

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of March 14, 2019

The regular meeting of the Second Injury Board convened at 2:07 p.m.

The following were present:

1. Mr. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Mr. Steve Hawkland, representing the Secretary of State, Vice-Chairman
3. Ms. Lynette Mack, representing the State Treasurer
4. Meridith Trahant, Director of Second Injury Board
5. Karl Scott, General Counsel
6. Michelle Sumrall, SIB Compliance Supervisor
7. 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 Ms. Mack, seconded by Mr. Hawkland, and passed unanimously.

Mr. Hansberry moved to *Item 2*, Hearing Requests. There was one listed.

1. 18-0439 LA Construction & Industry

Ms. Trahant presented the request to the Board and recommended denial. A motion to deny a hearing, made by Mr. Hawkland, seconded by Ms. Mack, passed unanimously.

Item 3 on the agenda lists (11) claims where recommendations were made for payment starting with Claim #17-0315 and ending with Claim #18-0765. A motion to approve the claims for payment was made by Mr. Hawkland, seconded by Ms. Mack, and passed unanimously.

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| 1. | 17-0315 | Louisiana Restaurant Association | 104 week deductible |
| 2. | 17-0818 | Jefferson Parish | 104 week deductible |
| 3. | 17-0854 | City of New Orleans | 104 week deductible |
| 4. | 18-0060 | LA Workers' Compensation Corp. | 104 week deductible |
| 5. | 18-0085 | LA Home Builders Assn.- SIF | 104 week deductible |
| 6. | 18-0162 | American Zurich Ins. Co. | 104 week deductible |
| 7. | 18-0263 | Jefferson Parish | 104 week deductible |
| 8. | 18-0265 | Jefferson Parish | 104 week deductible |
| 9. | 18-0552 | AIG Assurance Company (AIG) | 104 week deductible |
| 10. | 18-0583 | Lafayette Parish School Board | 104 week deductible |
| 11. | 18-0765 | Ins. Co. of the State of PA (AIG) | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, (79) claims recommended for denial, beginning with Claim #17-0282, ending with Claim #18-0866. A request was made for a motion to approve the

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recommendation to deny the claims as described in the March 14, 2019 agenda. The motion was made by Ms. Mack, seconded by Mr. Hawkland and passed unanimously.

1. 17-0282 - Unknown
2. 17-0704 Louisiana Restaurant Association
3. 17-0844 LUBA Casualty Insurance Company
4. 17-0886 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
5. 17-0888 St. Bernard Parish School Board
6. 17-0909 LA Workers' Compensation Corp.
7. 18-0005 LA Workers' Compensation Corp.
8. 18-0307 Diocese of Baton Rouge
9. 18-0323 St. Tammany Parish School Board
10. 18-0325 Bridgefield Casualty Insurance Company
11. 18-0343 Argonaut Insurance Group
12. 18-0374 LA Construction & Industry
13. 18-0392 Retailers Casualty Insurance Company
14. 18-0415 City of New Orleans
15. 18-0438 LA Construction & Industry
16. 18-0440 LUBA Casualty Insurance Company
17. 18-0442 Wal-Mart Associates, Inc.
18. 18-0444 Louisiana Restaurant Association
19. 18-0446 LUBA Casualty Insurance Company
20. 18-0447 LA Construction & Industry
21. 18-0449 Travelers Property Casualty Company of America
22. 18-0455 LUBA Casualty Insurance Company
23. 18-0456 Parish Government Risk Management Agency
24. 18-0458 - Unknown
25. 18-0461 LA Workers' Compensation Corp.
26. 18-0462 City of New Orleans
27. 18-0465 LA Workers' Compensation Corp.
28. 18-0468 LUBA Casualty Insurance Company
29. 18-0469 Louisiana Hospital Association
30. 18-0470 Opelousas General Health System
31. 18-0473 Lafayette Consolidated Government
32. 18-0477 Lafourche Parish Council
33. 18-0479 XL Specialty Insurance Company
34. 18-0482 LA Workers' Compensation Corp.
35. 18-0485 LA Workers' Compensation Corp.
36. 18-0486 LA Workers' Compensation Corp.
37. 18-0488 Travelers Property Casualty Company of America
38. 18-0489 Louisiana Hospital Association
39. 18-0491 Lincoln Parish School Board
40. 18-0495 LUBA Casualty Insurance Company
41. 18-0498 LA Workers' Compensation Corp.
42. 18-0501 LA Construction & Industry
43. 18-0504 LA Health Care- Self Ins. Fund
44. 18-0506 LA Automobile Dealers Assn.
45. 18-0510 Stonetrust Commercial Ins. Co.
46. 18-0513 City of New Orleans
47. 18-0516 Recreation & Park Commission of East Baton Rouge
48. 18-0521 Raeford Farms of Louisiana, LLC
49. 18-0523 Roman Catholic Church of New Orleans
50. 18-0526 LA Health Care- Self Ins. Fund
51. 18-0529 Bridgefield Casualty Insurance Company
52. 18-0540 LUBA Casualty Insurance Company

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53. 18-0545 LUBA Casualty Insurance Company
54. 18-0547 LUBA Casualty Insurance Company
55. 18-0556 Ace American Ins. Co
56. 18-0561 LA Automobile Dealers Assn.
57. 18-0568 Office of Risk Management
58. 18-0571 Stonetrust Commercial Ins. Co.
59. 18-0574 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
60. 18-0576 LA Automobile Dealers Assn.
61. 18-0577 LA Automobile Dealers Assn.
62. 18-0586 XL Specialty Insurance Company
63. 18-0592 Louisiana Restaurant Association
64. 18-0595 Roman Catholic Church of New Orleans
65. 18-0604 - Unknown
66. 18-0607 Entergy Services, Inc.
67. 18-0611 Louisiana Restaurant Association
68. 18-0613 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
69. 18-0620 LA Municipal Risk Mgmt. Agency
70. 18-0633 LUBA Casualty Insurance Company
71. 18-0638 LA Home Builders Assn.- SIF
72. 18-0641 Old Republic Insurance Company
73. 18-0648 LUBA Casualty Insurance Company
74. 18-0651 LUBA Casualty Insurance Company
75. 18-0653 LA Health Care- Self Ins. Fund
76. 18-0668 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
77. 18-0732 Roman Catholic Church of New Orleans
78. 18-0752 LA Workers' Compensation Corp.
79. 18-0866 St. Tammany Parish School Board

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (170) partial payments beginning with Claim #83-0313 and ending with Claim #17-0349. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of March 14, 2019. Mr. Hawkland made the motion. It was seconded by Ms. Mack, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (88) quarterly payments due beginning with Claim #99-0456 and ending with Claim #16-0594. Ms. Mack moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of March 14, 2019. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman moved to *Item 7*, Public Comment. No one from the public was present. The Chairman then moved to the next item on the agenda.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland made the motion. It was seconded by Ms. Mack and it passed unanimously.

Upon returning from Executive Session, the Chairman moved to *Item 8a* of the agenda, being settlement recommendations. 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 (17) claims.

1. 01-0120
2. 03-0549
3. 04-0368
4. 06-0232
5. 06-0298
6. 11-0266 – Indemnity only
7. 12-0298
8. 14-0795
9. 15-0096
- 10.15-0293
- 11.15-0432
- 12.15-0826
- 13.16-0444
- 14.16-0577
- 15.17-0376
- 16.17-0511
- 17.17-0575

Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and 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 #07-0116 Settlement Authority
2. Claim #10-0273 Continue Litigation
3. Claim #12-0305 Settlement Authority
4. Claim #15-0213 Dismissed
5. Claim #15-0410 Settlement Authority
6. Claim #16-0628 Settlement Authority
7. Claim #16-0644 Settlement Authority
8. Claim #16-0738 Settlement Authority

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9. Claim #17-0480 Settlement Authority

A motion was made Ms. Mack, seconded by Mr. Hawkland and passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss. Ms. Trahant gave the Board information including a copy of LRS updated figures and success stories of 2018.

There were then no other matters to discuss. The Chairman asked for a motion to adjourn. Ms. Mack moved to adjourn. The motion was seconded by Mr. Hawkland and passed unanimously.

The meeting adjourned at 2:27 pm

Recording Secretary: Claudia Brumfield