

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of May 3, 2018

The regular meeting of the Second Injury Board convened at 2:15 p.m.

The following were present:

1. Mr. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Pauline Williams, Deputy Director of Second Injury Board
3. Ms. Lynette Mack, representing the State Treasurer
4. Meridith Trahan, Acting Director of Second Injury Board
5. Karl Scott, General Counsel
6. Darrick Lee, General Counsel
7. Michelle Bradley, General Counsel
8. Michelle Sumrall, SIB Compliance Supervisor
9. Erica Williams, SIB Program Compliance Officer
10. 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 Ms. Mack seconded by Deputy Director Williams 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 (9) claims where recommendations were made for payment starting with Claim #16-0101 and ending with Claim #18-0032. The motion to approve the claims for payment was made by Ms. Mack, seconded by Deputy Director Williams and passed unanimously.

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| 1. | 16-0101 | Ace American Ins. Co. | 104 week deductible |
| 2. | 16-0157 | Ace American Ins. Co. | 104 week deductible |
| 3. | 16-0162 | St. Martin Parish School Board | 104 week deductible |
| 4. | 16-0797 | Raeford Farms of Louisiana, LLC | 104 week deductible |
| 5. | 17-0377 | Old Republic Insurance Company | 104 week deductible |
| 6. | 17-0381 | LA Loggers Self-Insured Fund | 104 week deductible |
| 7. | 17-0528 | Monroe City School Board | 104 week deductible |
| 8. | 17-0831 | Phoenix Insurance Company, The | 104 week deductible |
| 9. | 18-0032 | Monroe City School Board | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, (93) claims recommended for denial, beginning with Claim #12-0905 and ending with Claim #18-0196. A request was made for a motion to approve the recommendation to deny the claims as described in the May 03, 2018 agenda. The motion was made by Deputy Director Williams; seconded by Ms. Mack and passed unanimously.

Minutes (cont'd)

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1. 12-0905 Travelers Property Casualty Company of America
2. 13-0381 Lafayette Parish Sheriff's Office
3. 13-0402 Bridgefield Casualty Insurance Company
4. 13-0441 Hartford Insurance Company of the Midwest
5. 13-0447 Louisiana Commerce & Trade Association
6. 13-0450 Louisiana Commerce & Trade Association
7. 13-0866 LEMIC Insurance Company
8. 15-0854 Louisiana Construction & Industry - Sif
9. 15-0872 City of New Orleans
10. 16-0208 Sentry Casualty Company
11. 16-0211 Caddo Parish School Board
12. 16-0396 Amtrust Ins. Co. of Kansas
13. 16-0458 City of New Orleans
14. 16-0746 Illinois National Insurance Company
15. 16-0793 Dillard's, Inc.
16. 17-0002 Lafayette Parish School Board
17. 17-0011 Office of Risk Management
18. 17-0027 Ace American Ins. Co
19. 17-0109 Ochsner Baptist Med. Center
20. 17-0122 LA Automobile Dealers Assn.
21. 17-0125 LUBA Casualty Insurance Company
22. 17-0127 EBR Parish School Board
23. 17-0139 - Unverified
24. 17-0140 LUBA Casualty Insurance Company
25. 17-0143 XL Specialty Insurance Company
26. 17-0151 Office of Risk Management
27. 17-0161 LCTA Casualty Ins. Co.
28. 17-0162 City of New Orleans
29. 17-0186 Bridgefield Casualty Insurance Company
30. 17-0194 St. Tammany Parish School Board
31. 17-0201 - Unverified
32. 17-0265 Diocese of Baton Rouge
33. 17-0266 City of New Orleans
34. 17-0275 - Unverified
35. 17-0297 Wal-Mart Associates, Inc.
36. 17-0309 Louisiana Restaurant Association
37. 17-0366 City of Alexandria
38. 17-0384 Rapides Parish School Board
39. 17-0431 Lafayette Consolidated Government
40. 17-0481 Bridgefield Casualty Insurance Company
41. 17-0486 New Hampshire Insurance Company
42. 17-0489 Retailers Casualty Insurance Company
43. 17-0498 American Interstate Insurance Company
44. 17-0502 - Unverified
45. 17-0514 - Unverified
46. 17-0535 Silver Oak Casualty Insurance
47. 17-0550 ACE Indemnity Insurance Co.
48. 17-0565 Old Republic Insurance Company
49. 17-0588 Jefferson Parish
50. 17-0591 Office of Risk Management

51. 17-0597 Argonaut Insurance Group
52. 17-0600 Retailers Casualty Insurance Company
53. 17-0606 Louisiana Hospital Association
54. 17-0636 - Unknown
55. 17-0640 LA Municipal Risk Mgmt. Agency
56. 17-0646 Bridgefield Casualty Insurance Company
57. 17-0649 LUBA Casualty Insurance Company
58. 17-0652 LA Home Builders Assn.- SIF
59. 17-0654 Office of Risk Management
60. 17-0655 Office of Risk Management
61. 17-0667 LUBA Casualty Insurance Company
62. 17-0670 LA Workers' Compensation Corp.
63. 17-0673 Jefferson Parish
64. 17-0676 LA Municipal Risk Mgmt. Agency
65. 17-0681 Lake Charles Memorial Hospital
66. 17-0683 - Unverified
67. 17-0687 Jefferson Parish Public School System
68. 17-0693 Lafayette Parish Sheriff's Office
69. 17-0697 Lafayette Consolidated Government
70. 17-0701 - Unverified
71. 17-0707 Terrebonne Parish School Board
72. 17-0717 Louisiana Restaurant Association
73. 17-0719 Diocese of Lake Charles
74. 17-0721 Stonetrust Commercial Ins. Co.
75. 17-0725 Lafayette Parish School Board
76. 17-0754 Louisiana Restaurant Association
77. 17-0759 - Unverified
78. 17-0760 Jefferson Parish Public School System
79. 17-0761 Jefferson Parish Public School System
80. 17-0763 LA Construction & Industry
81. 17-0765 Jefferson Parish Public School System
82. 17-0771 City of New Orleans
83. 17-0776 City of Baton Rouge, East Baton Rouge Parish
84. 17-0793 - Unverified
85. 17-0825 City of Baton Rouge, East Baton Rouge Parish
86. 17-0848 Diocese of Baton Rouge
87. 17-0864 LA Construction & Industry
88. 17-0877 LUBA Casualty Insurance Company
89. 17-0880 Great American Insurance Company
90. 17-0903 Louisiana Restaurant Association
91. 17-0916 - Unverified
92. 18-0031 - Unverified
93. 18-0196 LA Workers' Compensation Corp.

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (193) partial payments beginning with Claim #82-0040 and ending with Claim #16-0565. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of May 03, 2018. The motion was made by Ms. Mack seconded by Deputy Director Williams, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (91) quarterly payments due beginning with Claim #88-0220 and ending with Claim #16-0508. Ms. Mack moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of May 03, 2018. The motion was seconded by Deputy Director Williams and passed unanimously.

The Chairman moved to *Item 7*, Public Comment. No one from the public was present; therefore, the Chairman moved to the next item on the agenda.

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 Deputy Director Williams 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 Acting Director regarding settlement authority as discussed in Executive Session and to extend settlement authority to be reimbursed on quarterly basis for the following (10) claims.

1. 95-0663
2. 03-0451
3. 03-0923
4. 10-0105
5. 12-1034
6. 14-0838
7. 15-0057
8. 15-0671
9. 15-0745
10. 16-0224

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

The following (6) claim was recommended for settlement denial and that it continues to be paid on an on-going basis:

1. 06-0045
2. 09-0204

3. 10-0942
4. 12-0933
5. 14-0684
6. 15-0663

Ms. Williams moved to accept the recommendation. It was seconded by Ms. Mack 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 #11-0814 Postponed
2. Claim #13-0037 Settlement Authority
3. Claim #14-0127 Settlement Authority
4. Claim #14-0398 Continued Litigation
5. Claim #14-0732 Continued Litigation
6. Claim #15-0212 Continued Litigation
7. Claim #15-0326 Settlement Authority
8. Claim #15-0432 Continued Litigation
9. Claim #15-0557 Continued Litigation
10. Claim #15-0582 Settlement Authority
11. Claim #15-0822 Continued Litigation
12. Claim #16-0112 Settlement Authority

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

The Chairman moved to *Item 9*, asking if there were any other matters to discuss.

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

The meeting was adjourned at 2:45pm

Recording Secretary: Claudia Brumfield