

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of May 5, 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 Commissioner of Insurance, Chairman
2. Leigh Ann Faber, representing the State Treasurer
3. Chip Coulter, representing Dept. of Children and Family Services
4. Karl Scott, General Counsel
5. Shana Veade, General Counsel
6. Ta'Tanisha Youngblood, General Counsel
7. Michelle Sumrall, SIB Compliance Supervisor
8. Chandra Cola, SIB Audit & Finance Supervisor
9. 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 April 7, 2022. 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. Faber, 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 (10) claims where recommendations were made for payment starting with Claim #20-0883 and ending with Claim #21-0910. Ms. Faber made a motion to approve the claims for payment. Mr. Coulter seconded the motion and it passed unanimously.

1. 20-0883 LUBA Casualty Insurance Company
2. 21-0272 Louisiana Hospital Association
3. 21-0371 LA Workers' Compensation Corp.
4. 21-0501 LA Workers' Compensation Corp.
5. 21-0589 St. Bernard Parish School Board
6. 21-0685 LA Workers' Compensation Corp.
7. 21-0737 Lake Charles Memorial Hospital
8. 21-0739 St. Bernard Parish School Board
9. 21-0908 LA Workers' Compensation Corp.
10. 21-0910 City of New Orleans

The Chairman moved to *Item 4* on the agenda, (44) claims recommended for denial, beginning with Claim #18-0640, ending with Claim #22-0112, excluding item #9 – claim #21-0085 which was postponed. The Chairman requested a motion to approve the recommendation to deny the claims as described in the May 5, 2022 agenda. Ms. Faber made a motion to deny the claims for payment. Mr. Coulter seconded the motion and it passed unanimously.

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1. 18-0640 Textron, Inc.
2. 20-0552 St. Tammany Parish School Board
3. 20-0753 Farmington Casualty Company
4. 20-0764 Ace American Ins. Co
5. 20-0933 LCTA Casualty Ins. Co.
6. 20-1012 LUBA Casualty Insurance Company
7. 21-0014 Louisiana Restaurant Association
8. 21-0044 Lafayette Consolidated Government
9. ~~21-0085 Safety National Casualty Corporation~~ POSTPONED
10. 21-0244 Gray Insurance Company
11. 21-0250 Lafayette General Health
12. 21-0259 Office of Risk Management
13. 21-0265 National Union Fire Insurance - Pittsburgh, PA (AIG)
14. 21-0292 Lake Charles Memorial Hospital
15. 21-0298 Office of Risk Management
16. 21-0304 LA Workers' Compensation Corp.
17. 21-0310 LUBA Casualty Insurance Company
18. 21-0355 Coca-Cola Bottling Company United
19. 21-0356 Louisiana Restaurant Association
20. 21-0360 LUBA Casualty Insurance Company
21. 21-0454 Retailers Casualty Insurance Company
22. 21-0466 Barber Brothers Contracting
23. 21-0487 - Unknown
24. 21-0558 Terrebonne Parish Cons. Government
25. 21-0564 - Unknown
26. 21-0567 Louisiana Hospital Association
27. 21-0570 LCTA Casualty Ins. Co.
28. 21-0591 Wal-Mart Associates, Inc.
29. 21-0596 Jefferson Parish Public School System
30. 21-0633 Acadian Ambulance Service, Inc.
31. 21-0663 LA Municipal Risk Mgmt. Agency
32. 21-0666 LA Automobile Dealers Assn.
33. 21-0684 Retailers Casualty Insurance Company
34. 21-0690 Louisiana Hospital Association
35. 21-0693 Sabine Parish School Board
36. 21-0714 City of Shreveport
37. 21-0757 Ace American Ins. Co
38. 21-0760 LCTA Casualty Ins. Co.
39. 21-0790 Tulane University
40. 21-0793 Federated Mutual Insurance
41. 21-0892 LUBA Casualty Insurance Company
42. 21-0914 Louisiana Hospital Association
43. 22-0073 LUBA Casualty Insurance Company
44. 22-0112 LUBA Casualty Insurance Company

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (128) partial payments due beginning with Claim #00-1046 and ending with Claim #99-0779. Ms. Faber moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of May 5, 2022. Mr. Coulter seconded the motion and it passed unanimously.

Minutes (cont'd)

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The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (86) quarterly payments due beginning with Claim #01-0048 and ending with Claim #99-0050. Ms. Faber moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of May 5, 2022. Mr. Coulter seconded the motion and it passed unanimously.

Mr. Hansberry called on *Item 7*, Public Comments. No one from the public had comments regarding business of the Board.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Ms. Faber made the motion. Mr. Coulter 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 staff regarding settlement authority as discussed in Executive Session and to extend settlement authority to be reimbursed on a quarterly basis for the following (11) claims.

1. 12-0644
2. 18-0542
3. 18-0678
4. 19-0259
5. 20-0016
6. 20-0128
7. 20-0603
8. 20-0814
9. 20-0833
10. 20-0944
11. 21-0681

Ms. Faber moved to accept the recommendations. Mr. Coulter 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. 12-0069

Minutes (cont'd)

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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 # 18-0554  | Settlement Authority |
| 2. Claim # 19-0134  | Settlement Authority |
| 3. Claim # 19-0224  | Settlement Authority |
| 4. Claim # 19-0337  | Settlement Authority |
| 5. Claim # 19-0443  | Settlement Authority |
| 6. Claim # 19-0523  | Settlement Authority |
| 7. Claim # 19-0611  | Settlement Authority |
| 8. Claim # 19-0747  | Settlement Authority |
| 9. Claim # 19-0817  | Settlement Authority |
| 10. Claim # 19-0919 | Continue Litigation  |
| 11. Claim # 20-0059 | Settlement Authority |
| 12. Claim # 20-0091 | Settlement Authority |
| 13. Claim # 20-0111 | Continue Litigation  |
| 14. Claim # 20-0431 | Continue Litigation  |
| 15. Claim # 20-0491 | Continue Litigation  |
| 16. Claim # 21-0003 | Settlement Authority |
| 17. Claim # 21-0258 | Settlement Authority |

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

The meeting adjourned at 2:33 pm

Recording Secretary: Claudia Brumfield