

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of August 6, 2020

The regular meeting of the Second Injury Board convened at 2:02 p.m.

The following were present or attended via Zoom/Teleconference:

1. Charles Hansberry, representing the Commission of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State
3. Chip Coulter, representing Dept. of Children and Family Services
4. Leigh Anne Faber, representing the State Treasurer
5. Darrick Lee, Acting Director of Second Injury Board
6. Meridith Trahan, Executive Counsel/Director of Second Injury Board
7. Karl Scott, General Counsel
8. Shana Veade, General Counsel
9. Claudia Rush, General Counsel
10. Michelle Sumrall, SIB Compliance Supervisor/Recording Secretary
11. Chandra Cola, SIB Audit & Finance Supervisor

Ms. Trahan made note that the Board was holding the meeting through video/teleconference pursuant to John Bel Edwards' Executive Order #84-2020, Section 2c.

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 of July 8, 2020. 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. Coulter, seconded by Mr. Hawkland, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. There were no hearings listed, therefore, the Chairman moved to *Item 3*.

Item 3 on the agenda lists (6) claims where recommendations were made for payment starting with Claim #19-0210 and ending with Claim #20-0104. Mr. Hawkland made a motion to approve the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 19-0210 LUBA Casualty Insurance Company
2. 19-0641 Roman Catholic Church of New Orleans
3. 19-0848 LAC-Self-Insured Fund
4. 20-0048 Zurich American Insurance Company
5. 20-0090 LA Municipal Risk Mgmt. Agency
6. 20-0104 Lafayette Parish School Board

The Chairman moved to *Item 4* on the agenda, (65) claims recommended for denial, beginning with Claim #18-0559, ending with Claim #20-0021. The Chairman then requested a motion to approve

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the recommendation to deny the claims as described in the August 6, 2020 agenda. Mr. Hawkland made motion to deny the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 18-0559 Slidell Memorial Hospital
2. 18-0601 LA Workers' Compensation Corp.
3. 18-0836 Retailers Casualty Insurance Company
4. 19-0140 LA Home Builders Assn.- SIF
5. 19-0354 LA Municipal Risk Mgmt. Agency
6. 19-0511 LA Construction & Industry
7. 19-0525 St. Charles Parish School Board
8. 19-0576 City of Natchitoches
9. 19-0577 Ace American Ins. Co
10. 19-0601 Ins. Co. of the State of PA (AIG)
11. 19-0625 GuideOne Mutual Insurance Company
12. 19-0635 LA Construction & Industry
13. 19-0643 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
14. 19-0645 St. Landry Parish School Board
15. 19-0649 Retailers Casualty Insurance Company
16. 19-0653 City of Kenner
17. 19-0655 Continental Indemnity Company
18. 19-0662 - Unverified
19. 19-0663 City of New Orleans
20. 19-0664 Louisiana Restaurant Association
21. 19-0667 - Unverified
22. 19-0669 LA Health Care- Self Ins. Fund
23. 19-0671 Office of Risk Management
24. 19-0673 LA Health Care- Self Ins. Fund
25. 19-0675 Great American Alliance Insurance Company
26. 19-0683 LUBA Casualty Insurance Company
27. 19-0685 LA Workers' Compensation Corp.
28. 19-0687 LA Construction & Industry
29. 19-0691 St. Charles Parish School Board
30. 19-0693 City of New Orleans
31. 19-0695 Berkshire Hathaway Homestate Ins.
32. 19-0697 Office of Risk Management
33. 19-0703 St. Landry Parish School Board
34. 19-0709 Roman Catholic Church of New Orleans
35. 19-0711 Lincoln Parish School Board
36. 19-0712 St. Tammany Parish Government
37. 19-0715 Parish Government Risk Management Agency
38. 19-0717 Pennsylvania Manufacturers Assn Ins Co/PMA Ins Group
39. 19-0719 - Unverified
40. 19-0721 Pennsylvania Manufacturers Assn Ins Co/PMA Ins Group
41. 19-0723 Safety National Casualty Corporation
42. 19-0726 Bridgefield Casualty Insurance Company
43. 19-0727 Norguard Insurance Company
44. 19-0728 LA Construction & Industry
45. 19-0748 Office of Risk Management
46. 19-0752 LA Workers' Compensation Corp.
47. 19-0756 Amguard Insurance Company
48. 19-0758 Louisiana Restaurant Association
49. 19-0760 Lafayette General Health
50. 19-0764 LUBA Casualty Insurance Company
51. 19-0768 LA Workers' Compensation Corp.

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52. 19-0811 LA Municipal Risk Mgmt. Agency
53. 19-0818 Continental Indemnity Company
54. 19-0855 LUBA Casualty Insurance Company
55. 19-0871 Crum & Foster Indemnity Company
56. 19-0872 LUBA Casualty Insurance Company
57. 19-0899 Jefferson Parish
58. 19-0902 LUBA Casualty Insurance Company
59. 19-0913 LA Automobile Dealers Assn.
60. 19-0933 LUBA Casualty Insurance Company
61. 19-0954 LA Municipal Risk Mgmt. Agency
62. 19-0969 Lafayette Consolidated Government
63. 20-0013 LUBA Casualty Insurance Company
64. 20-0015 LUBA Casualty Insurance Company
65. 20-0021 Travelers Indemnity Company of Connecticut

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (198) partial payments due beginning with Claim #83-0653 and ending with Claim #19-0277. Mr. Coulter moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of August 6, 2020. Mr. Hawkland seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (98) quarterly payments due beginning with Claim #86-0091 and ending with Claim #18-0201. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of August 6, 2020. Mr. Coulter 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. Mr. Hawkland made the motion. Mr. Coulter 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 (14) claims.

1. 94-0263
2. 95-0002
3. 97-0017
4. 07-0916
5. 09-0841

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6. 10-0463
7. 14-0037
8. 14-0089
9. 15-0699
10. 16-0503
11. 17-0494
12. 17-0894
13. 18-0120
14. 18-0570

Mr. Hawkland moved to accept the recommendation. Mr. Coulter 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 #10-0942 Continued Litigation
2. Claim #11-0118 Settlement Authority
3. Claim #12-0401 Continued Litigation
4. Claim #14-0412 Continued Litigation
5. Claim #15-0661 Settlement Authority
6. Claim #17-0218 Settlement Authority
7. Claim #17-0393 Settlement Authority
8. Claim #17-0430 Settlement Authority
9. Claim #17-0745 Settlement Authority
10. Claim #17-0856 Settlement Authority
11. Claim #18-0005 Settlement Authority
12. Claim #18-0006 Settlement Authority
13. Claim #18-0367 Continued Litigation
14. Claim #18-0567 Continued Litigation
15. Claim #18-0659 Settlement Authority
16. Claim #19-0031 Settlement Authority
17. Claim #19-0198 Settlement Authority
18. Claim #19-0318 Settlement Authority

Mr. Coulter made the motion. Mr. Hawkland seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss. Ms. Trahant discussed a memo, previously distributed, that shows a history of the partnership between the SIF and LRS and prior

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allocations. She recommended allocating .9% (\$535,000.00) of the SIB's appropriation to LRS for FY 2020-21. This amount is to combine with a Federal match at 3.69%. Mr. Coulter made a motion to accept Ms. Trahant's recommendation. Ms. Faber seconded the motion and it passed unanimously.

Ms. Trahant also informed the Board that Darrick Lee, Attorney and Manager of the OWCA Fraud & Compliance Division, will be Acting Director of the Second Injury Board during the timeframe she holds the position of Executive Counsel for LA Workforce Commission.

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

The meeting adjourned at 2:45 pm

Recording Secretary: Michelle Sumrall