

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of January 7, 2021

The regular meeting of the Second Injury Board convened at 2:08 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. Shana Veade, General Counsel
7. Claudia Rush, General Counsel
8. Ta'Tanisha Youngblood, General Counsel
9. Michelle Sumrall, SIB Compliance Supervisor
10. Chandra Cola, SIB Audit & Finance Supervisor
11. Claudia Brumfield, Recording Secretary

Mr. Lee 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 December 10, 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. Hawkland, seconded by Mr. Coulter, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. There were no requests.

Item 3 on the agenda lists (5) claims where recommendations were made for payment starting with Claim #19-0049 and ending with Claim #20-0269. Mr. Hawkland made a motion to approve the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 19-0049 XL Specialty Insurance Company
2. 19-0701 LA Health Care- Self Ins. Fund
3. 20-0049 LA Workers' Compensation Corp.
4. 20-0092 Safety National Casualty Corporation
5. 20-0269 LA Workers' Compensation Corp.

The Chairman moved to *Item 4* on the agenda, (77) claims recommended for denial, beginning with Claim #16-0768 and ending with Claim #20-0747. Mr. Lee stated a late addendum to the minutes, the removal of Claim #20-0043, Claim #20-0076 and Claim # 20-0097. The Chairman asked for a motion per Mr. Lee to remove the (3) claims from the list of denials. Mr. Hawkland made the motion. Mr.

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Coulter seconded the motion and it passed unanimously. The Chairman then requested a motion to approve the recommendation to deny the claims as described in the January 7, 2021 agenda. Mr.

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

1. 16-0768 Zurich American Insurance Company
2. 19-0099 LA Workers' Compensation Corp.
3. 19-0117 LA Workers' Compensation Corp.
4. 19-0199 Indemnity Ins. Co. of North America
5. 19-0273 LA Health Care- Self Ins. Fund
6. 19-0381 LA Workers' Compensation Corp.
7. 19-0385 St. Tammany Parish School Board
8. 19-0400 LA Workers' Compensation Corp.
9. 19-0421 LUBA Casualty Insurance Company
10. 19-0424 LA Workers' Compensation Corp.
11. 19-0432 LA Workers' Compensation Corp.
12. 19-0469 Tulane University
13. 19-0552 LA Workers' Compensation Corp.
14. 19-0570 Lafayette General Health
15. 19-0585 LA Workers' Compensation Corp.
16. 19-0600 Great American Alliance Insurance Company
17. 19-0611 Pennsylvania Manufacturers Assn Ins Co/PMA Ins Group
18. 19-0617 Office of Risk Management
19. 19-0623 LA Workers' Compensation Corp.
20. 19-0631 St. Tammany Parish School Board
21. 19-0731 Office of Risk Management
22. 19-0736 Gray Insurance Company
23. 19-0741 LUBA Casualty Insurance Company
24. 19-0743 Office of Risk Management
25. 19-0747 LA Workers' Compensation Corp.
26. 19-0759 LA Workers' Compensation Corp.
27. 19-0763 LUBA Casualty Insurance Company
28. 19-0769 Office of Risk Management
29. 19-0771 LA Workers' Compensation Corp.
30. 19-0789 LA Health Care- Self Ins. Fund
31. 19-0791 Argonaut Insurance Group
32. 19-0874 LA Health Care- Self Ins. Fund
33. 19-0877 LA Construction & Industry SIF
34. 19-0880 LA Construction & Industry SIF
35. 19-0891 LA Workers' Compensation Corp.
36. 19-0897 LUBA Casualty Insurance Company
37. 19-0922 LA Workers' Compensation Corp.
38. 19-0924 LA Workers' Compensation Corp.
39. 19-0982 Office of Risk Management
40. 19-0988 Federated Rural Electric Insurance
41. 20-0003 Safety National Casualty Corporation
42. 20-0022 Ace American Ins. Co
43. 20-0026 American Casualty of Reading, PA
44. 20-0028 XL Specialty Insurance Company
45. 20-0040 LA Health Care- Self Ins. Fund
46. 20-0044 LA Construction & Industry SIF
47. 20-0046 Ace American Ins. Co
48. 20-0050 LA Construction & Industry SIF
49. 20-0064 LA Workers' Compensation Corp.

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50. 20-0079 - Unverified
51. 20-0080 LCTA Casualty Ins. Co.
52. 20-0118 Farmington Casualty Company
53. 20-0125 Pennsylvania Manufacturers Assn Ins Co/PMA Ins Group
54. 20-0127 Silver Oak Casualty Insurance
55. 20-0133 Office of Risk Management
56. 20-0260 Bridgefield Employers Insurance Company
57. 20-0278 LUBA Casualty Insurance Company
58. 20-0286 Office of Risk Management
59. 20-0290 - Unverified
60. 20-0296 - Unverified
61. 20-0331 LCTA Casualty Ins. Co.
62. 20-0339 Walgreen Company
63. 20-0343 LUBA Casualty Insurance Company
64. 20-0345 Office of Risk Management
65. 20-0347 - Unknown
66. 20-0355 LA Workers' Compensation Corp.
67. 20-0369 LA Workers' Compensation Corp.
68. 20-0383 LA Workers' Compensation Corp.
69. 20-0389 Zurich American Insurance Company
70. 20-0461 LA Construction & Industry SIF
71. 20-0471 Louisiana Restaurant Association
72. 20-0523 LUBA Casualty Insurance Company
73. 20-0535 LUBA Casualty Insurance Company
74. 20-0651 Liberty Insurance Corporation
75. 20-0663 Bridgefield Casualty Insurance Company
76. 20-0702 Ace American Ins. Co
77. 20-0747 City of New Orleans

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (234) partial payments due beginning with Claim #83-0653 and ending with Claim #19-0865. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of January 7, 2021. Mr. Coulter 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 #96-0468 and ending with Claim #18-0532. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of January 7, 2021. 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. 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 (7) claims.

1. 16-0258
2. 16-0736
3. 18-0148
4. 18-0552
5. 19-0281
6. 19-0388
7. 19-0557

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.

1. Claim #16-0597 Settlement Authority
2. Claim #16-0660 Settlement Authority
3. Claim #17-0070 Continued Litigation
4. Claim #17-0674 Continued Litigation
5. Claim #17-0693 Settlement Authority
6. Claim #18-0127 Settlement Authority
7. Claim #18-0344 Settlement Authority
8. Claim #18-0461 Settlement Authority
9. Claim #18-0503 Settlement Authority
10. Claim #19-0384 Settlement Authority
11. Claim #19-0559 Settlement Authority

Mr. Coulter made the motion. Ms. 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 2:36 pm

Recording Secretary: Claudia Brumfield