

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of February 6, 2014

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

The following were present:

1. Mr. Charles Hansberry, Chairman, representing Commissioner of Insurance
2. Mr. Wes Hataway, OWCA Director
3. Mr. Steve Hawkland, representing Secretary of State
4. Ms. Lynette Mack, representing State Treasurer
5. Ms. Pauline Williams, SIB Director
6. Michelle Sumrall, Compliance Supervisor
7. Karl Scott, General Counsel
8. LaQuita Jackson, Administrative Assistant II
9. Shaneka Davis, Recording Secretary

Mr. Hansberry, Chairman, called the meeting to order and began with *Item 1* on the agenda, being the reading of the minutes from the previous meeting. Mr. Hawkland moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 2* on the agenda, under the hearing sections, both hearing has been postponed for claim #08-0621 and claim #13-0945 until March board meeting.

Next the Chairman moved to *Item 3* on the agenda, being the recommendation of staff to approve reimbursement on the following (10) claims; beginning with Claim #12-0908 and ending with Claim #13-0935. The motion was made by Mrs. Mack and seconded by Mr. Hawkland and passed unanimously.

1.	12-0908	LUBA Casualty Insurance Company	104 week deductible
2.	12-0949	Louisiana Restaurant Association	104 week deductible
3.	13-0123	LUBA Casualty Insurance Company	104 week deductible
4.	13-0397	LUBA Casualty Insurance Company	104 week deductible
5.	13-0398	Recreation & Park Commission of East Baton Rouge	104 week deductible
6.	13-0419	Louisiana Workers' Compensation Corporation	104 week deductible
7.	13-0503	Louisiana Workers' Compensation Corporation	104 week deductible
8.	13-0541	Louisiana Retailers Mutual Insurance Company	104 week deductible
9.	13-0864	LUBA Casualty Insurance Company	104 week deductible
10.	13-0935	City of New Orleans	104 week deductible

Mr. Hansberry asked for a motion to accept the recommendation of staff and approve reimbursement of these claims. The motion was made by Ms. Mack, seconded by Mr. Hawkland, and passed unanimously.

The Chairman moved to *Item 4* on the agenda, being the recommendation of staff to deny reimbursement for the following (55) claims; beginning with Claim #11-0252 and ending with Claim #13-1011.

1. 11-0252 Louisiana Municipal Risk Management Agency
2. 11-0715 Louisiana United Businesses Association SIF
3. 12-0709 Bridgefield Casualty Insurance Company
4. 12-0877 Louisiana Restaurant Association
5. 12-0931 Recreation & Park Commission of East Baton Rouge
6. 12-0961 Louisiana Hospital Association
7. 12-0999 Louisiana Workers' Compensation Corporation
8. 12-1051 American Casualty of Reading, PA
9. 12-1063 Louisiana Restaurant Association
10. 12-1065 LUBA Casualty Insurance Company
11. 13-0243 Autozone, Inc.
12. 13-0258 Louisiana Workers' Compensation Corporation
13. 13-0379 St. John Parish School Board
14. 13-0448 Slidell Memorial Hospital
15. 13-0461 Zurich American Insurance Company
16. 13-0467 Louisiana Retailers Mutual Insurance Company
17. 13-0472 Bridgefield Casualty Insurance Company
18. 13-0475 New Hampshire Insurance Company
19. 13-0485 Ins. Co. of the State of PA
20. 13-0487 Not Documented
21. 13-0493 Bridgefield Casualty Insurance Company
22. 13-0499 Zurich American Insurance Company
23. 13-0502 PA Manufacturers Assn Ins Co/PMA Ins Group
24. 13-0505 New Hampshire Insurance Company
25. 13-0508 New Hampshire Insurance Company
26. 13-0521 Jefferson Parish School Board
27. 13-0530 LUBA Casualty Insurance Company
28. 13-0532 Ace American Ins. Co
29. 13-0536 Bridgefield Casualty Insurance Company
30. 13-0542 Safety National Casualty Corporation
31. 13-0544 Tulane University
32. 13-0550 Louisiana Workers' Compensation Corporation
33. 13-0553 Louisiana Office of Risk Management
34. 13-0557 EMC Property and Casualty Company
35. 13-0560 New Hampshire Insurance Company
36. 13-0563 New Hampshire Insurance Company
37. 13-0566 Bridgefield Casualty Insurance Company
38. 13-0569 Bridgefield Casualty Insurance Company
39. 13-0581 City of Baton Rouge, East Baton Rouge Parish
40. 13-0594 LUBA Casualty Insurance Company
41. 13-0600 Jefferson Parish School Board
42. 13-0606 Indemnity Insurance Company of North America
43. 13-0615 EMC Property and Casualty Company
44. 13-0633 Louisiana Home Builders Association SIF
45. 13-0635 Louisiana Commerce & Trade Association

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| 46. | 13-0781 | Louisiana Health Care SIF |
| 47. | 13-0824 | Archdiocese of New Orleans |
| 48. | 13-0870 | Gray Insurance Company |
| 49. | 13-0890 | United States Fire Insurance Company |
| 50. | 13-0896 | LUBA Casualty Insurance Company |
| 51. | 13-0908 | Diocese of Lake Charles |
| 52. | 13-0951 | Not Documented |
| 53. | 13-0954 | LUBA Casualty Insurance Company |
| 54. | 13-0994 | Not Documented |
| 55. | 13-1011 | Bridgefield Casualty Insurance Company |

Mr. Hawkland moved to accept the recommendation of staff to deny these claims. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (137) partial payments beginning with Claim #85-0307 and ending with Claim #12-0349. Mr. Hansberry asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of February 6, 2014. The motion was made by Ms. Mack, seconded by Mr. Hawkland, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (92) quarterly payments due beginning with Claim #85-0470 and ending with Claim #12-0327. Mr. Hawkland moved to accept the recommendation of the Director and approve reimbursement of quarterly payments as submitted on the agenda of February 6, 2014. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 7*, Public Comment. No one from the public was present therefore, the Chairman moved to *Item 8* on the agenda. Ms. Mack made a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland seconded the motion and it was passed unanimously.

Upon returning from Executive Session, the Chairman moved to *Item 8a* of the agenda, being settlement recommendations. There is one claim that has been postponed until the next board meeting in March which is, claim #03-0360. There's (21) claims The Chairman 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 quarterly basis for the following claims:

1. 06-0049
2. 08-0266
3. 09-0189
4. 09-0378
5. 09-0860 - Settlement amount to be "0"
6. 10-0726 - Indemnity portion only
7. 10-0782
8. 11-0014
9. 11-0133
10. 11-0167
11. 11-0482
12. 11-0786
13. 11-0806
14. 12-0276
15. 12-0347
16. 12-0514
17. 12-0671
18. 12-0813
19. 13-0063
20. 13-0090
21. 13-0206

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

The following claim were recommended to be denied for settlement and be paid on an on-going basis:

1. 07-0717

Ms. Mack moved to accept the recommendation. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman moved to *Item 8b* of the agenda, being Second Injury Board litigation. The Chairman asked for a motion to grant authority to legal counsel as discussed in Executive Session, to represent the Board in the following manner:

1. Claim #12-0771 continued litigation
2. Claim #12-0493 continued litigation
3. Claim #12-0075 settlement authority
4. Claim #12-0681 continued litigation
5. Claim #11-0094 continued litigation
6. Claim #09-0613 continued litigation

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Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

There being no further business to discuss, the Chairman asked for a motion to adjourn. Mr. Hawkland made the motion which was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 2:34 p.m.

Recording Secretary: Shaneka Davis