

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of May 2, 2019

The regular meeting of the Second Injury Board convened at 2:05 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. Ariel Dixon, Assistant Attorney, Fraud
7. Michelle Sumrall, SIB Compliance Supervisor
8. 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 3*, on the agenda being there were no hearing requests listed under *Item 2*.

Item 3 on the agenda lists (6) claims where recommendations were made for payment starting with Claim #18-0074 and ending with Claim #18-0889. 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. | 18-0074 | Bridgefield Casualty Insurance Company | 104 week deductible |
| 2. | 18-0357 | Ace American Ins. Co | 104 week deductible |
| 3. | 18-0484 | LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.) | 104 week deductible |
| 4. | 18-0532 | LA Automobile Dealers Assn. | 104 week deductible |
| 5. | 18-0581 | Lafayette Parish School Board | 104 week deductible |
| 6. | 18-0889 | Eastern Alliance Insurance Co. | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, (96) claims recommended for denial, beginning with Claim #14-0409, ending with Claim #19-0021. A request was made for a motion to approve the recommendation to deny the claims as described in the May 2, 2019 agenda. The motion was made by Mr. Hawkland, seconded by Ms. Mack and passed unanimously.

1. 14-0409 CNA Insurance Company
2. 17-0615 Old Republic Insurance Company
3. 17-0623 LA Health Care- Self Ins. Fund
4. 17-0836 Zurich American Insurance Company
5. 17-0896 Technology Insurance Company

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6. 18-0024 City of Baton Rouge, East Baton Rouge Parish
7. 18-0058 North Oaks Medical Center
8. 18-0121 LA Workers' Compensation Corp.
9. 18-0125 Indemnity Ins. Co. of North America
10. 18-0127 LA Health Care- Self Ins. Fund
11. 18-0129 Ochsner Baptist Med. Center
12. 18-0135 Lincoln Parish School Board
13. 18-0148 LA Workers' Compensation Corp.
14. 18-0161 LUBA Casualty Insurance Company
15. 18-0168 American Zurich Ins. Co.
16. 18-0184 LA Workers' Compensation Corp.
17. 18-0186 Office of Risk Management
18. 18-0193 American Motorists Insurance Company
19. 18-0200 Louisiana Restaurant Association
20. 18-0228 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
21. 18-0280 LUBA Casualty Insurance Company
22. 18-0322 City of New Orleans
23. 18-0355 LA Workers' Compensation Corp.
24. 18-0382 Federal Express Corporation
25. 18-0388 Willis-Knighton Medical Center
26. 18-0401 Lafayette Parish School Board
27. 18-0421 LA Workers' Compensation Corp.
28. 18-0439 LA Construction & Industry
29. 18-0441 LUBA Casualty Insurance Company
30. 18-0451 Technology Insurance Company
31. 18-0493 LA Health Care- Self Ins. Fund
32. 18-0496 LA Workers' Compensation Corp.
33. 18-0564 Entergy Services, Inc.
34. 18-0565 Office of Risk Management
35. 18-0570 LA Workers' Compensation Corp.
36. 18-0579 Lion Insurance Company
37. 18-0582 Lafayette Parish School Board
38. 18-0585 Office of Risk Management
39. 18-0590 Louisiana Hospital Association
40. 18-0591 Chubb Group of Insurance
41. 18-0593 Jefferson Parish Public School System
42. 18-0594 LA Health Care- Self Ins. Fund
43. 18-0596 LA Construction & Industry
44. 18-0600 Louisiana Restaurant Association
45. 18-0602 LA Workers' Compensation Corp.
46. 18-0603 Lake Charles Memorial Hospital
47. 18-0605 LA Health Care- Self Ins. Fund
48. 18-0606 LA Workers' Compensation Corp.
49. 18-0608 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
50. 18-0612 Roman Catholic Church of New Orleans
51. 18-0615 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
52. 18-0616 Technology Insurance Company
53. 18-0618 Office of Risk Management
54. 18-0622 Office of Risk Management
55. 18-0624 LA Workers' Compensation Corp.
56. 18-0626 Office of Risk Management
57. 18-0629 Willis-Knighton Medical Center
58. 18-0632 Zurich American Insurance Company
59. 18-0635 LA Home Builders Assn.- SIF
60. 18-0636 Louisiana Hospital Association
61. 18-0646 LUBA Casualty Insurance Company

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62. 18-0649 Stonetrust Commercial Ins. Co.
63. 18-0652 LUBA Casualty Insurance Company
64. 18-0657 - Unverified
65. 18-0658 LA Workers' Compensation Corp.
66. 18-0661 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
67. 18-0664 Lafayette Parish School Board
68. 18-0670 Lafayette Parish School Board
69. 18-0676 Office of Risk Management
70. 18-0679 City of New Orleans
71. 18-0682 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
72. 18-0685 City of New Orleans
73. 18-0691 Safety National Casualty Corporation
74. 18-0694 North River Insurance Co., The
75. 18-0697 Louisiana Restaurant Association
76. 18-0700 LA Construction & Industry
77. 18-0703 Office of Risk Management
78. 18-0710 City of Shreveport
79. 18-0712 LA Construction & Industry
80. 18-0715 Stonetrust Commercial Ins. Co.
81. 18-0717 Hartford Underwriters Ins. Co.
82. 18-0730 Roman Catholic Church of New Orleans
83. 18-0731 Sentry Insurance a Mutual Company
84. 18-0755 Parish Government Risk Management Agency
85. 18-0757 Lafayette Consolidated Government
86. 18-0772 Marriott International, Inc.
87. 18-0784 St. Charles Parish School Board
88. 18-0791 LA Home Builders Assn.- SIF
89. 18-0805 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
90. 18-0814 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
91. 18-0857 LA Construction & Industry
92. 18-0865 LUBA Casualty Insurance Company
93. 18-0884 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
94. 18-0893 LA Construction & Industry
95. 19-0004 City of Lake Charles
96. 19-0021 City of Shreveport

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (211) partial payments beginning with Claim #81-0333 and ending with Claim #17-0381. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of May 2, 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 (87) quarterly payments due beginning with Claim #87-0532 and ending with Claim #16-0753. Ms. Mack moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of May 2, 2019. The motion was seconded by Mr. Hawkland and passed unanimously.

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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. Ms. Mack made the motion. It was seconded by Mr. Hawkland and it passed unanimously.

Upon returning from Executive Session, the Chairman moved to *Item 8a* of the agenda, being settlement recommendations. Mr. Hansberry called attention to Item 12, Claim #16-0645, noting that it had been postponed. 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 quarterly basis for the following (10) claims.

1. 00-0622
2. 03-0804
3. 06-0548
4. 09-0294
5. 14-0011
6. 15-0036
7. 16-0084
8. 16-0112
9. 16-0618
10. 16-0661

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

The following (3) claims were recommended for settlement denial and that they continue to be paid on an on-going basis:

1. 01-1110
2. 10-0924
3. 16-0785

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

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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 #09-0907 Settlement Authority
2. Claim #10-0273 Settlement Authority
3. Claim #14-0815 Settlement Authority
4. Claim #15-0409 Continue Litigation
5. Claim #16-0053 Settlement Authority
6. Claim #16-0328 Settlement Authority
7. Claim #16-0731 Settlement Authority
8. Claim #16-0810 Settlement Authority
9. Claim #17-0095 Settlement Authority
10. Claim #17-0311 Settlement Authority

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

The Chairman moved to *Item 9*, any other matters to discuss. 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 2:25 pm

Recording Secretary: Claudia Brumfield