

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of January 13, 2022

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. Karl Scott, General Counsel
7. Shana Veade, General Counsel
8. Ta'Tanisha Youngblood, General Counsel
9. Kendra Harris, 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 9, 2021. 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. Coulter, and passed unanimously.

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

*Item 3* on the agenda lists (11) claims where recommendations were made for payment starting with Claim #20-0128 and ending with Claim #21-0544. Mr. Hawkland made a motion to approve the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 20-0128 LA Workers' Compensation Corp.
2. 20-0603 LA Home Builders Assn.- SIF
3. 20-0783 Louisiana Restaurant Association
4. 20-0824 LUBA Casualty Insurance Company
5. 20-0866 St. Landry Parish School Board
6. 20-1026 Bridgefield Casualty Insurance Company
7. 21-0152 LUBA Casualty Insurance Company
8. 21-0171 LA Workers' Compensation Corp.
9. 21-0366 LA Workers' Compensation Corp.
10. 21-0510 Woman's Hospital
11. 21-0544 Parish Government Risk Management Agency

The Chairman moved to *Item 4* on the agenda, (55) claims recommended for denial, beginning with Claim #20-0262 and ending with Claim #21-0705. The Chairman requested a motion to approve the recommendation to deny the claims as described in the January 13, 2022 agenda. Mr. Hawkland

Minutes (cont'd)

Page 2 of 5

January 13, 2022

made a motion to deny the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 20-0262 Zurich American Insurance Company
2. 20-0373 LA Workers' Compensation Corp.
3. 20-0672 Capital Area Transit System (Formerly Capital Transportation
4. 20-0782 Louisiana Restaurant Association
5. 20-0846 LUBA Casualty Insurance Company
6. 20-0905 Ace American Ins. Co
7. 20-0939 Office of Risk Management
8. 20-0951 LUBA Casualty Insurance Company
9. 20-0972 West Jefferson Medical Center
10. 20-0990 City of New Orleans
11. 20-0993 LA Workers' Compensation Corp.
12. 20-1005 Jefferson Parish Public School System
13. 20-1008 LA Automobile Dealers Assn.
14. 20-1011 LCTA Casualty Ins. Co.
15. 20-1014 - Unverified
16. 20-1020 LUBA Casualty Insurance Company
17. 20-1023 LA Workers' Compensation Corp.
18. 21-0001 Crum & Foster Indemnity Company
19. 21-0007 LA Workers' Compensation Corp.
20. 21-0010 LA Municipal Risk Mgmt. Agency
21. 21-0037 XL Specialty Insurance Company
22. 21-0043 LA Workers' Compensation Corp.
23. 21-0046 City of New Orleans
24. 21-0049 City of New Orleans
25. 21-0055 - Unknown
26. 21-0097 Office of Risk Management
27. 21-0162 Indemnity Ins. Co. of North America
28. 21-0168 Lafayette Parish School Board
29. 21-0173 Argonaut Insurance Group
30. 21-0180 Ace American Ins. Co
31. 21-0183 City of New Orleans
32. 21-0186 Liberty Mutual Ins. Co.
33. 21-0198 LA Construction & Industry SIF
34. 21-0204 Louisiana Restaurant Association
35. 21-0208 Liberty Mutual Ins. Co.
36. 21-0301 Midwest Employers Casualty Company
37. 21-0309 LA Construction & Industry SIF
38. 21-0315 Indemnity Ins. Co. of North America
39. 21-0324 LA Health Care- Self Ins. Fund
40. 21-0327 Office of Risk Management
41. 21-0330 Office of Risk Management
42. 21-0339 HCA, Inc. - The Healthcare Company
43. 21-0342 - Unknown
44. 21-0345 Bridgefield Casualty Insurance Company
45. 21-0348 Wal-Mart Associates, Inc.
46. 21-0351 Performance Contractors, Inc.
47. 21-0354 Office of Risk Management
48. 21-0357 LUBA Casualty Insurance Company
49. 21-0369 Travelers Property Casualty Company of America
50. 21-0389 Louisiana Hospital Association

Minutes (cont'd)

Page 3 of 5

January 13, 2022

51. 21-0430 Zurich American Insurance Company
52. 21-0546 LA Home Builders Assn.- SIF
53. 21-0547 - Unverified
54. 21-0598 HCA, Inc. - The Healthcare Company
55. 21-0705 Office of Risk Management

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (89) partial payments due beginning with Claim #00-0464 and ending with Claim #99-0447. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of January 13, 2022. Ms. Faber seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (108) quarterly payments due beginning with Claim #03-0252 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 13, 2022. Ms. Faber seconded the motion and it passed unanimously.

Mr. Hansberry called on *Item 7*, Public Comments. 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. Ms. Faber 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 (15) claims.

1. 09-0613
2. 10-0290
3. 14-0481
4. 15-0534
5. 19-0019
6. 19-0031
7. 19-0227
8. 19-0280
9. 19-0628
10. 19-0775
11. 20-0478

12. 20-0647
13. 20-0748
14. 20-0856
15. 20-0872

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

The following (2) claims had recommendations for settlement denial and that reimbursement continue on and on-going basis:

1. 16-0709
2. 97-0674

Mr. Hawkland moved to accept the recommendation. Ms. Faber 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 # 01-0962  | Continue Litigation  |
| 2. Claim # 13-0944  | Settlement Authority |
| 3. Claim # 15-0470  | Postponed            |
| 4. Claim # 17-0060  | Settlement Authority |
| 5. Claim # 17-0451  | Settlement Authority |
| 6. Claim # 17-0564  | Continue Litigation  |
| 7. Claim # 17-0571  | Continue Litigation  |
| 8. Claim # 17-0741  | Settlement Authority |
| 9. Claim # 17-0781  | Continue Litigation  |
| 10. Claim # 18-0332 | Settlement Authority |
| 11. Claim # 18-0542 | Settlement Authority |
| 12. Claim # 18-0617 | Settlement Authority |
| 13. Claim # 18-0838 | Settlement Authority |
| 14. Claim # 19-0135 | Settlement Authority |
| 15. Claim # 19-0184 | Settlement Authority |
| 16. Claim # 19-0285 | Settlement Authority |
| 17. Claim # 19-0310 | Continue Litigation  |
| 18. Claim # 19-0487 | Settlement Authority |
| 19. Claim # 19-0501 | Settlement Authority |
| 20. Claim # 19-0502 | Continue Litigation  |
| 21. Claim # 19-0585 | Continue Litigation  |
| 22. Claim # 19-0724 | Settlement Authority |

Minutes (cont'd)

Page 5 of 5

January 13, 2022

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| 23. Claim # 19-0752 | Continue Litigation  |
| 24. Claim # 19-0778 | Continue Litigation  |
| 25. Claim # 19-0868 | Settlement Authority |
| 26. Claim # 19-0891 | Continue Litigation  |
| 27. Claim # 19-0981 | Continue Litigation  |
| 28. Claim # 20-0062 | Continue Litigation  |
| 29. Claim # 20-0344 | Continue Litigation  |
| 30. Claim # 20-0383 | Continue Litigation  |
| 31. Claim # 20-0387 | Continue Litigation  |
| 32. Claim # 20-0402 | Settlement Authority |
| 33. Claim # 20-0406 | Continue Litigation  |
| 34. Claim # 20-0416 | Continue Litigation  |
| 35. Claim # 20-0459 | Continue Litigation  |
| 36. Claim # 20-0741 | Continue Litigation  |
| 37. Claim # 20-0774 | Continue Litigation  |
| 38. Claim # 20-0790 | Continue Litigation  |
| 39. Claim # 20-0842 | Continue Litigation  |
| 40. Claim # 21-0051 | Settlement Authority |

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

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

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

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

The meeting adjourned at 3:04 pm

Recording Secretary: Claudia Brumfield