

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of October 3, 2019

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

The following were present:

1. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State, Vice-Chairman
3. Lynette Mack, representing the State Treasurer
4. Chip Coulter, representing the Dept. of Family Services
5. Meridith Trahan, Director of Second Injury Board
6. Karl Scott, General Counsel
7. Shana Veade, General Counsel
8. Claudia Rush, General Counsel
9. Michelle Sumrall, SIB Compliance Supervisor
10. Chandra Cola, SIB Audit & Finance Supervisor
11. 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 Mr. Hawkland, seconded by Coulter, 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 (9) claims where recommendations were made for payment starting with Claim #18-0164 and ending with Claim #19-0602. Ms. Mack made a motion to approve the listed claims for payment. Mr. Hawkland seconded the motion and it passed unanimously.

1.	18-0164	LA Workers' Compensation Corp.	104 week deductible
2.	18-0377	LUBA Casualty Insurance Company	104 week deductible
3.	18-0500	LA Workers' Compensation Corp.	104 week deductible
4.	18-0614	LA Automobile Dealers Assn.	104 week deductible
5.	18-0842	LA Construction & Industry	104 week deductible
6.	19-0017	St. Tammany Parish School Board	104 week deductible
7.	19-0207	Old Republic Insurance Company	104 week deductible
8.	19-0413	LA Workers' Compensation Corp.	104 week deductible
9.	19-0602	Hartford Casualty Insurance Company	104 week deductible

The Chairman moved to *Item 4* on the agenda, (61) claims recommended for denial, beginning with Claim #17-0837, ending with Claim #19-0514. The Chairman requested a motion to approve the recommendation to deny the claims as described in the October 3, 2019 agenda. Mr. Hawkland made motion to deny the claims for payment. Ms. Mack seconded the motion and it passed unanimously.

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1. 17-0837 - Unverified
2. 18-0025 LA Construction & Industry
3. 18-0299 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
4. 18-0515 St. Landry Parish School Board
5. 18-0522 Caddo Parish Commission
6. 18-0563 Great American Insurance Company
7. 18-0721 City of New Orleans
8. 18-0739 LA Workers' Compensation Corp.
9. 18-0799 St. Martin Parish School Board
10. 18-0827 LA Construction & Industry
11. 18-0838 XL Specialty Insurance Company
12. 19-0046 - Unverified
13. 19-0048 Zurich American Insurance Company
14. 19-0054 LA Municipal Risk Mgmt. Agency
15. 19-0055 LUBA Casualty Insurance Company
16. 19-0057 LUBA Casualty Insurance Company
17. 19-0061 Bridgefield Casualty Insurance Company
18. 19-0064 City of New Orleans
19. 19-0065 Wal-Mart Associates, Inc.
20. 19-0067 Louisiana Hospital Association
21. 19-0069 Old Republic Insurance Company
22. 19-0072 Jefferson Parish Public School System
23. 19-0090 Liberty Mutual Ins. Co.
24. 19-0093 Bridgefield Casualty Insurance Company
25. 19-0094 - Unknown
26. 19-0096 Liberty Mutual Ins. Co.
27. 19-0102 LA Workers' Compensation Corp.
28. 19-0106 City of New Orleans
29. 19-0107 LA Construction & Industry
30. 19-0108 LA Workers' Compensation Corp.
31. 19-0114 Travelers Property Casualty Company of America
32. 19-0152 Louisiana Restaurant Association
33. 19-0155 City of New Orleans
34. 19-0158 Retailers Casualty Insurance Company
35. 19-0161 Travelers Property Casualty Company of America
36. 19-0162 Lafayette Consolidated Government
37. 19-0170 Midwest Employers Casualty Company
38. 19-0182 Tulane University
39. 19-0190 XL Specialty Insurance Company
40. 19-0200 LA Construction & Industry
41. 19-0201 - Unknown
42. 19-0206 - Unverified
43. 19-0209 Zurich American Insurance Company
44. 19-0212 City of New Orleans
45. 19-0215 Terrebonne Parish School Board
46. 19-0218 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
47. 19-0220 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
48. 19-0221 Dolgencorp, LLC (Dollar General)
49. 19-0227 Old Republic Insurance Company
50. 19-0233 American Zurich Ins. Co.
51. 19-0236 City of Slidell
52. 19-0297 Federal Insurance Company / DBA Chubb Ins.

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53.	19-0299	LUBA Casualty Insurance Company
54.	19-0308	- Unknown
55.	19-0320	LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
56.	19-0353	Sentry Insurance A Mutual Company
57.	19-0376	Zurich American Insurance Company
58.	19-0403	Bridgefield Casualty Insurance Company
59.	19-0418	- Unverified
60.	19-0479	City of Alexandria
61.	19-0514	LA Automobile Dealers Assn.

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (213) partial payments beginning with Claim #82-0195 and ending with Claim #18-0059. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of October 3, 2019. Mr. Coulter made the motion. Ms. Mack seconded the motion and it passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (70) quarterly payments due beginning with Claim #95-0317 and ending with Claim #17-0524. Ms. Mack moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of October 3, 2019. Mr. Hawkland 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. Ms. Mack made the motion. Mr. Hawkland seconded the motion and it passed unanimously.

Upon returning from Executive Session, the Chairman made an amendment to section 8a on the agenda, adding claim #17-0028 to *Item 8a* of the agenda. A motion to amend the agenda was made by Mr. Hawkland, seconded by Ms. Mack and passed unanimously.

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 (17) claims.

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1. 92-0137
2. 06-0350
3. 09-0393 – Indemnity only
4. 13-0652
5. 15-0344
6. 16-0327
7. 16-0477 – Indemnity only
8. 16-0540
9. 16-0648
10. 16-0733
11. 16-0810
12. 17-0028
13. 17-0911
14. 18-0059
15. 18-0088
16. 18-0378
17. 18-0532

Mr. Coulter moved to accept the recommendation. Mr. Hawkland 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 #12-0081 Settlement Authority
2. Claim #12-0453 Continue Litigation
3. Claim #13-0968 Continue Litigation
4. Claim #13-1042 Continue Litigation
5. Claim #14-0105 Continue Litigation
6. Claim #14-0157 Settlement Authority
7. Claim #14-0462 Settlement Authority
8. Claim #14-0548 Settlement Authority
9. Claim #15-0316 Continue Litigation
10. Claim #15-0699 Settlement Authority
11. Claim #15-0860 Continue Litigation
12. Claim #16-0348 Settlement Authority
13. Claim #16-0370 Settlement Authority
14. Claim #16-0621 Settlement Authority
15. Claim #17-0118 Settlement Authority
16. Claim #17-0497 Settlement Authority
17. Claim #17-0614 Settlement Authority
18. Claim #17-0691 Settlement Authority
19. Claim #17-0697 Settlement Authority

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20. Claim #17-0738 Settlement Authority
21. Claim #18-0062 Settlement Authority
22. Claim #18-0330 Settlement Authority
23. Claim #18-0461 Continue Litigation
24. Claim #18-0662 Settlement Authority

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

The Chairman moved to *Item 9*, any other matters to discuss. Ms. Trahant noted that the quarterly report from LRS was received.

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

The meeting adjourned at 2:47 pm

Recording Secretary: Claudia Brumfield