

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of August 10, 2023

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

The following were present:

1. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Kayla Kirby, representing the State Treasurer
3. Steve Hawkland, representing the Secretary of State
4. Chris Kirby, representing Dept. of Children & Family Services
5. Meridith Trahant, SIB Director
6. Karl Scott, General Counsel
7. Ta'Tanisha Youngblood, General Counsel
8. Devionne Butler, General Counsel
9. Shana Veade, General Counsel
10. Chandra Cola, SIB Audit & Finance Supervisor
11. Tamara Hardnett, SIB Compliance
12. Melissa Green, SIB Compliance
13. Shawndrika Moore, SIB Compliance
14. 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 July 13, 2023. 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 Mr. Kirby, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests, listing (2) hearing request.

1. 20-0101 National Union Fire Ins. Co. (AIG)
2. 22-0390 Acadia Parish School Board

Ms. Trahant presented claim #20-0101 and claim #22-0390, she made reference to LA R.S. 23:1378(B) regarding request for hearings. She stated that both claims had insufficient information and that a summary be provided for additional information. She recommended the Board deny the requests. Mr. Hawkland made a motion to deny the request for a hearing. Mr. Kirby seconded the motion and it passed unanimously.

Item 3 on the agenda lists (19) claim where a recommendation was made for payment with Claim #22-0005 and ending with #23-0411. Mr. Hawkland made a motion to approve the claims for payment.

Mr. Kirby seconded the motion and it passed unanimously.

1. 22-0005 LA Workers' Compensation Corp.
2. 22-0152 LUBA Casualty Insurance Company

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3. 22-0248 LA Workers' Compensation Corp.
4. 22-0418 Imperium Insurance Company
5. 22-0440 Travelers Property Casualty Company of America
6. 22-0471 Capital Area Transit System (Formerly Capital Transportation)
7. 22-0482 Woldenberg Village
8. 22-0483 LA Home Builders Assn.- SIF
9. 22-0588 LUBA Casualty Insurance Company
10. 22-0609 LA Municipal Risk Mgmt. Agency
11. 22-0643 LA Construction & Industry SIF
12. 22-0684 LA Construction & Industry SIF
13. 22-0758 LA Workers' Compensation Corp.
14. 22-0910 Lafayette Parish School Board
15. 22-0953 LA Workers' Compensation Corp.
16. 23-0093 LA Workers' Compensation Corp.
17. 23-0142 Zurich American Insurance Company
18. 23-0371 Lafayette Parish School Board
19. 23-0411 LA Workers' Compensation Corp.

The Chairman moved to *Item 4* on the agenda, (83) claims recommended for denial, beginning with Claim #21-0801, ending with Claim #23-0307. The Chairman requested a motion to approve the recommendation to deny the claims as described in the August 10, 2023, 2023 agenda. Mr. Hawkland made a motion to deny the claims for payment. Mr. Kirby seconded the motion and it passed unanimously.

1. 21-0801 Stonetrust Commercial Ins. Co.
2. 21-0818 Retailers Casualty Insurance Company--postponed
3. 21-0926 LA Workers' Compensation Corp.
4. 22-0037 City of New Orleans
5. 22-0055 - Unknown
6. 22-0089 - Unverified
7. 22-0103 Great American Insurance Company
8. 22-0116 LUBA Casualty Insurance Company
9. 22-0119 Louisiana Hospital Association
10. 22-0128 LA Workers' Compensation Corp.
11. 22-0161 St. Martin Parish School Board
12. 22-0190 Argonaut Insurance Group
13. 22-0254 Ace American Ins. Co
14. 22-0276 Lafayette Parish School Board
15. 22-0282 Office of Risk Management
16. 22-0304 West Jefferson Medical Center
17. 22-0318 LA Construction & Industry SIF
18. 22-0372 LA Construction & Industry SIF
19. 22-0414 LA Health Care- Self Ins. Fund
20. 22-0422 LA Construction & Industry SIF
21. 22-0452 LA Workers' Compensation Corp.
22. 22-0470 Retailers Casualty Insurance Company -- postponed
23. 22-0491 LA Workers' Compensation Corp.
24. 22-0513 LA Health Care- Self Ins. Fund
25. 22-0541 LUBA Casualty Insurance Company
26. 22-0546 LA Workers' Compensation Corp.
27. 22-0552 LA Health Care- Self Ins. Fund
28. 22-0553 LA Municipal Risk Mgmt. Agency
29. 22-0564 Louisiana Hospital Association

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30. 22-0592 St. Landry Parish School Board
31. 22-0602 St. John Parish School Board
32. 22-0628 Jefferson Parish Public School System
33. 22-0640 LA Workers' Compensation Corp.
34. 22-0663 LA Health Care- Self Ins. Fund
35. 22-0674 Zurich American Insurance Company
36. 22-0678 Safety National Casualty Corporation
37. 22-0716 City of Shreveport
38. 22-0722 LA Workers' Compensation Corp.
39. 22-0725 Retailers Casualty Insurance Company
40. 22-0728 LUBA Casualty Insurance Company
41. 22-0734 LA Workers' Compensation Corp.
42. 22-0740 City of New Orleans
43. 22-0746 Cincinnati Insurance Company
44. 22-0752 Jefferson Parish Public School System
45. 22-0755 Office of Risk Management
46. 22-0764 LA Health Care- Self Ins. Fund
47. 22-0767 City of Alexandria
48. 22-0769 Jefferson Parish Public School System
49. 22-0770 Jefferson Parish
50. 22-0774 Office of Risk Management
51. 22-0777 City of Opelousas
52. 22-0779 City of New Orleans
53. 22-0784 LA Workers' Compensation Corp.
54. 22-0788 Bridgefield Casualty Insurance Company -- postponed
55. 22-0790 LA Home Builders Assn. - SIF
56. 22-0794 XL Specialty Insurance Company
57. 22-0797 Office of Risk Management
58. 22-0800 Bridgefield Casualty Insurance Company
59. 22-0802 Great American Alliance Insurance Company
60. 22-0809 Safety National Casualty Corporation
61. 22-0815 Retailers Casualty Insurance Company
62. 22-0818 Terrebonne Parish School Board
63. 22-0827 Jefferson Parish Public School System
64. 22-0829 LA Workers' Compensation Corp.
65. 22-0836 Regional Transit Authority
66. 22-0847 LA Workers' Compensation Corp.
67. 22-0850 Liberty Mutual Ins. Co.
68. 22-0852 LUBA Casualty Insurance Company
69. 22-0862 City of Shreveport
70. 22-0896 LUBA Casualty Insurance Company
71. 22-0923 - Unverified
72. 22-0925 - Unverified
73. 22-0940 LA Automobile Dealers Assn.
74. 22-0947 - Unverified
75. 23-0028 LUBA Casualty Insurance Company
76. 23-0029 - Unknown
77. 23-0081 City of Hammond
78. 23-0097 Lafayette Consolidated Government
79. 23-0108 Jefferson Parish
80. 23-0115 Jefferson Parish Public School System
81. 23-0134 - Unknown
82. 23-0168 LA Health Care- Self Ins. Fund
83. 23-0205 LUBA Casualty Insurance Company
84. 23-0256 LA Automobile Dealers Assn.
85. 23-0257 Lafayette Consolidated Government
86. 23-0307 Zurich American Insurance Company

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (56) partial payments due beginning with Claim #00-0181 and ending with Claim #97-0567. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of August 10, 2023. Mr. Kirby seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (82) quarterly payments due beginning with Claim #01-0048 and ending with Claim #96-0018. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of August 10, 2023. Mr. 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. Mr. 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 (15) claims.

1. 16-0632
2. 17-0474
3. 18-0790
4. 19-0310
5. 20-0240
6. 20-0322
7. 20-0615
8. 21-0078
9. 21-0417
10. 21-0912
11. 22-0162
12. 22-0177
13. 22-0477
14. 22-0486
15. 22-0872

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

The following (2) claim had recommendation for settlement denial and that reimbursement continue on an on-going basis:

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1. 11-0701
2. 22-0480

Mr. Hawkland moved to accept the recommendation. Mr. 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 # 10-0486 Settlement Authority
2. Claim # 18-0169 Settlement Authority
3. Claim # 20-0533 Settlement Authority
4. Claim # 20-0644 Settlement Authority
5. Claim # 21-0921 Settlement Authority
6. Claim # 22-0180 Settlement Authority

Mr. Hawkland made the motion. Ms. Olivia seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss.

a. SIB Election for Chairman and Vice-Chairman. Mr. Hawkland nominated Mr. Charles Hansberry as Chairman; the motion, made by Mr. Hawkland and seconded by Ms. Kirby, passed unanimously. Mr. Kirby was nominated for Vice-Chairman. Mr. Kirby was nominated as Vice-Chairman, the motion, was made and seconded by Mr. Hawkland, seconded, and passed unanimously.

There were no other matters to discuss; therefore, the Chairman asked for a motion to adjourn.

Mr. Hawkland moved to adjourn. Mr. Kirby seconded the motion and it passed unanimously.

The meeting adjourned at 2:25 pm

Recording Secretary: Claudia Brumfield