

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of September 5, 2019

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

The following were present:

1. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State, Vice-Chairman
3. Lynette Mack, representing the State Treasurer
4. John Schroder, LA the State Treasurer
5. Meridith Trahan, Director of Second Injury Board
6. Karl Scott, General Counsel
7. Shana Veade, General Counsel
8. Claudia Rush, General Counsel
9. Michelle Sumrall, SIB Compliance Supervisor
10. Chandra Cola, SIB Audit & Finance Supervisor
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 Ms. Mack, and passed unanimously.

Mr. Hansberry moved to *Item 2*, on the agenda listing one hearing request.

1. 19-0107 LA Construction and Industry SIF

Ms. Trahan stated that the claim had a recommendation for denial based on merger. She found no issues warranting a hearing and she recommended the Board deny the request. Mr. Hawkland made a motion to deny the request for a hearing. Ms. Mack seconded the motion and it passed unanimously.

*Item 3* on the agenda lists (5) claims where recommendations were made for payment starting with Claim #18-0683 and ending with Claim #19-0302. Mr. Hawkland made a motion to approve the listed claims for payment. Ms. Mack seconded the motion and it passed unanimously.

- |    |         |                                 |                     |
|----|---------|---------------------------------|---------------------|
| 1. | 18-0683 | LAC-Self-Insured Fund           | 104 week deductible |
| 2. | 19-0003 | Louisiana Hospital Association  | 104 week deductible |
| 3. | 19-0253 | LUBA Casualty Insurance Company | 104 week deductible |
| 4. | 19-0277 | St. Tammany Parish School Board | 104 week deductible |
| 5. | 19-0302 | City of Shreveport              | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, (72) claims recommended for denial, beginning with Claim #18-0006, ending with Claim #19-0328. The Chairman requested a motion to approve the recommendation to deny the claims as described in the September 5, 2019 agenda. Ms. Mack made motion to approve the claims for payment. Mr. Hawkland seconded the motion and it passed unanimously.

1. 18-0006 LA Workers' Compensation Corp.
2. 18-0197 LA Workers' Compensation Corp.
3. 18-0365 LA Health Care- Self Ins. Fund
4. 18-0407 LA Workers' Compensation Corp.
5. 18-0422 LA Workers' Compensation Corp.
6. 18-0437 West Feliciana Parish School Board
7. 18-0453 XL Specialty Insurance Company
8. 18-0507 LA Workers' Compensation Corp.
9. 18-0562 LA Workers' Compensation Corp.
10. 18-0566 - Unverified
11. 18-0665 Office of Risk Management
12. 18-0718 Argonaut Insurance Group
13. 18-0733 Phoenix Insurance Company, The
14. 18-0735 Ace American Ins. Co
15. 18-0767 CNA Insurance Company
16. 18-0768 - Unknown
17. 18-0839 Retailers Casualty Insurance Company
18. 18-0843 LA Construction & Industry
19. 18-0852 LA Construction & Industry
20. 18-0855 Retailers Casualty Insurance Company
21. 18-0858 LA Workers' Compensation Corp.
22. 18-0861 Capital Area Transit System (Formerly Capital Transportation Corp.)
23. 18-0867 Great American Alliance Insurance Company
24. 18-0870 Retailers Casualty Insurance Company
25. 18-0872 XL Specialty Insurance Company
26. 18-0873 XL Specialty Insurance Company
27. 18-0878 Office of Risk Management
28. 18-0879 Lafayette General Health
29. 18-0888 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
30. 18-0891 Electric Insurance Company/GE
31. 19-0001 Office of Risk Management
32. 19-0002 Office of Risk Management
33. 19-0007 St. Tammany Parish Hospital
34. 19-0010 LUBA Casualty Insurance Company
35. 19-0013 Bridgefield Casualty Insurance Company
36. 19-0016 LA Workers' Compensation Corp.
37. 19-0018 LUBA Casualty Insurance Company
38. 19-0019 LA Construction & Industry
39. 19-0022 Roman Catholic Church of New Orleans
40. 19-0024 LA Workers' Compensation Corp.
41. 19-0025 Ace American Ins. Co
42. 19-0027 Employers Ins. Co. of Wausau
43. 19-0028 City of Natchitoches
44. 19-0031 LUBA Casualty Insurance Company

45. 19-0034 Ace American Ins. Co
46. 19-0036 Louisiana Hospital Association
47. 19-0037 North Oaks Medical Center
48. 19-0042 LA Construction & Industry
49. 19-0071 Ace American Ins. Co
50. 19-0077 LA Automobile Dealers Assn.
51. 19-0080 Retailers Casualty Insurance Company
52. 19-0083 LUBA Casualty Insurance Company
53. 19-0086 LA Home Builders Assn.- SIF
54. 19-0092 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
55. 19-0098 Liberty Mutual Ins. Co.
56. 19-0101 Great American Alliance Insurance Company
57. 19-0104 LA Municipal Risk Mgmt. Agency
58. 19-0110 LA Workers' Compensation Corp.
59. 19-0111 Bridgefield Casualty Insurance Company
60. 19-0116 LA Workers' Compensation Corp.
61. 19-0119 LA Health Care- Self Ins. Fund
62. 19-0122 - Unverified
63. 19-0125 Louisiana Restaurant Association
64. 19-0128 North Oaks Medical Center
65. 19-0131 Ochsner West Bank
66. 19-0133 Indemnity Ins. Co. of North America
67. 19-0142 LA Construction & Industry
68. 19-0145 Ace American Ins. Co
69. 19-0146 Jefferson Parish Public School System
70. 19-0177 Argonaut Insurance Group
71. 19-0179 - Unknown
72. 19-0328 Office of Risk Management

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (208) partial payments beginning with Claim #77-0304 and ending with Claim #18-0766. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of September 5, 2019. Ms. Mack made the motion. Mr. Hawkland seconded the motion and it passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (45) quarterly payments due beginning with Claim #83-0084 and ending with Claim #16-0594. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of September 5, 2019. Ms. Mack seconded the motion and it passed unanimously.

The Chairman moved to *Item 7*, Public Comment. There were no members of the public present.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Ms. Mack made the motion. Mr. Hawkland seconded the motion 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 a quarterly basis for the following (13) claims.

1. 07-0921
2. 09-0262 – Indemnity only
3. 14-0505
4. 15-0780
5. 15-0877
6. 16-0101
7. 16-0323
8. 16-0616
9. 17-0633
10. 18-0009 – Indemnity only
11. 18-0085
12. 18-0269

Mr. Hawkland moved to accept the recommendation. Ms. Mack seconded the motion and it passed unanimously.

Mr. Hansberry mentioned at this time, Item 10, Claim #16-0792, was postponed from the meeting.

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

1. 11-0372

Ms. Mack moved to accept the recommendation. Mr. Hawkland seconded the motion and it 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 #03-0731 Continue Litigation
2. Claim #08-0485 Continue Litigation
3. Claim #09-0438 Continue Litigation
4. Claim #09-0779 Continue Litigation
5. Claim #11-0362 Settlement Authority
6. Claim #12-0163 Continue Litigation
7. Claim #13-0616 Settlement Authority
8. Claim #14-0376 Continue Litigation
9. Claim #14-0525 Settlement Authority
10. Claim #15-0083 Settlement Authority
11. Claim #15-0557 Settlement Authority
12. Claim #16-0003 Settlement Authority
13. Claim #16-0253 Settlement Authority
14. Claim #16-0555 Settlement Authority
15. Claim #16-0749 Settlement Authority
16. Claim #17-0028 Settlement Authority
17. Claim #17-0082 Settlement Authority
18. Claim #17-0256 Settlement Authority
19. Claim #17-0296 Settlement Authority
20. Claim #17-0351 Settlement Authority
21. Claim #17-0409 Settlement Authority
22. Claim #17-0448 Settlement Authority
23. Claim #17-0595 Settlement Authority
24. Claim #17-0666 Continue Litigation
25. Claim #17-0784 Settlement Authority
26. Claim #18-0466 Settlement Authority

Ms. Mack made the motion. Mr. Hawkland seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss.

There were then no other matters to discuss. The Chairman asked for a motion to adjourn. Ms. Mack moved to adjourn. Mr. Hawkland seconded the motion and it passed unanimously.

Minutes (cont'd)  
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The meeting adjourned at 2:48 pm

Recording Secretary: Claudia Brumfield