

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of May 4, 2017

The regular meeting of the Second Injury Board convened at 2:03 p.m.

The following were present:

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

Mr. Hansberry moved to *Item 2* on the agenda for hearings. No hearings were scheduled so the Chairman moved to *Item 3*.

Item 3 on the agenda lists (9) claims where recommendations were made for payment starting with Claim #15-0830 and ending with Claim #17-0021. The motion to approve the claims for payment was made by Ms. Mack, seconded by Mr. Hawkland and passed unanimously.

1.	15-0830	Lafayette Parish School Board	104 week deductible
2.	16-0026	City of Natchitoches	104 week deductible
3.	16-0147	Louisiana Construction & Industry - SIF	104 week deductible
4.	16-0198	St. Francis Medical Center	104 week deductible
5.	16-0262	Zurich American Insurance Company	104 week deductible
6.	16-0291	La. Workers Compensation Corp	104 week deductible
7.	16-0508	LUBA Casualty Insurance Company	104 week deductible
8.	16-0693	LUBA Casualty Insurance Company	104 week deductible
9.	17-0021	LUBA Casualty Insurance Company	104 week deductible

The Chairman moved to *Item 4* on the agenda, (71) claims recommended for denial, beginning with Claim #13-0498 and ending with Claim #17-0176. A request was made for a motion to approve the recommendation to deny the claims as described in the May 4, 2017 agenda, with the exception of #14 which was postponed. The motion was made by Ms. Mack; seconded by Mr. Hawkland and passed unanimously.

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1. 13-0498 Zurich American Insurance Company
2. 15-0571 City of Shreveport
3. 16-0015 Louisiana Office of Risk Management
4. 16-0033 LA Health Care - SIF
5. 16-0075 City of Kenner
6. 16-0098 Tulane University
7. 16-0100 Lafourche Parish Government
8. 16-0110 Louisiana Workers' Compensation Corporation
9. 16-0119 Jefferson Parish School Board
10. 16-0145 Zurich American Insurance Company
11. 16-0272 Brookshire Grocery Company
12. 16-0327 Louisiana Workers' Compensation Corporation
13. 16-0379 Office of Risk Management
14. ~~16-0467 Indemnity Ins Co of North America~~ POSTPONED
15. 16-0474 City of New Orleans
16. 16-0483 LA Workers' Compensation Corp.
17. 16-0501 LA Workers' Compensation Corp.
18. 16-0507 LA Construction & Industry
19. 16-0510 Iberia Parish School Board
20. 16-0527 Retailer Casualty Insurance Company
21. 16-0531 Wal-Mart Associates, Inc.
22. 16-0551 LA Construction & Industry
23. 16-0573 None Documented
24. 16-0576 Parish Government Risk Management Agency
25. 16-0582 Office of Risk Management
26. 16-0587 Lafayette Parish School Board
27. 16-0588 Bridgefield Casualty Insurance Company
28. 16-0603 None Documented
29. 16-0606 Tulane University
30. 16-0609 Plaquemine Parish School Board
31. 16-0612 New Hampshire Insurance Company
32. 16-0615 Louisiana Workers' Compensation Corporation
33. 16-0619 Calcasieu Parish School Board
34. 16-0622 American Interstate Insurance Co
35. 16-0627 LA Healthcare- SIF
36. 16-0636 LA Healthcare- SIF
37. 16-0639 Office of Risk Management
38. 16-0642 LUBA Casualty Insurance Company
39. 16-0644 Office of Risk Management
40. 16-0647 LA Workers' Compensation Corp.
41. 16-0650 Office of Risk Management
42. 16-0651 LA Municipal Risk Mgmt. Agency
43. 16-0656 New Hampshire Insurance Company
44. 16-0659 Office of Risk Management
45. 16-0665 Federal Insurance Company / DBA Chubb Ins.
46. 16-0670 Retailer Casualty Insurance Company
47. 16-0671 Bridgefield Casualty Insurance Company
48. 16-0673 Liberty Mutual Insurance Company
49. 16-0674 Dillard's, Inc.

50. 16-0676 City of New Orleans
51. 16-0685 LUBA Casualty Insurance Company
52. 16-0688 American Interstate Insurance Co
53. 16-0689 LA Home Builders Assn.- SIF
54. 16-0691 LA Health Care - SIF
55. 16-0692 Office of Risk Management
56. 16-0695 LUBA Casualty Insurance Company
57. 16-0697 West Jefferson Medical Center
58. 16-0701 Office of Risk Management
59. 16-0703 LUBA Casualty Insurance Company
60. 16-0704 Bridgefield Casualty Insurance Company
61. 16-0712 Louisiana Workers' Comp Corp
62. 16-0747 LCTA Casualty Ins. Co.
63. 16-0748 None Documented
64. 16-0751 Louisiana Workers' Comp Corp
65. 16-0789 LA Health Care - SIF
66. 16-0814 LA Health Care - SIF
67. 16-0815 LA Health Care - SIF
68. 16-0876 LA Health Care - SIF
69. 16-0917 Rouse Enterprises, Inc.
70. 17-0063 LA Municipal Risk Mgmt Agency
71. 17-0176 Willis-Knighton Medical Center

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (197) partial payments beginning with Claim #81-0040 and ending with Claim #15-0236. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of May 4, 2017. The motion was made by Mr. Hawkland seconded by Ms. Mack, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (95) quarterly payments due beginning with Claim #88-0220 and ending with Claim #15-0062. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of May 4, 2017. 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, Executive Session. 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 passed unanimously.

Upon returning from Executive Session, the Chairman moved to *Item 8a* of the agenda, being settlement recommendations. Mr. Hawkland made a motion to amend the agenda to include item 12, Claim #15-0079 in *Item 8a*. The motion was seconded by Ms. Mack and passed unanimously. 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 (8) claims:

1. 87-0532
2. 05-0925
3. 06-0175
4. 09-0181
5. 13-0629
6. 14-0117
7. 14-0332
8. 15-0079 Med only

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

The following (4) claims were recommended for settlement denial and they continue to be paid on an on-going basis:

1. 09-0204
2. 11-0445
3. 13-0547
4. 15-0517

Ms. Mack moved to accept the recommendation. It 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 motion to grant authority to legal counsel to represent the Board in the following manner, as discussed in Executive Session.

1. Claim #08-0621 Continued Litigation
2. Claim #12-0751 Continued Litigation
3. Claim #12-0896 Settlement Authority
4. Claim #13-0653 Settlement Authority
5. Claim #14-0907 Settlement Authority
6. Claim #15-0061 Settlement Authority

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7. Claim #15-0213 Continued Litigation
8. Claim #15-0532 Settlement Authority
9. Claim #15-0662 Settlement Authority

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

The Chairman moved to *Item 9* by asking if there were any other matters to discuss. There being no further business to discuss, the Chairman asked for a motion to adjourn. Mr. Hawkland moved to adjourn. The motion was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 2:26pm

Recording Secretary: Claudia Brumfield