

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of January 9, 2020

The regular meeting of the Second Injury Board convened at 2:05 p.m.

The following were present:

1. Charles Hansberry, representing the Commission of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State, Vice-Chairman
3. Lynette Mack, representing the State Treasurer
4. Makesha Judson, representing Dept. of Children and Family Services
5. Meridith Trahant, Director of Second Injury Board
6. Karl Scott, General Counsel
7. Shana Veade, General Counsel
8. Claudia Rush, General Counsel
9. Michelle Sumrall, SIB Compliance Supervisor
10. Chandra Cola, SIB Audit & Finance Supervisor
11. Claudia Brumfield, Recording Secretary

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. 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 Ms. Mack, and passed unanimously.

Mr. Hansberry moved to *Item 3* on the agenda being there were no hearing requests listed under *Item 2*.

Item 3 on the agenda lists (10) claims where recommendations were made for payment starting with Claim #18-0790 and ending with Claim #19-0824. Ms. Mack made a motion to approve the listed claims for payment. Mr. Hawkland seconded the motion and it passed unanimously.

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| 1. | 18-0790 | LA Health Care- Self Ins. Funds | 104 week deductible |
| 2. | 18-0797 | LA Automobile Dealers Assn. | 104 week deductible |
| 3. | 18-0802 | LA Workers' Compensation Corp. | 104 week deductible |
| 4. | 19-0074 | LUBA Casualty Insurance Company | 104 week deductible |
| 5. | 19-0185 | Louisiana Restaurant Association | 104 week deductible |
| 6. | 19-0232 | LCTA Casualty Ins. Co. | 104 week deductible |
| 7. | 19-0296 | City of Shreveport | 104 week deductible |
| 8. | 19-0371 | LA Workers' Compensation Corp. | 104 week deductible |
| 9. | 19-0465 | LA Automobile Dealers Assn. | 104 week deductible |
| 10. | 19-0824 | Property, Casualty Insurance Company of Hartford | 104 week deductible |

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The Chairman moved to *Item 4* on the agenda, (79) claims recommended for denial, beginning with Claim #17-0923, ending with Claim #19-0812. The Chairman requested a motion to approve the recommendation to deny the claims as described in the January 9, 2020 agenda. Ms. Mack made motion to deny the claims for payment. Mr. Hawkland seconded the motion and it passed unanimously.

1. 17-0923 - Unverified
2. 18-0503 LA Workers' Compensation Corp.
3. 18-0537 LA Workers' Compensation Corp.
4. 18-0630 LA Workers' Compensation Corp.
5. 18-0639 LA Workers' Compensation Corp.
6. 18-0643 Bridgefield Casualty Insurance Company
7. 18-0674 LUBA Casualty Insurance Company
8. 18-0681 LA Workers' Compensation Corp.
9. 18-0704 LA Workers' Compensation Corp.
10. 18-0728 LA Home Builders Assn.- SIF
11. 18-0749 LA Municipal Risk Mgmt. Agency
12. 18-0769 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
13. 18-0783 Lafayette General Health
14. 18-0832 St. Tammany Parish School Board
15. 18-0869 LA Workers' Compensation Corp.
16. 18-0882 American Zurich Ins. Co.
17. 19-0015 LUBA Casualty Insurance Company
18. 19-0020 LA Automobile Dealers Assn.
19. 19-0033 American Casualty of Reading, PA
20. 19-0051 Bridgefield Employers Insurance Company
21. 19-0076 Walgreen Company
22. 19-0082 LA Workers' Compensation Corp.
23. 19-0097 Jefferson Parish Public School System
24. 19-0100 LA Workers' Compensation Corp.
25. 19-0103 LA Home Builders Assn.- SIF
26. 19-0109 LA Workers' Compensation Corp.
27. 19-0115 LA Workers' Compensation Corp.
28. 19-0118 Office of Risk Management
29. 19-0121 Calcasieu Parish School Board
30. 19-0136 Bridgefield Employers Insurance Company
31. 19-0157 General Health, Inc.
32. 19-0163 Jefferson Parish Public School System
33. 19-0165 Louisiana Restaurant Association
34. 19-0172 LA Construction & Industry
35. 19-0175 Great American Alliance Insurance Company
36. 19-0178 LA Construction & Industry
37. 19-0181 GuideOne Mutual Insurance Company
38. 19-0196 New Hampshire Insurance Company (AIG)
39. 19-0208 Retailers Casualty Insurance Company
40. 19-0217 LUBA Casualty Insurance Company
41. 19-0223 New Hampshire Insurance Company (AIG)
42. 19-0246 LA Health Care- Self Ins. Fund
43. 19-0271 Memic Indemnity Company
44. 19-0286 Ace American Ins. Co
45. 19-0303 Saia Motor Freight Line
46. 19-0309 Tulane University

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47. 19-0312 National Union Fire Insurance - Pittsburgh, PA (AIG)
48. 19-0321 - Unverified
49. 19-0333 Indemnity Ins. Co. of North America
50. 19-0336 LA Workers' Compensation Corp.
51. 19-0342 Ace American Ins. Co
52. 19-0345 Retailers Casualty Insurance Company
53. 19-0347 LA Workers' Compensation Corp.
54. 19-0351 LA Construction & Industry
55. 19-0363 LA Workers' Compensation Corp.
56. 19-0366 LA Workers' Compensation Corp.
57. 19-0373 City of Lake Charles
58. 19-0377 St. Tammany Parish Hospital
59. 19-0395 LA Health Care- Self Ins. Fund
60. 19-0422 - Unverified
61. 19-0425 Liberty Mutual Ins. Co.
62. 19-0428 Liberty Mutual Ins. Co.
63. 19-0431 Retailers Casualty Insurance Company
64. 19-0434 Louisiana Restaurant Association
65. 19-0440 - Unverified
66. 19-0443 LA Workers' Compensation Corp.
67. 19-0446 Bridgefield Casualty Insurance Company
68. 19-0454 Lafayette General Health
69. 19-0467 Office of Risk Management
70. 19-0471 Diocese of Baton Rouge
71. 19-0475 Diocese of Baton Rouge
72. 19-0494 LA Home Builders Assn.- SIF
73. 19-0508 St. Tammany Parish School Board
74. 19-0627 City of New Orleans
75. 19-0651 Bridgefield Casualty Insurance Company
76. 19-0659 Zurich American Insurance Company
77. 19-0665 Louisiana Restaurant Association
78. 19-0666 Louisiana Restaurant Association
79. 19-0812 Diocese of Baton Rouge

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (176) partial payments beginning with Claim #84-0263 and ending with Claim #17-0906. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of January 9, 2020. Mr. Hawkland made the motion. Ms. Mack seconded the motion and it passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (83) quarterly payments due beginning with Claim #95-0317 and ending with Claim #18-0145. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of January 9, 2020. Ms. Mack 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. Ms. Mack made the motion. Mr. Hawkland 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 (18) claims.

1. 97-0851 – Indemnity only
2. 03-0552
3. 04-0156
4. 04-0953
5. 13-0984
6. 16-0003
7. 16-0157
8. 16-0370
9. 16-0469
10. 16-0749
11. 17-0118
12. 17-0205
13. 17-0256
14. 17-0575
15. 18-0164
16. 18-0353
17. 18-0394
18. 18-0395

Ms. Mack moved to accept the recommendation. Mr. Hawkland 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. 08-0494

Mr. Hawkland moved to accept the recommendation. Ms. Mack 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 #08-0527 Continue Litigation
2. Claim #11-0098 Continue Litigation
3. Claim #14-0473 Continue Litigation
4. Claim #14-0782 Settlement Authority
5. Claim #15-0185 Settlement Authority
6. Claim #16-0569 Settlement Authority
7. Claim #16-0653 Settlement Authority
8. Claim #17-0130 Settlement Authority
9. Claim #17-0397 Settlement Authority
10. Claim #17-0439 Settlement Authority
11. Claim #17-0488 Settlement Authority
12. Claim #17-0601 Settlement Authority
13. Claim #17-0666 Settlement Authority
14. Claim #17-0794 Settlement Authority
15. Claim #17-0800 Settlement Authority
16. Claim #18-0007 Settlement Authority
17. Claim #18-0260 Settlement Authority
18. Claim #18-0665 Continue Litigation

Ms. Mack 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 presented her final update report for 2019 on LRS. Ms. Trahant then stated that Mr. Dan Boudreaux with Liberty Mutual Insurance Company, along with guests from his corporate office, plans to attend the February Board meeting to observe.

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

The meeting adjourned at 2:40 pm

Recording Secretary: Claudia Brumfield