Assistant Attorney General; Ms. Shana Veade, Attorney; Ms. Ta-Tanisha Youngblood, Attorney; Ms. Devionne Butler, Attorney; Ms. Tamara Hardnett, SIB Program Compliance Supervisor; Ms. Chandra Cola, SIB Audit & Finance Supervisor; Ms. Shawndrika Moore, SIB Program Compliance Officer; and Ms. Claudia Brumfield, Recording Secretary.

II. Reading of minutes of previous meeting

Mr. Hansberry asked for a motion to dispense of the November 2, 2023 meeting minutes. Mr. Hawkland motioned to review the minutes of the last meeting. Mr. Hansberry asked that Board members review the minutes for accuracy. Because typographical errors were noted during the review, Mr. Walker made a motion to table the minutes and have the minutes corrected for the Board's next meeting. Mr. Hawkland seconded the motion, and it unanimously passed.

III. Hearing Requests

None.

IV. Items 1 through 15: Recommended for Payment: Claim #22-0559 to Claim #23-0645

Staff recommended payment of the following 15 claims:

1. 22-0559 LA Workers' Compensation Corp.
2. 22-0648 Louisiana Hospital Association
3. 22-0715 Louisiana Restaurant Association
4. 22-0840 Plaquemines Parish School Board
5. 22-0897 LUBA Casualty Insurance Company
6. 23-0034 Zurich American Insurance Company
7. 23-0136 LA Workers' Compensation Corp.
8. 23-0230 LA Workers' Compensation Corp.
9. 23-0242 Lafayette Parish School Board
10. 23-0300 AIU Insurance Company (AIG)
11. 23-0418 Children's Hospital
12. 23-0436 Lafayette Parish School Board
13. 23-0592 Lafayette Parish School Board
14. 23-0636 Sunz Insurance Company
15. 23-0645 Lafayette Parish School Board.

Upon motion of Mr. Hawkland, seconded by Mr. Kirby, the motion unanimously passed, and the afore-listed claims were approved for payment.

V. Items 1 through 81: Recommended for Denial: Claim #22-0270 to Claim #23-0643

Staff recommended denial of the following 81 claims:

1. 22-0270 Great American Alliance Insurance Company
2. 22-0330 American Zurich Ins. Co.
3. 22-0400 LA Health Care- Self Ins. Fund
4. 22-0445 LUBA Casualty Insurance Company
5. 22-0466 LA Automobile Dealers Assn.
6. 22-0566 Terrebonne Parish Cons. Government
7. 22-0583 LA Automobile Dealers Assn.
8. 22-0585 LA Workers' Compensation Corp.
9. 22-0589 Office of Risk Management
10. 22-0594 - Unverified
11. 22-0597 - Unknown

12. 22-0598 Old Republic Insurance Company
13. 22-0600 City of New Orleans
14. 22-0601 Argonaut Insurance Group
15. 22-0604 Zurich American Insurance Company
16. 22-0606 Tulane University
17. 22-0615 Travelers Property Casualty Company of America
18. 22-0616 Travelers Property Casualty Company of America
19. 22-0621 Tulane University
20. 22-0624 Hartford Accident & Indemnity
21. 22-0627 Office of Risk Management
22. 22-0630 LA Automobile Dealers Assn.
23. 22-0631 LUBA Casualty Insurance Company
24. 22-0636 Continental Indemnity Company
25. 22-0642 Tulane University
26. 22-0646 Office of Risk Management
27. 22-0649 St. Martin Parish School Board
28. 22-0651 Liberty Mutual Ins. Co.
29. 22-0652 Ochsner Hospital (Ochsner Clinic Foundation)
30. 22-0654 - Unknown
31. 22-0655 LA Workers' Compensation Corp.
32. 22-0657 City of New Orleans
33. 22-0658 American Interstate Insurance Company
34. 22-0660 City of New Orleans
35. 22-0667 Coca-Cola Bottling Company United
36. 22-0669 Ins. Co. of the State of PA (AIG)
37. 22-0673 Alaska National Insurance Company
38. 22-0682 Safety National Casualty Corporation
39. 22-0690 Office of Risk Management
40. 22-0691 Indemnity Ins. Co. of North America
41. 22-0693 Plaquemines Parish Government
42. 22-0697 American Interstate Insurance Company
43. 22-0699 Recreation & Park Commission of East Baton Rouge
44. 22-0712 Office of Risk Management
45. 22-0727 Federated Mutual Insurance
46. 22-0771 Phoenix Insurance Company, The
47. 22-0782 LA Workers' Compensation Corp.
48. 22-0805 Sentry Casualty Company
49. 22-0812 LA Workers' Compensation Corp.
50. 22-0830 LA Workers' Compensation Corp.
51. 22-0874 LA Workers' Compensation Corp.
52. 22-0938 Retailers Casualty Insurance Company
53. 22-0949 LA Workers' Compensation Corp.
54. 22-0955 Office of Risk Management
55. 23-0089 Twin City Fire Insurance Company

56.	23-0117	Zurich American Insurance Company
57.	23-0118	Argonaut Insurance Group
58.	23-0122	Tangipahoa Parish School Board
59.	23-0124	- Unverified
60.	23-0127	Retailers Casualty Insurance Company
61.	23-0140	LA Workers' Compensation Corp.
62.	23-0154	LA Workers' Compensation Corp.
63.	23-0158	- Unverified
64.	23-0160	- Unverified
65.	23-0162	Indemnity Ins. Co. of North America
66.	23-0172	Old Republic Insurance Company
67.	23-0180	Willis-Knighton Medical Center
68.	23-0184	LA Municipal Risk Mgmt. Agency
69.	23-0220	Federal Express Corporation
70.	23-0326	- Unverified
71.	23-0359	Louisiana Restaurant Association
72.	23-0368	- Unverified
73.	23-0385	LUBA Casualty Insurance Company
74.	23-0488	LA Home Builders Assn.- SIF
75.	23-0494	Zurich American Insurance Company
76.	23-0521	North River Insurance Co., The
77.	23-0575	Safety First Insurance Company
78.	23-0598	Argonaut Insurance Group
79.	23-0600	Retailers Casualty Insurance Company
80.	23-0629	- Unverified
81.	23-0643	- Unknown.

Upon motion of Mr. Hawkland, seconded by Mr. Kirby, the motion unanimously passed, and the afore-listed claims were unanimously denied for payment.

VI. Recommended for Approval of Partial Payments Due: Claim #00-0985 to Claim #99-0623

Staff recommended payment of 140 partial payments in the total amount of \$2,679,975.68 for Claim #99-0985 to Claim #99-0623.

Upon motion of Mr. Hawkland, seconded by Mr. Kirby, the motion unanimously passed, and partial payments in the total amount of \$2,679,975.68 for 140 claims beginning with Claim #00-0985 to Claim #99-0623 were approved.

VII. Recommended for Approval of Quarterly Payments Due: Claim #10-0463 to Claim #98-0998

Staff recommended payment of 74 quarterly payments in the total amount of \$1,077,659.00 for Claim #99-0985 to Claim #99-0623.

Upon motion of Mr. Hawkland, seconded by Mr. Kirby, the motion unanimously passed, and quarterly payments in the amount of \$1,077,659.00 for 74 claims beginning with Claim #10-0463 to Claim #98-0998 were approved.

VIII. Public Comments

Ms. Terrel Thomas, attorney for LCTA Casualty Insurance Company and Ms. Melissa Campesi, CEO of LCTA Casualty Insurance Company (LCTA), registered for public comment.

A request to change Item 9(a)-LCTA in the order of the agenda items was made by Ms. Thomas. On motion of Mr. Hawkland of the same, seconded by Mr. Walker, the motion unanimously passed and approved. The amendment of the agenda allowed Ms. Thomas and Ms. Campesi to address the Board regarding their proposed compromise agreement.

Ms. Thomas and Ms. Campesi presented LCTA's proposed compromise agreement to the Board in reference to the transfer of Workers' Compensation Second Injury Fund reimbursement payments of LCTA's accepted and approved claims to AmFed National Insurance Company (AmFed) during a prospective sale of LCTA to AmFed.

IX. Executive Session - Discussion concerning Second Injury Board Litigation & Settlements

Upon motion of Mr. Hawkland, seconded by Mr. Kirby, the motion unanimously passed and the Board entered into Executive Session.

The Board concluded Executive Session and reconvened into its regular meeting.

X. Recommendation for Review of Settlement

Staff recommended settlement to be reimbursed on a quarterly basis of the following 15 claims:

1. 05-0035
2. 05-0177
3. 16-0653
4. 18-0169

5. 18-0838
6. 19-0550
7. 20-0191
8. 20-0257
9. 20-0510
10. 20-0533
11. 22-0320
12. 22-0635
13. 22-0828
14. 23-0016
15. 92-0961.

Upon motion of Mr. Hawkland, seconded by Mr. Kirby, the motion unanimously passed, and the 15 afore-listed claims were approved for settlement to be reimbursed on a quarterly basis.

XI. Second Injury Board Litigation

Upon motion of Mr. Hawkland, seconded by Mr. Kirby, the motion unanimously passed, and legal counsel was authorized to proceed in the manner noted for the following claims that are currently in litigation:

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| 1. | 17-0343 | Settlement Authority granted |
| 2. | 18-0819 | Settlement Authority granted |
| 3. | 20-0093 | Settlement Authority granted |
| 4. | 21-0174 | Settlement Authority granted |
| 5. | 21-0604 | Settlement Authority granted |
| 6. | 22-0065 | Settlement Authority granted |
| 7. | 22-0147 | Settlement Authority granted |
| 8. | 22-0148 | Settlement Authority granted |
| 9. | 22-0199 | Settlement Authority granted |
| 10. | 22-0426 | Settlement Authority granted |
| 11. | 22-0427 | Settlement Authority granted |
| 12. | 22-0557 | Settlement Authority granted. |

XII. Any other matters requiring attention:

a. LCTA - Settlement/compromise request

On motion of Mr. Hawkland, seconded by Mr. Kirby, the motion unanimously passed, and LCTA's proposed compromise agreement was taken under Board advisement and will be placed on the Board's January 2024 meeting agenda and that a resolution or approval letter may be drafted for the Board's review.

b. Next meeting scheduled for January 11, 2024

XIV. Adjournment

Upon motion of Mr. Walker, seconded by Mr. Hawkland, the meeting was adjourned at 3:14 p.m.