

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of May 5, 2016

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. Dan Lastrapes, Director of Second Injury & Audit & Finance
3. Mr. Steve Hawkland, representing the Secretary of State
4. Ms. Lynette Mack, representing the State Treasurer
5. Larry White, Deputy Director
6. Karl Scott, General Counsel
7. Jessica Masaracchia, OWCA Audit & Finance Supervisor
8. Shaneka Davis, 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. Ms. Mack moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Mr. Hawkland 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 (11) claims for which a recommendation was made for payment starting with Claim #13-1066 and ending with Claim #16-0122. Mr. Hansberry asked for a motion in support of the recommendation. The motion was made by Mr. Hawkland, seconded by Ms. Mack and passed unanimously.

|     |         |   |                     |
|-----|---------|---|---------------------|
| 1.  | 13-1066 | St. John Parish School Board            | 104 week deductible |
| 2.  | 15-0351 | Stonetrust Commercial Insurance Company | 104 week deductible |
| 3.  | 15-0363 | Louisiana Health Care SIF               | 104 week deductible |
| 4.  | 15-0528 | LUBA Casualty Insurance Company         | 104 week deductible |
| 5.  | 15-0591 | Louisiana Construction & Industry - SIF | 104 week deductible |
| 6.  | 15-0654 | Louisiana Loggers SIF                   | 104 week deductible |
| 7.  | 15-0703 | Louisiana Hospital Association          | 104 week deductible |
| 8.  | 15-0725 | Bridgefield Casualty Insurance Company  | 104 week deductible |
| 9.  | 15-0846 | Louisiana Restaurant Association        | 104 week deductible |
| 10. | 15-0847 | Louisiana Construction & Industry - SIF | 104 week deductible |
| 11. | 16-0122 | Lafayette General Medical Center        | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, being the recommendation of staff to deny reimbursement for the following (77) claims; beginning with Claim #13-0621 and ending with Claim #16-0129. A request was made for a motion in support of the recommendation. The motion was made by Mr. White, seconded by Mr. Hawkland and passed unanimously.

1. 13-0621 PA Manufacturers Assn. Ins Co/PMA Ins Group
2. 14-0629 LUBA Casualty Insurance Company
3. 14-0638 Louisiana Office of Risk Management
4. 14-0755 Louisiana Auto Dealers Association
5. 14-0893 Zurich American Insurance Company
6. 15-0061 Bridgefield Casualty Insurance Company
7. 15-0162 City of New Orleans
8. 15-0248 Stonetrust Commercial Insurance Company
9. 15-0254 Louisiana Health Care SIF
10. 15-0270 Stonetrust Commercial Insurance Company
11. 15-0275 Louisiana Office of Risk Management
12. 15-0308 Louisiana Office of Risk Management
13. 15-0312 Insurance Company of the State of PA
14. 15-0324 Zurich American Insurance Company
15. 15-0339 Ace American Insurance Company
16. 15-0341 Ace American Insurance Company
17. 15-0352 Yellow Freight System, Inc.
18. 15-0358 LUBA Casualty Insurance Company
19. 15-0416 Louisiana Office of Risk Management
20. 15-0428 Tulane University
21. 15-0431 Louisiana Workers' Compensation Corporation
22. 15-0432 Louisiana Workers' Compensation Corporation
23. 15-0437 Louisiana Office of Risk Management
24. 15-0443 Louisiana Office of Risk Management
25. 15-0488 Louisiana Health Care SIF
26. 15-0489 Travelers Indemnity Company
27. 15-0492 LUBA Casualty Insurance Company
28. 15-0516 Unverified
29. 15-0520 Louisiana Municipal Risk Management Agency
30. 15-0522 American Casualty of Reading, PA
31. 15-0531 Louisiana Retailers Mutual Insurance Company
32. 15-0535 Louisiana Workers' Compensation Corporation
33. 15-0536 Unverified
34. 15-0540 LUBA Casualty Insurance Company
35. 15-0542 Bridgefield Casualty Insurance Company
36. 15-0544 Unverified
37. 15-0546 PA Manufacturers Assn. Insurance Company/PMA Insurance Group
38. 15-0554 Bridgefield Casualty Insurance Company
39. 15-0557 Bridgefield Casualty Insurance Company
40. 15-0558 Bridgefield Casualty Insurance Company
41. 15-0560 American Casualty of Reading, PA
42. 15-0561 Ace American Insurance Company
43. 15-0563 LUBA Casualty Insurance Company
44. 15-0566 Property, Casualty Insurance Company
45. 15-0572 American Interstate Insurance Company
46. 15-0579 Louisiana Workers' Compensation Corporation
47. 15-0586 City of Baton Rouge, EBRP
48. 15-0588 Louisiana Workers' Compensation Corporation
49. 15-0589 Christus Schumpert Highland Hospital

50. 15-0595 Parish Government Risk Management Agency
51. 15-0598 Ace American Insurance Company
52. 15-0607 American Interstate Insurance Company
53. 15-0610 Harrah's Operating Company Inc.
54. 15-0616 LUBA Casualty Insurance Company
55. 15-0621 Unverified
56. 15-0626 Caddo Parish School Board
57. 15-0648 City of Baton Rouge, EBRP
58. 15-0650 Unverified
59. 15-0651 New Hampshire Insurance Company
60. 15-0653 Arch Insurance Company
61. 15-0657 Farmington Casualty Company
62. 15-0659 Louisiana Commerce & Trade Association
63. 15-0662 Zurich American Insurance Company
64. 15-0669 Unverified
65. 15-0683 Louisiana Construction & Industry – SIF
66. 15-0686 Louisiana Workers' Compensation Corporation
67. 15-0691 East Jefferson General Hospital
68. 15-0739 Crum & Forster Insurance Company
69. 15-0777 Louisiana Municipal Risk Management Agency
70. 15-0778 American Home-National Union (AIG)
71. 15-0855 Parish Government Risk Management Agency
72. 15-0869 Louisiana Municipal Risk Management Agency
73. 16-0016 Jefferson Parish School Board
74. 16-0034 Louisiana Auto Dealers Association
75. 16-0038 LUBA Casualty Insurance Company
76. 16-0063 LUBA Casualty Insurance Company
77. 16-0129 Louisiana Construction & Industry – SIF

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (339) partial payments beginning with Claim #82-0298 and ending with Claim #14-0242. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of May 5, 2016. 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 (90) quarterly payments due beginning with Claim #90-0269 and ending with Claim #13-0092. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of May 5, 2016. 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 and the Chairman moved to *Item 8* on the agenda. Mr. White made a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Ms. Mack 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 on (11) 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. 07-0212
2. 11-0686
3. 12-0053 – Indemnity Only
4. 12-0664
5. 12-0933 – Indemnity Only
6. 13-0231
7. 13-0252 - Indemnity Only
8. 13-0806
9. 14-0540
10. 14-0632 – Indemnity Only
11. 14-0883

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

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

1. 08-0156
2. 09-0650
3. 09-0734
4. 13-0397

Mr. Hawkland moved to accept the recommendation. It 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 a motion to grant authority to legal counsel as discussed in Executive Session and to represent the Board in the following manner:

1. Claim #97-1140 Continued Litigation
2. Claim #10-0693 Continued Litigation
3. Claim #13-0042 Settlement Authority
4. Claim #14-0499 Settlement Authority
5. Claim #14-0598 Settlement Authority

Minutes (cont'd)

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Mr. White 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 moved to adjourn. The motion was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 2:21pm

Recording Secretary: Shaneka Davis