

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of April 8, 2021

The regular meeting of the Second Injury Board convened at 2:01 p.m.

The following were present or attended via Zoom/Teleconference:

1. Charles Hansberry, representing the Commission of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State
3. Chip Coulter, representing Dept. of Children and Family Services
4. Leigh Anne Faber, representing the State Treasurer
5. Darrick Lee, Acting Director of Second Injury Board
6. Shana Veade, General Counsel
7. Ta'Tanisha Youngblood, General Counsel
8. Michelle Sumrall, SIB Compliance Supervisor
9. Chandra Cola, SIB Audit & Finance Supervisor
10. Claudia Brumfield, Recording Secretary

Mr. Lee made note that the Board was holding the meeting through video/teleconference pursuant to John Bel Edwards' Executive Order #84-2020, Section 2c.

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 of March 4, 2021. 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. Faber, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. There was one hearing listed.

1. 20-0425 LA Construction & Industry SIF

Mr. Lee presented Claim # 20-0425 to the Board, and stated that staff was provided with little evidence, and no further information to support this claim. He recommended the hearing request be denied. Mr. Hawkland moved that the Board deny the request. Ms. Faber seconded the motion and it passed unanimously.

Item 3 on the agenda lists (13) claims where recommendations were made for payment starting with Claim #19-0543 and ending with Claim #20-0655. Mr. Hawkland made a motion to approve the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 19-0543 Coca-Cola Bottling Company United
2. 19-0593 LCTA Casualty Ins. Co.
3. 19-0647 LA Health Care- Self Ins. Fund
4. 19-0864 St. Bernard Parish School Board
5. 19-0972 Coca-Cola Bottling Company United
6. 20-0196 LUBA Casualty Insurance Company

Minutes (cont'd)

Page 2 of 5

March 4, 2021

7. 20-0201 LCTA Casualty Ins. Co.
8. 20-0228 St. Tammany Parish School Board
9. 20-0298 LUBA Casualty Insurance Company
10. 20-0534 Parish Government Risk Management Agency
11. 20-0560 Louisiana Hospital Association
12. 20-0627 City of Kenner
13. 20-0655 LUBA Casualty Insurance Company

The Chairman moved to *Item 4* on the agenda, (70) claims recommended for denial, beginning with Claim #19-0134 and ending with Claim #20-0926. The Chairman requested a motion to approve the recommendation to deny the claims as described in the April 8, 2021 agenda. Mr. Hawkland made a motion to deny the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 19-0134 Coca-Cola Bottling Company United
2. 19-0275 LA Workers' Compensation Corp.
3. 19-0323 LA Workers' Compensation Corp.
4. 19-0392 LA Automobile Dealers Assn.
5. 19-0509 Gray Insurance Company
6. 19-0539 LA Home Builders Assn.- SIF
7. 19-0548 Office of Risk Management
8. 19-0817 LA Health Care- Self Ins. Fund
9. 19-0975 LUBA Casualty Insurance Company
10. 20-0005 LA Workers' Compensation Corp.
11. 20-0014 LUBA Casualty Insurance Company
12. 20-0039 LA Automobile Dealers Assn.
13. 20-0076 LA Construction & Industry SIF
14. 20-0084 Ace American Ins. Co
15. 20-0093 Silver Oak Casualty Insurance
16. 20-0097 - Unknown
17. 20-0117 Office of Risk Management
18. 20-0124 LA Workers' Compensation Corp.
19. 20-0132 Office of Risk Management
20. 20-0135 Liberty Mutual Ins. Co.
21. 20-0149 Liberty Mutual Ins. Co.
22. 20-0168 Great American Alliance Insurance Company
23. 20-0189 Old Republic General Ins. Co.
24. 20-0198 LA Municipal Risk Mgmt. Agency
25. 20-0202 Bridgefield Casualty Insurance Company
26. 20-0204 - Unverified
27. 20-0205 City of New Orleans
28. 20-0206 City of New Orleans
29. 20-0221 Jefferson Parish
30. 20-0246 LA Workers' Compensation Corp.
31. 20-0255 ACE Indemnity Insurance Co.
32. 20-0258 LA Workers' Compensation Corp.
33. 20-0301 LA Construction & Industry SIF
34. 20-0316 Accident Fund Ins. Co. of America
35. 20-0324 Office of Risk Management
36. 20-0326 Retailers Casualty Insurance Company
37. 20-0333 LUBA Casualty Insurance Company
38. 20-0379 LCTA Casualty Ins. Co.
39. 20-0391 Arch Insurance Company
40. 20-0393 LA Workers' Compensation Corp.

Minutes (cont'd)

Page 3 of 5

March 4, 2021

41. 20-0397 - Unknown
42. 20-0401 XL Specialty Insurance Company
43. 20-0403 - Unknown
44. 20-0409 LA Construction & Industry SIF
45. 20-0411 Great American Alliance Insurance Company
46. 20-0413 Retailers Casualty Insurance Company
47. 20-0415 City of New Orleans
48. 20-0421 LA Workers' Compensation Corp.
49. 20-0427 Amerisure Insurance Company
50. 20-0428 Great American Alliance Insurance Company
51. 20-0429 City of Shreveport
52. 20-0433 LUBA Casualty Insurance Company
53. 20-0437 LA Workers' Compensation Corp.
54. 20-0441 Lafayette General Health
55. 20-0443 - Unverified
56. 20-0445 Bridgefield Casualty Insurance Company
57. 20-0546 Lafayette General Health
58. 20-0570 Acadian Ambulance Service, Inc.
59. 20-0594 - Unverified
60. 20-0595 Jefferson Parish
61. 20-0608 Parish Government Risk Management Agency
62. 20-0641 Jefferson Parish
63. 20-0675 City of New Orleans
64. 20-0695 St. Tammany Parish School Board
65. 20-0699 St. John Parish School Board
66. 20-0726 Children's Hospital
67. 20-0792 LUBA Casualty Insurance Company
68. 20-0871 Liberty Mutual Ins. Co.
69. 20-0875 Entergy Services, Inc.
70. 20-0926 East Jefferson General Hospital

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (175) partial payments due beginning with Claim #86-0107 and ending with Claim #19-0934. Ms. Faber moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of April 8, 2021. Mr. Hawkland seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (85) quarterly payments due beginning with Claim #94-0263 and ending with Claim #19-0816. Ms. Faber moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of April 8, 2021. Mr. Hawkland 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. Mr. Hawkland made the motion. Ms. Faber 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 (10) claims.

1. 11-0336
2. 15-0002
3. 17-0038
4. 17-0194
5. 17-0610
6. 19-0192
7. 19-0198
8. 19-0343
9. 19-0371
10. 19-0686

Ms. Faber moved to accept the recommendation. Mr. Hawkland seconded the motion and it passed unanimously.

The following (5) claims had recommendations for settlement denial and that reimbursement continue on and on-going basis:

1. 98-1330
2. 08-0049
3. 12-0896
4. 17-0078
5. 18-0252

Mr. Hawkland moved to accept the recommendation. Ms. Faber 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.

Minutes (cont'd)

Page 5 of 5

March 4, 2021

1. Claim #11-0889 Continued Litigation
2. Claim #12-0655 Continued Litigation
3. Claim #13-0255 Continued Litigation
4. Claim #15-0700 Continued Litigation
5. Claim #16-0214 Settlement Authority
6. Claim #16-0630 Settlement Authority
7. Claim #17-0472 Settlement Authority
8. Claim #17-0516 Continued Litigation
9. Claim #17-0574 Settlement Authority
10. Claim #17-0653 Settlement Authority
11. Claim #18-0184 Settlement Authority
12. Claim #18-0366 Continued Litigation
13. Claim #18-0431 Settlement Authority
14. Claim #18-0835 Settlement Authority
15. Claim #19-0009 Settlement Authority
16. Claim #19-0652 Settlement Authority
17. Claim #19-0845 Settlement Authority
18. Claim #20-0007 Continued Litigation
19. Claim #20-0286 Settlement Authority

Mr. Hawkland made the motion. Ms. Faber 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