

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of January 12, 2023

The regular meeting of the Second Injury Board convened at 2:01 p.m.

The following were present:

1. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State
3. Chris Kirby, representing Dept. of Children and Family Services
4. Kayla Kirby, representing the State Treasurer
5. Meridith Trahant, LWC Executive Counsel
6. Tavares Walker, representing the Office of Workers' Compensation Administration
7. Karl Scott, General Counsel
8. Shana Veade, General Counsel
9. Ta'Tanisha Youngblood, General Counsel
10. Michelle Sumrall, SIB Compliance Supervisor
11. Chandra Cola, SIB Audit & Finance Supervisor
12. 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 December 8, 2022. 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 Mr. Kirby, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. There were none listed.

Item 3 on the agenda lists (21) claims where recommendations were made for payment starting with Claim #21-0438 and ending with Claim #22-0457. Mr. Hawkland made a motion to approve the claims for payment. Ms. Kirby seconded the motion and it passed unanimously.

1. 21-0438 Travelers Property Casualty Company of America
2. 21-0480 LA Workers' Compensation Corp.
3. 21-0525 St. Charles Parish School Board
4. 21-0600 Lafayette Parish School Board
5. 21-0673 LUBA Casualty Insurance Company
6. 21-0725 LA Workers' Compensation Corp.
7. 21-0798 LA Workers' Compensation Corp.
8. 21-0854 Jefferson Parish Public School System
9. 21-0880 Travelers Property Casualty Company of America
10. 21-0918 LA Health Care- Self Ins. Fund
11. 22-0111 Lafayette Consolidated Government
12. 22-0215 LA Workers' Compensation Corp.
13. 22-0291 Wal-Mart Associates, Inc.
14. 22-0306 Terrebonne Parish Cons. Government
15. 22-0308 City of New Orleans
16. 22-0345 Louisiana Hospital Association
17. 22-0349 LA Workers' Compensation Corp.

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18. 22-0363 LA Workers' Compensation Corp.
19. 22-0397 St. Tammany Parish School Board
20. 22-0404 LA Workers' Compensation Corp.
21. 22-0457 LA Automobile Dealers Assn.

The Chairman moved to *Item 4* on the agenda, (65) claims recommended for denial, beginning with Claim #18-0851, ending with Claim #22-0821. The Chairman requested a motion to approve the recommendation to deny the claims as described in the January 12, 2023 agenda. Mr. Hawkland made a motion to deny the claims for payment. Mr. Kirby seconded the motion and it passed unanimously.

1. 18-0851 - Unverified
2. 20-0693 Our Lady of Lourdes
3. 21-0016 City of Shreveport
4. 21-0333 St. Bernard Parish School Board
5. 21-0479 - Unknown
6. 21-0482 Midwest Employers Casualty Company
7. 21-0485 - Unknown
8. 21-0497 - Unverified
9. 21-0593 Travelers Property Casualty Company of America
10. 21-0602 LA Construction & Industry SIF
11. 21-0608 Office of Risk Management
12. 21-0620 - Unverified
13. 21-0635 Bridgefield Casualty Insurance Company
14. 21-0638 - Unknown
15. 21-0647 LA Workers' Compensation Corp.
16. 21-0671 LUBA Casualty Insurance Company
17. 21-0680 Ace American Ins. Co
18. 21-0683 Bridgefield Casualty Insurance Company
19. 21-0689 Louisiana Hospital Association
20. 21-0692 Louisiana Hospital Association
21. 21-0695 Retailers Casualty Insurance Company
22. 21-0698 Jefferson Parish
23. 21-0704 Ace American Ins. Co
24. 21-0711 LA Health Care- Self Ins. Fund
25. 21-0716 - Unknown
26. 21-0722 Office of Risk Management
27. 21-0740 City of New Orleans
28. 21-0742 LA Health Care- Self Ins. Fund
29. 21-0746 Ace American Ins. Co
30. 21-0748 LUBA Casualty Insurance Company
31. 21-0767 - Unverified
32. 21-0782 Travelers Property Casualty Company of America
33. 21-0785 Louisiana Hospital Association
34. 21-0792 LA Workers' Compensation Corp.
35. 21-0824 Old Republic Insurance Company
36. 21-0827 Louisiana Restaurant Association
37. 21-0845 St. Martin Parish School Board
38. 21-0858 Farmington Casualty Company
39. 21-0859 LA Workers' Compensation Corp.
40. 21-0916 LA Workers' Compensation Corp.
41. 21-0921 LUBA Casualty Insurance Company
42. 21-0925 LUBA Casualty Insurance Company
43. 22-0201 Louisiana Restaurant Association

44. 22-0246 LA Construction & Industry SIF
45. 22-0249 Office of Risk Management
46. 22-0258 Bridgefield Casualty Insurance Company
47. 22-0261 Woman's Hospital
48. 22-0264 Lafayette Consolidated Government
49. 22-0273 St. Charles Parish School Board
50. 22-0275 Louisiana Hospital Association
51. 22-0277 - Unverified
52. 22-0283 Liberty Mutual Ins. Co.
53. 22-0285 Coca-Cola Bottling Company United
54. 22-0289 Office of Risk Management
55. 22-0301 Jefferson Parish Public School System
56. 22-0303 LUBA Casualty Insurance Company
57. 22-0307 LA Workers' Compensation Corp.
58. 22-0309 LUBA Casualty Insurance Company
59. 22-0311 Eastern Alliance Insurance Co.
60. 22-0315 Retailers Casualty Insurance Company
61. 22-0395 Coca-Cola Bottling Company United
62. 22-0455 North River Insurance Co., The
63. 22-0605 Technology Insurance Company
64. 22-0749 Amtrust Ins. Co. of Kansas
65. 22-0821 St. Tammany Parish School Board

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (261) partial payments due beginning with Claim #00-0331 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 January 12, 2023. Mr. Kirby seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (104) quarterly payments due beginning with Claim #00-0717 and ending with Claim #97-1150. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of January 12, 2023. Mr. Kirby 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. Mr. Kirby 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 (15) claims.

1. 02-0190
2. 16-0262
3. 17-0469
4. 18-0251 –Indemnity only
5. 19-0049
6. 19-0062
7. 19-0285
8. 19-0803
9. 19-0894
10. 20-0240
11. 21-0279
12. 21-0329
13. 21-0337
14. 21-0388
15. 21-0443

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

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

1. 20-0191

Mr. Hawkland moved to accept the recommendation. Mr. Kirby 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.

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| 1. Claim # 13-1051 | Settlement Authority |
| 2. Claim # 17-0685 | Settlement Authority |
| 3. Claim # 19-0317 | Settlement Authority |
| 4. Claim # 19-0429 | Settlement Authority |
| 5. Claim # 20-0324 | No Action Required |
| 6. Claim # 20-0605 | Settlement Authority |
| 7. Claim # 21-0242 | Settlement Authority |
| 8. Claim # 21-0652 | Continue Litigation |

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

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The Chairman moved to *Item 9*, any other matters to discuss. An update regarding the 2022 SIF Assessment and collections was provided. An additional update was requested to be provided at the February 2, 2023, meeting.

Item 9b, the 2022 Actuarial Report, was next listed on the agenda. The members were previously provided a draft of the report to review. Mr. Hansberry asked the pleasure of the Board regarding acceptance of the draft report. Mr. Hawkland moved to approve the draft as written for submission to the Legislature. Ms. Kirby seconded the motion and it passed unanimously.

There were no other matters to discuss; therefore, the Chairman asked for a motion to adjourn. Mr. Hawkland moved to adjourn. Mr. Kirby seconded the motion and it passed unanimously.

The meeting adjourned at 2:22 pm

Recording Secretary: Claudia Brumfield