

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of September 7, 2023

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

The following were present:

1. J. Robert Wooley, LA Workforce Commission Secretary
2. Charles Hansberry, representing the Commissioner of Insurance, Chairman
3. Kayla Kirby, representing the State Treasurer
4. Steve Hawkland, representing the Secretary of State
5. Courtney Olivia, representing Dept. of Children & Family Services
6. Meridith Trahan, SIB Director
7. Karl Scott, General Counsel
8. Ta'Tanisha Youngblood, General Counsel
9. Devionne Butler, General Counsel
10. Shana Veade, General Counsel
11. Chandra Cola, SIB Audit & Finance Supervisor
12. Tamara Hardnett, SIB Compliance
13. Shawndrika Moore, SIB Compliance
14. Claudia Brumfield, Recording Secretary

The Chairman began the meeting with *Item 1* on the agenda, being the reading of the minutes from the previous meeting of September 7, 2023. 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. Olivia, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests, listing (1) hearing request.

1. 22-0666 ACE/CHUBB

Ms. Trahan presented claim #22-0666, she made reference to LA R.S. 23:1378(B) regarding request for hearings. She stated that both claims had insufficient information and that a summary be provided for additional information. She recommended the Board deny the requests. Mr. Hawkland made a motion to deny the request for a hearing. Mr. Kirby seconded the motion and it passed unanimously.

*Item 3* on the agenda lists (19) claim where a recommendation was made for payment with Claim #21-0651 and ending with #23-0465. Mr. Hawkland made a motion to approve the claims for payment. Ms. Olivia seconded the motion and it passed unanimously.

1. 21-0651 Retailers Casualty Insurance Company
2. 21-0818 Retailers Casualty Insurance Company
3. 22-0004 LA Workers' Compensation Corp.
4. 22-0079 LA Automobile Dealers Assn.

5. 22-0107 Tangipahoa Parish School Board
6. 22-0360 Travelers Property Casualty Company of America
7. 22-0470 Retailers Casualty Insurance Company
8. 22-0516 Jefferson Parish Public School System
9. 22-0688 Technology Insurance Company
10. 23-0165 LUBA Casualty Insurance Company
11. 23-0169 Terrebonne Parish School Board
12. 23-0324 St. Charles Parish School Board
13. 23-0395 Ouachita Parish Police Jury
14. 23-0465 LA Workers' Compensation Corp.

The Chairman moved to *Item 4* on the agenda, (116) claims recommended for denial, beginning with Claim #19-0821, ending with Claim #23-0312. The Chairman requested a motion to approve the recommendation to deny the claims as described in the September 7, 2023, 2023 agenda. Mr. Hawkland made a motion to deny the claims for payment. Ms. Olivia seconded the motion and it passed unanimously.

1. 19-0821 LA Workers' Compensation Corp.
2. 20-0101 National Union Fire Insurance Company (AIG)
3. 20-0229 St. Charles Parish School Board
4. 21-0576 - Unknown
5. 21-0786 American Casualty of Reading, PA
6. 21-0828 LA Workers' Compensation Corp.
7. 21-0867 Liberty Mutual Ins. Co.
8. 21-0915 LA Workers' Compensation Corp.
9. 21-0927 LA Workers' Compensation Corp.
10. 22-0016 - Unknown
11. 22-0095 Lafayette Parish School Board
12. 22-0101 Jefferson Parish
13. 22-0104 LA Workers' Compensation Corp.
14. 22-0110 LA Workers' Compensation Corp.
15. 22-0122 Tangipahoa Parish School Board
16. 22-0131 LA Workers' Compensation Corp.
17. 22-0143 City of Crowley
18. 22-0149 City of New Orleans
19. 22-0155 - Unverified
20. 22-0158 Office of Risk Management
21. 22-0173 Lm Insurance Corporation
22. 22-0179 City of New Orleans
23. 22-0182 St. Bernard Parish Government
24. 22-0194 Louisiana Restaurant Association
25. 22-0200 Liberty Mutual Ins. Co.
26. 22-0203 LA Home Builders Assn.- SIF
27. 22-0205 Lafayette General Health
28. 22-0217 American Zurich Ins. Co.

29. 22-0227 City of New Orleans
30. 22-0239 LA Construction & Industry SIF
31. 22-0245 Zurich American Insurance Company
32. 22-0251 Office of Risk Management
33. 22-0253 Liberty Insurance Corporation
34. 22-0257 - Unverified
35. 22-0263 Boise Cascade, LLC
36. 22-0272 United Wisconsin Ins. Co.
37. 22-0274 Regional Transit Authority
38. 22-0288 LA Construction & Industry SIF
39. 22-0296 Safety National Casualty Corporation
40. 22-0300 Liberty Mutual Ins. Co.
41. 22-0312 LA Construction & Industry SIF
42. 22-0314 Office of Risk Management
43. 22-0316 Stonetrust Commercial Ins. Co.
44. 22-0322 Stonetrust Commercial Ins. Co.
45. 22-0323 Ochsner Hospital (Ochsner Clinic Foundation)
46. 22-0324 Lafayette General Health
47. 22-0328 Argonaut Insurance Group
48. 22-0332 Tulane University
49. 22-0334 Great American Alliance Insurance Company
50. 22-0336 - Unverified
51. 22-0338 LA Workers' Compensation Corp.
52. 22-0348 Arch Insurance Company
53. 22-0350 Ace American Ins. Co
54. 22-0354 - Unverified
55. 22-0356 Office of Risk Management
56. 22-0374 Illinois National Insurance Company (AIG)
57. 22-0376 - Unknown
58. 22-0378 St. Bernard Parish School Board
59. 22-0380 - Unknown
60. 22-0386 - Unverified
61. 22-0388 Office of Risk Management
62. 22-0390 Acadia Parish School Board
63. 22-0412 LUBA Casualty Insurance Company
64. 22-0415 Bridgefield Casualty Insurance Company
65. 22-0427 LUBA Casualty Insurance Company
66. 22-0430 LA Construction & Industry SIF
67. 22-0439 Lafayette Parish School Board
68. 22-0451 City of Lake Charles
69. 22-0524 LA Construction & Industry SIF
70. 22-0549 LUBA Casualty Insurance Company
71. 22-0567 Jefferson Parish Public School System
72. 22-0575 Arch Insurance Company
73. 22-0625 Lafayette Parish School Board
74. 22-0666 - Unverified
75. 22-0775 Office of Risk Management

76. 22-0820 Plaquemines Parish School Board
77. 22-0831 Arch Insurance Company
78. 22-0845 LA Construction & Industry SIF
79. 22-0848 LA Construction & Industry SIF
80. 22-0851 LA Workers' Compensation Corp.
81. 22-0854 City of New Orleans
82. 22-0856 LA Workers' Compensation Corp.
83. 22-0857 LA Workers' Compensation Corp.
84. 22-0860 Jefferson Parish Public School System
85. 22-0868 Argonaut Insurance Group
86. 22-0871 Argonaut Insurance Group
87. 22-0876 Office of Risk Management
88. 22-0878 American Zurich Ins. Co.
89. 22-0882 Office of Risk Management
90. 22-0884 LUBA Casualty Insurance Company
91. 22-0886 LA Automobile Dealers Assn.
92. 22-0887 Jefferson Parish Public School System
93. 22-0888 Jefferson Parish Public School System
94. 22-0890 LUBA Casualty Insurance Company
95. 22-0894 LA Construction & Industry SIF
96. 22-0899 LUBA Casualty Insurance Company
97. 22-0901 City of Shreveport
98. 22-0905 Zurich American Insurance Company
99. 22-0907 Zurich American Insurance Company
100. 22-0908 St. Tammany Parish School Board
101. 22-0909 Zurich American Insurance Company
102. 22-0911 - Unknown
103. 22-0927 LA Home Builders Assn.- SIF
104. 22-0929 LA Workers' Compensation Corp.
105. 22-0933 St. Mary Parish School Board
106. 22-0935 Travelers Property Casualty Company of America
107. 22-0937 Retailers Casualty Insurance Company
108. 22-0939 St. Landry Parish School Board
109. 22-0943 St. Tammany Parish School Board
110. 22-0961 LA Workers' Compensation Corp.
111. 22-0963 - Unknown
112. 23-0036 St. Tammany Parish School Board
113. 23-0179 Jefferson Parish Public School System
114. 23-0199 Regional Transit Authority
115. 23-0244 LA Construction & Industry SIF
116. 23-0312 LA Construction & Industry SIF

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (132) partial payments due beginning with Claim #00-0522 and ending with Claim #99-0779. Mr. Hawkland moved

to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of September 7, 2023. Ms. Olivia seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (81) quarterly payments due beginning with Claim #10-0463 and ending with Claim #98-0998. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of September 7, 2023. Ms. Olivia seconded the motion and it passed unanimously.

Mr. Hansberry called on *Item 7*, Public Comments. There were no members of the public present; therefore, Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland made the motion. Ms. Olivia 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 staff 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. 12-0896
2. 13-0482
3. 13-0556
4. 16-0482
5. 17-0685
6. 18-0321
7. 19-0139
8. 20-0753
9. 20-0830
10. 21-0819
11. 22-0083
12. 22-0385
13. 22-0866

Mr. Hawkland moved to accept the recommendations. Ms. Olivia seconded the motion and it passed unanimously.

The following (1) claim had recommendation for settlement denial and that reimbursement continue on and on-going basis:

1. 15-0591

Mr. Hawkland moved to accept the recommendation. Ms. Olivia 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 # 11-0238 Continue Litigation
2. Claim # 15-0438 Continue Litigation
3. Claim # 15-0186 Settlement Authority
4. Claim # 18-0664 Settlement Authority
5. Claim # 19-0532 Settlement Authority
6. Claim # 19-0965 Settlement Authority
7. Claim # 20-0510 Settlement Authority
8. Claim # 20-0913 Settlement Authority
9. Claim # 21-0114 Settlement Authority
10. Claim # 21-0569 Settlement Authority
11. Claim # 21-0656 Settlement Authority
12. Claim # 22-0040 Settlement Authority

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

The Chairman moved to *Item 9*, any other matters to discuss. SIB Director, Ms. Trahant

introduced Ms. Tamara Hardnett as the new SIB Compliance Supervisor to the Board. Ms. Trahant gave an Audit Litigation Update, stating out of 1200 case they are down to 518 cases to be worked.

There were no other matters to discuss; therefore, the Chairman asked for a motion to adjourn.

Mr. Hawkland moved to adjourn. Ms. Olivia seconded the motion and it passed unanimously.

The meeting adjourned at 2:30 pm

Recording Secretary: Claudia Brumfield