

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of December 11, 2014

The regular meeting of the Second Injury Board convened at 3:07 p.m.

The following were present:

1. Mr. Charles Hansberry, Chairman, representing Commissioner of Insurance
2. Mr. Wes Hataway, OWCA Director
3. Ms. Lynette Mack, representing State of Treasurer
4. Mr. Steve Hawkland, representing Secretary of State
5. Mrs. Pauline Williams, SIB Director
6. Ms. Rachael Smith, representing Cargill
7. Mr. Karl Scott, General Counsel
8. Mrs. Meridith Trahan, General Counsel
9. Mrs. Shaneka Davis, Recording Secretary

Mr. Hansberry, Chairman, called the meeting to order and began with *Item 1* on the agenda, being the reading of the minutes from the previous meeting. Mr. Hawkland moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Mr. Hataway and passed unanimously. Mr. Hansberry states that there's notice that states the board meeting was set for December 4, 2014 was moved to the current date December 11, 2014.

The Chairman moved to *Item 2* on the agenda for hearings, there's no hearing scheduled.. The Chairman moved to *Item 2* on the agenda, no hearing schedule for this month. Next the Chairman moved to *Item 3* on the agenda, there are (10) items where recommendation has been made for payment. Starting with Claim# 13-0638 and ending with Claim # 14-0445. The motion was made by Mr. Hawkland and seconded by Mr. Hataway and passed unanimously.

1.	13-0638	Louisiana Health Care SIF	104 week deductible
2.	13-0871	City of Lake Charles	104 week deductible
3.	13-1054	Louisiana Restaurant Association	104 week deductible
4.	13-1056	Ouachita Parish School Board	104 week deductible
5.	13-1074	National Union Fire Insurance – Pittsburgh, PA	104 week deductible
6.	14-0107	Louisiana Workers' Compensation Corp.	104 week deductible
7.	14-0130	Louisiana Workers' Compensation Corp.	104 week deductible
8.	14-0177	St. Tammany Parish School Board	104 week deductible
9.	14-0421	Parish Government Risk Management Agency	104 week deductible
10.	14-0445	Stonetrust Commercial Insurance Company	104 week deductible

The Chairman moved to *Item 4* on the agenda, being the recommendation of staff to deny reimbursement for the following (61) claims; beginning with Claim #10-0775 and ending with Claim #14-0724. There are several items that have been posted and they are as followed:

1. 10-0775 Louisiana Commerce & Trade Association
2. 12-1044 Bridgefield Casualty Insurance Company
3. 13-0133 None Documented
4. 13-0259 National Union Fire Insurance – Pittsburgh, PA
5. 13-0408 Louisiana Office of Risk Management
6. 13-0464 Hartford Casualty Insurance Company
7. 13-0504 Louisiana Office of Risk Management
8. 13-0522 Louisiana Office of Risk Management
9. 13-0577 Tulane University
10. 13-0947 Plaquemine Parish Government
11. 13-0979 Louisiana Municipal Risk Management Agency
12. 13-0986 Bridgefield Casualty Insurance Company
13. 13-1013 Louisiana Office of Risk Management
14. 13-1049 Lafourche Parish Government
15. 13-1053 Ace American Insurance Company
16. 14-0066 St. Tammany Parish School Board
17. 14-0098 Louisiana Safety Association of Timbermen
18. 14-0169 LUBA Casualty Insurance Company
19. 14-0172 LEMIC Insurance Company
20. 14-0181 Ace American Insurance Company
21. 14-0187 Dolese Brothers Company
22. 14-0202 Zenith Insurance Company
23. 14-0208 Louisiana Commerce & Trade Association
24. 14-0212 Argonaut Great Central Insurance Company
25. 14-0215 Commerce & Industry Insurance Company
26. 14-0216 Louisiana Office of Risk Management
27. 14-0218 None Documented
28. 14-0219 East Baton Rouge Parish School Board
29. 14-0221 Louisiana Office of Risk Management
30. 14-0224 Louisiana Office of Risk Management
31. 14-0231 City of Baton Rouge, EBRP
32. 14-0239 LEMIC Insurance Company
33. 14-0240 None Documented
34. 14-0244 East Baton Rouge Parish School Board
35. 14-0245 None Documented
36. 14-0246 None Documented
37. 14-0258 City of New Orleans
38. 14-0261 Barber Brother's Company
39. 14-0264 LEMIC Insurance Company
40. 14-0267 Winn Dixie Louisiana, Inc.
41. 14-0275 Performance Contractors, Inc.
42. 14-0276 New Hampshire Insurance Company
43. 14-0278 City of Baton Rouge, East Baton Rouge Parish
44. 14-0281 Louisiana Office of Risk Management
45. 14-0288 Bridgefield Casualty Insurance Company
46. 14-0290 Old Republic Insurance Company
47. 14-0291 Louisiana Safety Association of Timbermen
48. 14-0296 None Documented
49. 14-0326 Louisiana Office of Risk Management

- 50. 14-0356 Louisiana Workers' Compensation Corporation
- 51. 14-0370 Louisiana Commerce & Trade Association
- 52. 14-0411 Zurich American Insurance Company
- 53. 14-0436 Louisiana Municipal Risk Management Agency
- 54. 14-0472 Recreation & Park Commission of East Baton Rouge
- 55. 14-0475 None Documented
- 56. 14-0482 Zurich American Insurance Company
- 57. 14-0501 None Documented
- 58. 14-0504 Recreation & Park Commission of East Baton Rouge
- 59. 14-0544 Acadian Ambulance Service, Inc.
- 60. 14-0545 National Union Fire Insurance Company
- 61. 14-0724 Louisiana Safety Association of Timbermen

Mr. Hataway moved to accept the recommendation of staff to deny these claims. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (144) partial payments beginning with Claim #80-0247 and ending with Claim #12-0639. Mr. Hansberry asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of December 11, 2014. The motion was made by Mr. Hawkland, seconded by Mr. Hataway and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (96) quarterly payments due beginning with Claim #94-0334 and ending with Claim #13-0946. Mr. Hataway moved to accept the recommendation of the Director and approve reimbursement of quarterly payments as submitted on the agenda of December 11, 2014. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman moved to *Item 7*, Public Comment. No members from the public in attendance. The Chairman moved to *Item 8* on the agenda. Mr. Hawkland made a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hataway seconded the motion and it was passed unanimously.

Upon returning from Executive Session, the Chairman we need to expand the agenda to add Claim # 10-0152 and Claim # 11-0244 to Item 8a. The motion was made by Mr. Hawkland, seconded by Ms. Mack and passed unanimously. The Chairman moved to *Item 8a* of the agenda, being settlement recommendations. There are (10) items presented (9) of the claims settlement approval be given and paid on a quarterly basis for the following claims:

1. 00-0585
2. 07-0249 – Indemnity only
3. 09-0775
4. 10-0152
5. 10-0603
6. 11-0224
7. 11-0366
8. 12-0176
9. 13-0984

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

There's (1) claims that were recommended to be denied for settlement and be paid on an on-going basis:

1. 12-0933

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

The Chairman moved to *Item 8b* of the agenda, being Second Injury Board litigation. The Chairman asked for a motion to grant authority to legal counsel as discussed in Executive Session, to represent the Board in the following manner:

1. Claim #13-1011 continue ligation
2. Claim #11-0509 continue ligation
3. Claim #12-0709 settlement authority
4. Claim #10-0140 settlement authority
5. Claim #10-0631 settlement authority
6. Claim #13-0017 settlement authority
7. Claim #13-0200 settlement authority

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

Mrs. Williams stated that there was a member from the public. (Ms. Rachael Smith representing, Cargill) There being no further business to discuss, the Chairman asked for a motion to adjourn. Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 3:29 p.m.  
Recording Secretary: Shaneka Davis