

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of May 6, 2021

The regular meeting of the Second Injury Board convened at 2:09 p.m.

The following were present or attended via Zoom/Teleconference:

1. Charles Hansberry, representing the Commission of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State
3. Chip Coulter, representing Dept. of Children and Family Services
4. Leigh Anne Faber, representing the State Treasurer
5. Darrick Lee, Acting Director of Second Injury Board
6. Shana Veade, General Counsel
7. Claudia Rush, General Counsel
8. Ta'Tanisha Youngblood, General Counsel
9. Michelle Sumrall, SIB Compliance Supervisor
10. Chandra Cola, SIB Audit & Finance Supervisor
11. Claudia Brumfield, Recording Secretary

Mr. Lee made note that the Board was holding the meeting through video/teleconference pursuant to John Bel Edwards' Executive Order #84-2020, Section 2c.

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 of April 8, 2021. 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. Coulter, seconded by Ms. Faber, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. There was no hearing listed.

Item 3 on the agenda lists (12) claims where recommendations were made for payment starting with Claim #20-0011 and ending with Claim #20-0954. Mr. Hawkland made a motion to approve the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 20-0011 Recreation & Park Commission of East Baton Rouge
2. 20-0043 LA Construction & Industry SIF
3. 20-0137 LA Workers' Compensation Corp.
4. 20-0297 LUBA Casualty Insurance Company
5. 20-0322 American Zurich Ins. Co.
6. 20-0435 City of New Orleans
7. 20-0543 City of New Orleans
8. 20-0674 LA Construction & Industry SIF
9. 20-0678 Eastern Alliance Insurance Co.
10. 20-0682 Jefferson Parish
11. 20-0922 LA Workers' Compensation Corp.
12. 20-0954 Willis-Knighton Medical Center

Minutes (cont'd)

Page 2 of 5

May 6, 2021

The Chairman moved to *Item 4* on the agenda, (93) claims recommended for denial, beginning with Claim #19-0853 and ending with Claim #21-0191. The Chairman requested a motion to approve the recommendation to deny the claims as described in the May 6, 2021 agenda. Mr. Hawkland made a motion to deny the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 19-0853 LA Workers' Compensation Corp.
2. 19-0931 American Zurich Ins. Co.
3. 20-0001 LCTA Casualty Ins. Co.
4. 20-0008 Lafayette Parish School Board
5. 20-0016 LA Workers' Compensation Corp.
6. 20-0017 LA Construction & Industry SIF
7. 20-0029 LCTA Casualty Ins. Co.
8. 20-0038 Jefferson Parish Public School System
9. 20-0041 Office of Risk Management
10. 20-0047 Ace American Ins. Co
11. 20-0055 LUBA Casualty Insurance Company
12. 20-0056 LUBA Casualty Insurance Company
13. 20-0070 LA Workers' Compensation Corp.
14. 20-0082 St. Tammany Parish School Board
15. 20-0119 City of New Orleans
16. 20-0186 City of New Orleans
17. 20-0194 LA Workers' Compensation Corp.
18. 20-0197 LUBA Casualty Insurance Company
19. 20-0203 Louisiana Hospital Association
20. 20-0209 LUBA Casualty Insurance Company
21. 20-0215 LUBA Casualty Insurance Company
22. 20-0216 LA Home Builders Assn.- SIF
23. 20-0219 LUBA Casualty Insurance Company
24. 20-0237 Argonaut Insurance Group
25. 20-0242 LA Home Builders Assn.- SIF
26. 20-0244 LA Workers' Compensation Corp.
27. 20-0245 LA Workers' Compensation Corp.
28. 20-0248 Great American Insurance Company
29. 20-0251 Office of Risk Management
30. 20-0254 LA Workers' Compensation Corp.
31. 20-0279 Indemnity Ins. Co. of North America
32. 20-0280 Safety National Casualty Corporation
33. 20-0282 Lowe's Home Center, Inc.
34. 20-0283 Lake Charles Memorial Hospital
35. 20-0284 Old Republic Insurance Company
36. 20-0285 New Hampshire Insurance Company (AIG)
37. 20-0287 ACE Indemnity Insurance Co.
38. 20-0291 Safety National Casualty Corporation
39. 20-0293 Ace American Ins. Co
40. 20-0294 Travelers Property Casualty Company of America
41. 20-0299 Bridgefield Casualty Insurance Company
42. 20-0300 Bridgefield Casualty Insurance Company
43. 20-0303 LA Workers' Compensation Corp.
44. 20-0305 Travelers Property Casualty Company of America
45. 20-0306 LA Workers' Compensation Corp.
46. 20-0308 Ace American Ins. Co
47. 20-0309 - Unverified
48. 20-0311 LA Construction & Industry SIF
49. 20-0312 LA Construction & Industry SIF

Minutes (cont'd)

Page 3 of 5

May 6, 2021

50. 20-0319 Louisiana Restaurant Association
51. 20-0337 Arch Insurance Company
52. 20-0351 Louisiana Restaurant Association
53. 20-0425 LA Construction & Industry SIF
54. 20-0449 - Unknown
55. 20-0453 Parish Government Risk Management Agency
56. 20-0455 Amguard Insurance Company
57. 20-0457 Silver Oak Casualty Insurance
58. 20-0463 LA Workers' Compensation Corp.
59. 20-0465 Louisiana Hospital Association
60. 20-0467 Sentry Insurance A Mutual Company
61. 20-0469 St. Tammany Parish School Board
62. 20-0473 St. Tammany Parish School Board
63. 20-0475 LA Workers' Compensation Corp.
64. 20-0477 Bridgefield Casualty Insurance Company
65. 20-0479 LA Construction & Industry SIF
66. 20-0481 American Casualty of Reading, PA
67. 20-0487 LA Construction & Industry SIF
68. 20-0489 LA Workers' Compensation Corp.
69. 20-0491 Office of Risk Management
70. 20-0493 Continental Insurance Company
71. 20-0495 City of New Orleans
72. 20-0497 Eastern Alliance Insurance Co.
73. 20-0511 Stonetrust Commercial Ins. Co.
74. 20-0517 Bridgefield Casualty Insurance Company
75. 20-0519 Office of Risk Management
76. 20-0527 Office of Risk Management
77. 20-0531 East Jefferson General Hospital
78. 20-0596 Jefferson Parish
79. 20-0622 Gray Insurance Company
80. 20-0763 - Unverified
81. 20-0778 Liberty Mutual Ins. Co.
82. 20-0794 - Unverified
83. 20-0808 Liberty Mutual Ins. Co.
84. 20-0813 Tangipahoa Parish School Board
85. 20-0819 Indemnity Ins. Co. of North America
86. 20-0834 Louisiana Restaurant Association
87. 20-0841 Travelers Property Casualty Company of America
88. 20-0851 Terrebonne Parish Cons. Government
89. 20-0942 Great American Alliance Insurance Company
90. 20-0989 Office of Risk Management
91. 21-0042 LA Construction & Industry SIF
92. 21-0175 Liberty Mutual Ins. Co.
93. 21-0191 LA Construction & Industry SIF

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (157) partial payments due beginning with Claim #80-0247 and ending with Claim #19-0602. Ms. Faber moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of May 6, 2021. Mr. Coulter seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (100) quarterly payments due beginning with Claim #86-0091 and ending with Claim #19-0413. Ms. Faber

moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of May 6, 2021. Mr. Coulter seconded the motion and it passed unanimously.

The Chairman moved to Item 7, Public Comment. There were no members of the public present.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland made the motion. Ms. Faber 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 (18) claims.

1. 10-0676
2. 14-0089
3. 16-0632
4. 17-0154
5. 18-0074
6. 18-0498
7. 18-0811
8. 19-0016
9. 19-0033
10. 19-0258
11. 19-0262
12. 19-0269
13. 19-0369
14. 19-0430
15. 19-0584
16. 20-0067
17. 20-0269
18. 20-0341

Mr. Hawkland moved to accept the recommendation. Ms. Faber seconded the motion and it passed unanimously.

The following (7) claims had recommendations for settlement denial and that reimbursement continue on and on-going basis:

1. 98-1330
2. 12-0644
3. 15-0601

Minutes (cont'd)

Page 5 of 5

May 6, 2021

4. 16-0323
5. 17-0021
6. 18-0268
7. 18-0581

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 #11-0842 Continued Litigation
2. Claim #15-0837 Continued Litigation
3. Claim #17-0203 Settlement Authority
4. Claim #17-0270 Settlement Authority
5. Claim #17-0578 Settlement Authority
6. Claim #17-0817 Settlement Authority
7. Claim #17-0915 Settlement Authority
8. Claim #18-0302 Settlement Authority
9. Claim #18-0366 Settlement Authority
10. Claim #18-0416 Settlement Authority
11. Claim #18-0783 Settlement Authority
12. Claim #19-0023 Settlement Authority
13. Claim #19-0116 Settlement Authority
14. Claim #19-0259 Continued Litigation
15. Claim #19-0394 Settlement Authority
16. Claim #19-0634 Continued Litigation
17. Claim #19-0731 Settlement Authority
18. Claim #19-0901 Settlement Authority
19. Claim #19-0965 Continued Litigation
20. Claim #20-0025 Settlement Authority

Mr. Coulter made the motion. Ms. Faber seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss. There were no other matters to discuss; therefore, the Chairman asked for a motion to adjourn. Mr. Hawkland moved to adjourn. Ms. Faber seconded the motion and it passed unanimously.

The meeting adjourned at 2:58 pm

Recording Secretary: Claudia Brumfield