

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of October 6, 2022

The regular meeting of the Second Injury Board convened at 2:02 p.m.

The following were present:

1. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State
3. Chris Kirby, representing Dept. of Children and Family Services
4. Kayla Kirby, representing the State Treasurer
5. Tavares Walker, representing the Office of Workers' Compensation Administration
6. Karl Scott, General Counsel
7. Shana Veade, General Counsel
8. Ta'Tanisha Youngblood, General Counsel
9. Michelle Sumrall, SIB Compliance Supervisor, Recording Secretary
10. Chandra Cola, SIB Audit & Finance Supervisor
11. 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 September 1, 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 Mr. Hawkland, seconded by Ms. Kirby, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. There were none listed.

Item 3 on the agenda lists (12) claims where recommendations were made for payment starting with Claim #20-0662 and ending with Claim #22-0502. Mr. Hawkland made a motion to approve the claims for payment. Ms. Kirby seconded the motion and it passed unanimously.

1. 20-0662 Norguard Insurance Company
2. 21-0280 LCTA Casualty Ins. Co.
3. 21-0329 Ochsner Hospital (Ochsner Clinic Foundation)
4. 21-0464 City of Alexandria
5. 21-0553 St. Landry Parish School Board
6. 21-0814 Zurich American Insurance Company
7. 21-0856 Ace American Ins. Co
8. 21-0876 LA Workers' Compensation Corp.
9. 22-0007 LA Workers' Compensation Corp.
10. 22-0031 HCA, Inc. - The Healthcare Company
11. 22-0406 LUBA Casualty Insurance Company
12. 22-0502 LUBA Casualty Insurance Company

The Chairman moved to *Item 4* on the agenda, (61) claims recommended for denial, beginning with Claim #18-0219, ending with Claim #22-0578. The Chairman requested a motion to approve the recommendation to deny the claims as described in the October 6, 2022 agenda. Mr. Hawkland made a motion to deny the claims for payment. Ms. Kirby seconded the motion and it passed unanimously.

Minutes (cont'd)

Page 2 of 4

October 6, 2022

1. 18-0219 LCTA Casualty Ins. Co.
2. 20-0970 - Unverified
3. 21-0293 LA Workers' Compensation Corp.
4. 21-0302 Stonetrust Commercial Ins. Co.
5. 21-0308 LA Workers' Compensation Corp.
6. 21-0332 LA Workers' Compensation Corp.
7. 21-0347 LA Workers' Compensation Corp.
8. 21-0380 - Unknown
9. 21-0407 LUBA Casualty Insurance Company
10. 21-0410 LA Home Builders Assn.- SIF
11. 21-0452 - Unknown
12. 21-0455 LA Construction & Industry SIF
13. 21-0494 St. Landry Parish School Board
14. 21-0594 Tokio Marine America Ins. Co.
15. 21-0625 LUBA Casualty Insurance Company
16. 21-0629 LUBA Casualty Insurance Company
17. 21-0653 Lafayette Consolidated Government
18. 21-0658 Jefferson Parish
19. 21-0682 LA Workers' Compensation Corp.
20. 21-0686 City of New Orleans
21. 21-0715 LA Workers' Compensation Corp.
22. 21-0764 Louisiana Hospital Association
23. 21-0779 Roman Catholic Church of New Orleans
24. 21-0797 Jefferson Parish Public School System
25. 21-0813 Terrebonne Parish Cons. Government
26. 21-0872 LCTA Casualty Ins. Co.
27. 21-0894 LA Workers' Compensation Corp.
28. 21-0900 City of Kenner
29. 21-0907 LUBA Casualty Insurance Company
30. 21-0913 LA Workers' Compensation Corp.
31. 21-0922 Zurich American Insurance Company
32. 21-0928 LA Construction & Industry SIF
33. 21-0931 Continental Indemnity Company
34. 22-0006 City of Natchitoches
35. 22-0009 LA Construction & Industry SIF
36. 22-0021 LA Automobile Dealers Assn.
37. 22-0030 City of New Orleans
38. 22-0039 Regional Transit Authority
39. 22-0042 Coca-Cola Bottling Company United
40. 22-0045 LA Construction & Industry SIF
41. 22-0048 Ins. Co. of the State of PA (AIG)
42. 22-0051 City of New Orleans
43. 22-0054 Midwest Employers Casualty Company
44. 22-0075 Office of Risk Management
45. 22-0117 LUBA Casualty Insurance Company
46. 22-0150 St. Landry Parish School Board
47. 22-0167 LA Municipal Risk Mgmt. Agency
48. 22-0216 St. Landry Parish School Board
49. 22-0229 Roman Catholic Church of New Orleans
50. 22-0231 LUBA Casualty Insurance Company
51. 22-0242 Willis-Knighton Medical Center
52. 22-0244 LUBA Casualty Insurance Company
53. 22-0271 Liberty Mutual Ins. Co.
54. 22-0284 LUBA Casualty Insurance Company
55. 22-0302 Jefferson Parish

Minutes (cont'd)

Page 3 of 4

October 6, 2022

- 56. 22-0342 LUBA Casualty Insurance Company
- 57. 22-0344 LUBA Casualty Insurance Company
- 58. 22-0383 Jefferson Parish Public School System
- 59. 22-0446 Louisiana Hospital Association
- 60. 22-0494 Louisiana Hospital Association
- 61. 22-0578 LA Health Care- Self Ins. Fund

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (163) partial payments due beginning with Claim #00-0223 and ending with Claim #99-0779. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of October 6, 2022. Ms. Kirby seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (106) quarterly payments due beginning with Claim #00-0717 and ending with Claim #97-1150. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of October 6, 2022. Ms. Kirby seconded the motion and it passed unanimously.

Mr. Hansberry called on *Item 7*, Public Comments. There were no members of the public present; therefore, 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. Kirby 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 (12) claims.

- 1. 12-0423
- 2. 15-0794
- 3. 18-0733
- 4. 19-0044
- 5. 19-0689
- 6. 19-0897
- 7. 20-0220
- 8. 20-0919
- 9. 21-0153
- 10. 21-0281
- 11. 22-0096
- 12. 95-0002

Mr. Hawkland moved to accept the recommendations. Ms. Kirby seconded the motion and it passed unanimously.

The following (2) claims had recommendations for settlement denial and that reimbursement continue on and on-going basis.

1. 00-0855
2. 01-0962

Mr. Hawkland moved to accept the recommendation. Ms. Kirby 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 # 19-0894 | Settlement Authority |
| 2. Claim # 20-0041 | Settlement Authority |
| 3. Claim # 20-0280 | Continue Litigation |
| 4. Claim # 20-0538 | Settlement Authority |
| 5. Claim # 20-0593 | Settlement Authority |
| 6. Claim # 20-0611 | Continue Litigation |
| 7. Claim # 20-0652 | Settlement Authority |
| 8. Claim # 20-0754 | Settlement Authority |
| 9. Claim # 20-0877 | Settlement Authority |
| 10. Claim # 20-0963 | Settlement Authority |
| 11. Claim # 21-0062 | Settlement Authority |
| 12. Claim # 21-0084 | Settlement Authority |
| 13. Claim # 21-0268 | Settlement Authority |
| 14. Claim # 21-0340 | Settlement Authority |
| 15. Claim # 21-0388 | Settlement Authority |

Mr. Hawkland made the motion. Ms. Kirby 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 2:35 pm

Recording Secretary: Claudia Brumfield