

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of July 12, 2018

The regular meeting of the Second Injury Board convened at 2:04 p.m.

The following were present:

1. Mr. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Mr. Steve Hawkland, representing the Secretary of State, Vice-Chairman
3. Ms. Lynette Mack, representing the State Treasurer
4. Mr. Chip Coultre, representing Dept. of Children and Family Services
5. Meridith Trahan, Acting Director of Second Injury Board
6. Karl Scott, General Counsel
7. Darrick Lee, General Counsel
8. Michelle Sumrall, SIB Compliance Supervisor
9. Erica L. Williams, SIB Compliance Officer
10. Mr. Chris Anthony, LRS Representative
11. Ms. Theresa Miller, LRS Assistant Director
12. 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 (6) claims where recommendations were made for payment starting with Claim #17-0341 and ending with Claim #18-0276. The motion to approve the claims for payment was made by Mr. Hawkland, seconded by Ms. Mack and passed unanimously.

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|----|---------|--|---------------------|
| 1. | 17-0341 | City of Shreveport | 104 week deductible |
| 2. | 17-0715 | LA Workers' Compensation Corp. | 104 week deductible |
| 3. | 17-0906 | LA Automobile Dealers Assn. | 104 week deductible |
| 4. | 18-0055 | LUBA Casualty Insurance Company | 104 week deductible |
| 5. | 18-0174 | Bridgefield Casualty Insurance Company | 104 week deductible |
| 6. | 18-0276 | St. Charles Parish School Board | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, (89) claims recommended for denial, beginning with Claim #15-0667 and ending with Claim #18-0304. The Chairman asked to amend the agenda to remove Item #14, claim #17-0261 which was postponed. A request was made for a motion to approve the recommendation to deny the claims as described in the July 12, 2018 agenda with amendment. The motion was made by Mr. Coultre; seconded by Mr. Hawkland and passed unanimously.

Minutes (cont'd)

Page 2

July 12, 2018

1. 15-0667 Louisiana Municipal Risk Management Agency
2. 15-0866 Stupp Brothers, Inc.
3. 16-0250 City of New Orleans
4. 16-0734 LUBA Casualty Insurance Company
5. 16-0908 City of Shreveport
6. 17-0064 Hartford Casualty Insurance Company
7. 17-0082 Office of Risk Management
8. 17-0136 Unverified
9. 17-0142 Zurich American Insurance Company
10. 17-0164 Unverified
11. 17-0169 LA Commerce & Trade Assn. - SIF
12. 17-0190 Recreation & Park Commission of East Baton Rouge
13. 17-0200 LA Construction & Industry
14. ~~17-0261 LA Workers' Compensation Corp.~~ POSTPONED
15. 17-0301 Retailers Casualty Insurance Company
16. 17-0304 St. Martin Parish School Board
17. 17-0316 Louisiana Restaurant Association
18. 17-0318 Louisiana Restaurant Association
19. 17-0362 Sentry Insurance A Mutual Company
20. 17-0420 LA Municipal Risk Mgmt. Agency
21. 17-0452 Unverified
22. 17-0467 Bridgefield Casualty Insurance Company
23. 17-0494 New Hampshire Insurance Company
24. 17-0496 AIG Assurance Company (AIG)
25. 17-0548 Commerce And Industry Insurance Company
26. 17-0563 Office of Risk Management
27. 17-0566 Unverified
28. 17-0587 LA Construction & Industry
29. 17-0593 Office of Risk Management
30. 17-0596 Safety National Casualty Corporation
31. 17-0599 Office of Risk Management
32. 17-0602 St. James Parish School Board
33. 17-0605 LUBA Casualty Insurance Company
34. 17-0614 Office of Risk Management
35. 17-0629 Bridgefield Casualty Insurance Company
36. 17-0632 Technology Insurance Company
37. 17-0635 LA Workers' Compensation Corp.
38. 17-0650 LUBA Casualty Insurance Company
39. 17-0659 LA Home Builders Assn.- SIF
40. 17-0662 State National Insurance Company
41. 17-0668 LA Automobile Dealers Assn.
42. 17-0674 Office of Risk Management
43. 17-0677 Retailers Casualty Insurance Company
44. 17-0691 Ace American Ins. Co
45. 17-0769 Unverified
46. 17-0774 XL Insurance America, Inc.
47. 17-0775 City of Baton Rouge, East Baton Rouge Parish
48. 17-0777 Retailers Casualty Insurance Company

49. 17-0778 Bridgefield Casualty Insurance Company
50. 17-0779 Bridgefield Casualty Insurance Company
51. 17-0781 LA Construction & Industry
52. 17-0785 Unverified
53. 17-0786 Unverified
54. 17-0792 Bridgefield Casualty Insurance Company
55. 17-0798 New Hampshire Insurance Company (AIG)
56. 17-0800 Office of Risk Management
57. 17-0801 Iberia Parish School Board
58. 17-0802 Unverified
59. 17-0804 Office of Risk Management
60. 17-0808 Retailers Casualty Insurance Company
61. 17-0810 Bridgefield Casualty Insurance Company
62. 17-0814 LA Automobile Dealers Assn.
63. 17-0816 Office of Risk Management
64. 17-0824 LA Automobile Dealers Assn.
65. 17-0826 City of Baton Rouge, East Baton Rouge Parish
66. 17-0847 LA Home Builders Assn.- SIF
67. 17-0853 Zurich American Insurance Company
68. 17-0861 LUBA Casualty Insurance Company
69. 17-0865 Unverified
70. 17-0867 Tangipahoa Parish School Board
71. 17-0869 Office of Risk Management
72. 17-0871 LA Health Care- Self Ins. Fund
73. 17-0873 St. Charles Parish School Board
74. 17-0879 Louisiana Restaurant Association
75. 17-0883 Jefferson Parish Public School System
76. 17-0889 Unverified
77. 17-0891 Zenith Insurance Company
78. 17-0893 LA Commerce & Trade Assn.
79. 17-0897 Unverified
80. 17-0900 LA Commerce & Trade Assn.
81. 17-0902 LA Commerce & Trade Assn.
82. 17-0904 St. Landry Parish School Board
83. 17-0907 LA Construction & Industry
84. 17-0908 LA Construction & Industry
85. 17-0910 LA Workers' Compensation Corp.
86. 17-0912 LA Workers' Compensation Corp.
87. 18-0166 LA Construction & Industry
88. 18-0235 LA Construction & Industry
89. 18-0304 New Hampshire Insurance Company

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (366) partial payments beginning with Claim #80-0247 and ending with Claim #16-0623. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of July 12, 2018. The motion was made by Ms. Mack, seconded by Mr. Hawkland, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (69) quarterly payments due beginning with Claim #94-0137 and ending with Claim #15-0509. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of July 12, 2018. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 7, Public Comment*. No one from the public was present; therefore, the Chairman allowed the representatives from LRS, Mr. Chris Anthony and Ms. Theresa Miller, to give their presentation. Mr. Anthony gave a brief summary of the relationship between LRS and SIB since 2011. He noted that since the partnership began, approximately 4500 individuals have been assisted using SIB contributions. Handouts were given to the board members for review. Acting Director Ms. Trahan presented a percentage breakdown of past contributions. Mr. Coulter then gave a motion to approve the funding outlined in the July 12, 2018 memo from Ms. Trahan in which she recommended SIB allocate .9% (\$530,000.00) to LRS for FY2018-19. The motion was seconded by Mr. Hawkland and passed unanimously. Mr. Coulter then asked Ms. Trahan to research, for presentation at the next meeting, potential methods in which the Board could assist LRS in obtaining additional funding by other sources, that would allow them to draw the full amount of funds available from the Federal Government.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Ms. Mack made the motion. It was seconded by Mr. Hawkland and it passed unanimously.

Upon returning from Executive Session, the Chairman moved to *Item 8a* of the agenda, being settlement recommendations. The Chairman requested a motion to approve the recommendations of the Acting Director regarding settlement authority as discussed in Executive Session and to extend settlement authority to be reimbursed on quarterly basis for the following (21) claims.

1. 03-0451
2. 09-0294
3. 09-0332
4. 10-0986
5. 11-0274
6. 11-0376
7. 11-0540
8. 12-0156
9. 12-0593
10. 12-1041

Minutes (cont'd)

Page 5

July 12, 2018

11. 14-0185
12. 14-0884
13. 14-0915
14. 15-0165
15. 16-0026 - Indemnity
16. 16-0032
17. 16-0209
18. 16-0497
19. 17-0470
20. 18-0032
21. 18-0041

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

The following (3) claims were recommended for settlement denial and that they continue to be paid on an on-going basis:

1. 11-0838
2. 12-0590
3. 14-0511

Mr. Hawkland moved to accept the recommendation. It was seconded by Mr. Coultre and 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 #13-0664 Settlement Authority
2. Claim #14-0380 Settlement Authority
3. Claim #15-0096 Settlement Authority
4. Claim #16-0141 Settlement Authority
5. Claim #16-0260 Settlement Authority
6. Claim #16-0365 Settlement Authority
7. Claim #16-0444 Settlement Authority
8. Claim #17-0077 Settlement Authority

The motion was made by Mr. Hawkland, seconded by Ms. Mack and passed unanimously.

Minutes (cont'd)

Page 6

July 12, 2018

The Chairman moved to *Item 9*, asking if there were any other matters to discuss. Acting Director Ms. Trahant, gave a brief update on the Second Injury Board Knowledge Questionnaire.

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

The meeting was adjourned at 2:45pm

Recording Secretary: Claudia Brumfield