

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of February 6, 2020

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

The following were present:

1. Charles Hansberry, representing the Commission of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State, Vice-Chairman
3. Chip Coulter, representing Dept. of Children and Family Services
4. Meridith Trahant, Director of Second Injury Board
5. Karl Scott, General Counsel
6. Shana Veade, General Counsel
7. Claudia Rush, General Counsel
8. Michelle Sumrall, SIB Compliance Supervisor
9. Chandra Cola, SIB Audit & Finance Supervisor
10. Dan Boudreaux, representing Liberty Mutual
11. Christopher White, representing Liberty Mutual
12. Sophie Un, representing Liberty Mutual
13. Claudia Brumfield, Recording Secretary

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. 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. Coulter, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda listing three hearing requests.

1. 19-0262 Indemnity Ins. Co. of North America
2. 19-0334 LA Construction & Industry SIF
3. 19-0500 LA Construction & Industry SIF

Ms. Trahant presented the items, stating that the claims had recommendations for denial based on not meeting the legal elements. She found no issues warranting hearings and she recommended the Board deny the requests. Mr. Coulter made a motion to deny the requests for hearings. Mr. Hawkland seconded the motion and it passed unanimously.

*Item 3* on the agenda lists (15) claims where recommendations were made for payment starting with Claim #18-0706 and ending with Claim #19-0816. Mr. Hawkland made a motion to approve the listed claims for payment. Mr. Coulter seconded the motion and it passed unanimously.

1. 18-0706 LA Workers' Compensation Corp.
2. 19-0006 Jefferson Parish

Minutes (cont'd)

Page

February 6, 2020

3. 19-0073 St. John Parish School Board
4. 19-0137 LA Workers' Compensation Corp.
5. 19-0139 LA Workers' Compensation Corp.
6. 19-0202 LA Workers' Compensation Corp.
7. 19-0216 LUBA Casualty Insurance Company
8. 19-0268 Indemnity Ins. Co. of North America
9. 19-0326 Louisiana Restaurant Association
10. 19-0357 Lafayette Parish Sheriff's Office
11. 19-0369 Lafayette Parish Sheriff's Office
12. 19-0442 Zurich American Insurance Company
13. 19-0640 Ouachita Parish School Board
14. 19-0722 Lafayette Consolidated Government
15. 19-0816 Lafourche Parish Council

The Chairman moved to *Item 4* on the agenda, (89) claims recommended for denial, beginning with Claim #18-0383, ending with Claim #19-0878. The Chairman requested a motion to correct Item #55, Claim #19-0444, to show the carrier correctly as LA Office of Risk Management. Mr. Hawkland made the motion. Mr. Coulter seconded the motion and it passed unanimously. The Chairman then requested a motion to approve the recommendation to deny the claims as described in the February 6, 2020 agenda. Mr. Hawkland made motion to deny the claims for payment. Mr. Coulter seconded the motion and it passed unanimously.

1. 18-0383 LUBA Casualty Insurance Company
2. 18-0397 FCCI Insurance Group
3. 18-0659 Office of Risk Management
4. 18-0680 Office of Risk Management
5. 18-0696 Travelers Property Casualty Company of America
6. 18-0740 Hartford Casualty Insurance Company
7. 18-0771 Travelers Property Casualty Company of America
8. 18-0798 Office of Risk Management
9. 18-0819 LA Workers' Compensation Corp.
10. 18-0860 American Home/Nat' Union/N.H.Ins GP (AIG)
11. 18-0890 Lafayette Parish School Board
12. 19-0008 Louisiana Hospital Association
13. 19-0058 City of Alexandria
14. 19-0135 Bridgefield Employers Insurance Company
15. 19-0230 LUBA Casualty Insurance Company
16. 19-0270 Dillard's, Inc.
17. 19-0283 Bridgefield Casualty Insurance Company
18. 19-0285 Bridgefield Casualty Insurance Company
19. 19-0289 Office of Risk Management
20. 19-0292 Silver Oak Casualty Insurance
21. 19-0298 LA Workers' Compensation Corp.
22. 19-0301 - Unverified
23. 19-0306 Midwest Employers Casualty Company
24. 19-0307 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
25. 19-0310 Liberty Mutual Ins. Co.
26. 19-0327 LA Workers' Compensation Corp.

Minutes (cont'd)

Page

February 6, 2020

27.	19-0337	LA Workers' Compensation Corp.
28.	19-0340	Ace American Ins. Co
29.	19-0349	Bridgfield Casualty Insurance Company
30.	19-0352	LA Municipal Risk Mgmt. Agency
31.	19-0355	Travelers Property Casualty Company of America
32.	19-0358	LA Home Builders Assn.- SIF
33.	19-0364	Ace American Ins. Co
34.	19-0367	Liberty Mutual Ins. Co.
35.	19-0372	Lafayette Parish School Board
36.	19-0374	Old Republic Insurance Company
37.	19-0384	LA Workers' Compensation Corp.
38.	19-0387	Ace American Ins. Co
39.	19-0390	Lafayette Parish School Board
40.	19-0393	LUBA Casualty Insurance Company
41.	19-0396	LUBA Casualty Insurance Company
42.	19-0398	LA Workers' Compensation Corp.
43.	19-0399	LA Workers' Compensation Corp.
44.	19-0402	LA Workers' Compensation Corp.
45.	19-0405	City of New Orleans
46.	19-0414	Eastern Alliance Insurance Co.
47.	19-0417	LA Construction & Industry
48.	19-0420	Louisiana Restaurant Association
49.	19-0423	LA Workers' Compensation Corp.
50.	19-0426	Slidell Memorial Hospital
51.	19-0429	- Unknown
52.	19-0435	Louisiana Hospital Association
53.	19-0438	Roman Catholic Church of New Orleans
54.	19-0441	Walgreen Company
55.	19-0444	LA Office of Risk Management
56.	19-0447	Bridgfield Casualty Insurance Company
57.	19-0450	Liberty Mutual Ins. Co.
58.	19-0451	Travelers Property Casualty Company of America
59.	19-0453	City of New Orleans
60.	19-0455	LA Health Care- Self Ins. Fund
61.	19-0457	XL Specialty Insurance Company
62.	19-0458	LA Workers' Compensation Corp.
63.	19-0461	City of Shreveport
64.	19-0473	Ace American Ins. Co
65.	19-0476	LUBA Casualty Insurance Company
66.	19-0485	- Unverified
67.	19-0488	Liberty Mutual Ins. Co.
68.	19-0498	Zurich American Insurance Company
69.	19-0506	LUBA Casualty Insurance Company
70.	19-0512	XL Specialty Insurance Company
71.	19-0515	Indemnity Ins. Co. of North America
72.	19-0520	LUBA Casualty Insurance Company
73.	19-0521	LUBA Casualty Insurance Company
74.	19-0524	American Interstate Insurance Company
75.	19-0533	- Unknown
76.	19-0542	Jefferson Parish Public School System
77.	19-0549	Lafayette Parish School Board
78.	19-0560	Jefferson Parish Public School System
79.	19-0563	Louisiana Hospital Association

Minutes (cont'd)

Page

February 6, 2020

80.	19-0578	St. Landry Parish School Board
81.	19-0592	LA Construction & Industry
82.	19-0638	Ochsner Baptist Med. Center
83.	19-0674	Wal-Mart Associates, Inc.
84.	19-0680	LUBA Casualty Insurance Company
85.	19-0740	LUBA Casualty Insurance Company
86.	19-0790	LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
87.	19-0796	LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
88.	19-0800	City of Lake Charles
89.	19-0878	Office of Risk Management

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (213) partial payments beginning with Claim #80-0247 and ending with Claim #18-0418. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of February 6, 2020. Mr. Hawkland made the motion. Mr. Coulter seconded the motion and it passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (74) quarterly payments due beginning with Claim #87-0532 and ending with Claim #16-0753. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of February 6, 2020. Mr. Coulter seconded the motion and it passed unanimously.

The Chairman moved to *Item 7*, Public Comment. Mr. Dan Boudreaux with Liberty Mutual Insurance Company was present, along with Mr. Christopher White and Ms. Sophie Un, guests from his corporate office in Boston, to observe.

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. 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 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. 06-0176 – Indemnity only

2. 13-0795
3. 14-0548
4. 15-0318
5. 16-0353
6. 16-0698
7. 17-0857
8. 17-0906
9. 18-0476
10. 19-0207

Mr. Hawkland moved to accept the recommendation. 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. 10-0698

Mr. Hawkland moved to accept the recommendation. Mr. Coulter 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 #14-0165 Settlement Authority
2. Claim #15-0775 Continue Litigation
3. Claim #16-0362 Continue Litigation
4. Claim #16-0798 Settlement Authority
5. Claim #16-0904 Settlement Authority
6. Claim #17-0325 Settlement Authority
7. Claim #17-0415 Settlement Authority
8. Claim #17-0422 Settlement Authority
9. Claim #17-0537 Settlement Authority
10. Claim #18-0142 Continue Litigation
11. Claim #18-0287 Settlement Authority
12. Claim #18-0329 Settlement Authority
13. Claim #18-0370 Settlement Authority
14. Claim #18-0565 Settlement Authority
15. Claim #19-0107 Continue Litigation

Minutes (cont'd)

Page

February 6, 2020

Mr. Hawkland made the motion. Mr. Coulter seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss. Ms. Trahan presented updated contact information for LA Rehabilitation Services to the Board members along with current statistics.

There were then no other matters to discuss. The Chairman asked for a motion to adjourn. Mr. Hawkland moved to adjourn. Mr. Coulter seconded the motion and it passed unanimously.

The meeting adjourned at 2:51 pm

Recording Secretary: Claudia Brumfield