

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of September 1, 2016

The regular meeting of the Second Injury Board convened at 2:10 p.m.

The following were present:

1. Director Sheral Kellar, OWCA Director
2. Mr. Charles Hansberry, Representing the Commissioner of Insurance, Chairman
3. Mrs. Pauline Williams, Deputy Director/Acting Director of Second Injury Board
4. Ms. Lynette Mack, representing the State Treasurer
5. Karl Scott, General Counsel
6. Meridith Trahant, General Counsel
7. Michelle Sumrall, SIB Compliance 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 Director Kellar 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 (14) claims where recommendations were made for payment starting with Claim #15-0295 and ending with Claim #16-0454. The motion was made by Director Kellar, seconded by Ms. Mack and passed unanimously.

1.	15-0295	Arch Insurance Company	104 week deductible
2.	15-0466	City of New Orleans	104 week deductible
3.	15-0476	St. Tammany Parish Hospital	104 week deductible
4.	15-0539	City of New Orleans	104 week deductible
5.	15-0618	Great American Alliance Insurance Company	104 week deductible
6.	15-0624	Louisiana Workers' Compensation Corporation	104 week deductible
7.	15-0661	Louisiana Construction & Industry – Sif	104 week deductible
8.	15-0663	Louisiana Home Builders Association SIF	104 week deductible
9.	15-0721	Ochsner Clinic	104 week deductible
10.	15-0746	Louisiana Workers' Compensation Corporation	104 week deductible
11.	15-0867	Willis-Knighton Medical Center	104 week deductible
12.	16-0011	City of New Orleans	104 week deductible
13.	16-0104	Stonetrust Commercial Ins. Co.	104 week deductible
14.	16-0454	LA Workers' Compensation Corp.	104 week deductible

The Chairman moved to *Item 4* on the agenda, being the recommendation of staff to deny reimbursement for the following (59) claims; beginning with Claim #14-0489 and ending with Claim #16-0425. Items 40 and 48 have been postponed. The motion was made by Ms. Mack, seconded by Director Kellar and passed unanimously.

1. 14-0489 Louisiana Auto Dealers Association
2. 15-0032 Louisiana Office of Risk Management
3. 15-0101 Great American Insurance Company
4. 15-0146 St. Martin Parish School Board
5. 15-0194 Unverified
6. 15-0251 Louisiana Auto Dealers Association
7. 15-0353 Louisiana Office of Risk Management
8. 15-0379 Louisiana Workers' Compensation Corporation
9. 15-0389 Ace American Ins. Co
10. 15-0456 Argonaut Insurance Group
11. 15-0468 Arch Insurance Company
12. 15-0534 Stonetrust Commercial Ins. Co.
13. 15-0632 LUBA Casualty Insurance Company
14. 15-0647 City of Shreveport
15. 15-0671 Louisiana Workers' Compensation Corporation
16. 15-0688 Bridgefield Casualty Insurance Company
17. 15-0779 City of Shreveport
18. 15-0780 Louisiana Workers' Compensation Corporation
19. 15-0782 Continental Indemnity Company
20. 15-0785 Travelers Indemnity Company of Connecticut
21. 15-0795 Louisiana Office of Risk Management
22. 15-0827 Louisiana Commerce & Trade Association
23. 15-0831 LUBA Casualty Insurance Company
24. 15-0837 United States Fire Insurance Company
25. 15-0851 Louisiana Office of Risk Management
26. 15-0852 Louisiana Office of Risk Management
27. 15-0857 Louisiana Office of Risk Management
28. 15-0858 Louisiana Office of Risk Management
29. 15-0863 Louisiana Office of Risk Management
30. 15-0887 St. Landry Parish School Board
31. 16-0009 St. Charles Parish School Board
32. 16-0012 Louisiana Office of Risk Management
33. 16-0022 Lafourche Parish Government
34. 16-0027 Lafayette Parish School Board
35. 16-0054 Louisiana Office of Risk Management
36. 16-0059 Louisiana Office of Risk Management
37. 16-0062 Lafayette Parish School Board
38. 16-0065 Christus - St. Patrick Hospital
39. 16-0078 Bridgefield Casualty Insurance Company
40. ~~16-0084 LUBA Casualty Insurance Company~~ POSTPONE
41. 16-0085 St. Tammany Parish School Board
42. 16-0087 Louisiana Home Builders Association SIF
43. 16-0090 Lafayette General Medical Center
44. 16-0093 Ins. Co. of the State of PA
45. 16-0102 Louisiana Office of Risk Management
46. 16-0105 Louisiana Office of Risk Management
47. 16-0108 Louisiana Office of Risk Management
48. ~~16-0120 Willis Knighton Medical Center~~ POSTPONE

- 49. 16-0123 Louisiana Office of Risk Management
- 50. 16-0133 City of Baton Rouge, East Baton Rouge Parish
- 51. 16-0140 Lafourche Parish Government
- 52. 16-0190 LUBA Casualty Insurance Company
- 53. 16-0202 LUBA Casualty Insurance Company
- 54. 16-0222 Louisiana Restaurant Association
- 55. 16-0232 LA Municipal Risk Mgmt. Agency
- 56. 16-0283 Crum & Foster Indemnity Company
- 57. 16-0284 Crum & Foster Indemnity Company
- 58. 16-0423 Praetorian Insurance Company
- 59. 16-0425 LA Workers' Compensation Corp.

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (351) partial payments beginning with Claim #77-0304 and ending with Claim #15-0296. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of September 1, 2016. The motion was made by Ms. Mack, seconded by Director Kellar, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (71) quarterly payments due beginning with Claim #95-0585 and ending with Claim #14-0540. Ms. Mack moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of September 1, 2016. The motion was seconded by Director Kellar 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. Director Kellar 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 (7) 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. 07-0652
- 2. 10-0104
- 3. 11-0844
- 4. 12-0365
- 5. 13-0458
- 6. 13-0814
- 7. 14-0621

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

The following (1) claim was recommended for settlement denial and to be paid on an on-going basis:

1. 15-0057

Ms. Mack moved to accept the recommendation. It was seconded by Director Kellar 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, to represent the Board in the following manner:

1. Claim #12-0591 Continued Litigation
2. Claim #12-1044 Settlement Authority
3. Claim #13-1030 Settlement Authority
4. Claim #14-0042 Continued Litigation
5. Claim #14-0358 Continued Litigation
6. Claim #14-0749 Continued Litigation
7. Claim #14-0850 Continued Litigation

Director Kellar 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. Ms. Mack moved to adjourn. The motion was seconded by Director Kellar and passed unanimously.

The meeting was adjourned at 2:35pm

Recording Secretary: Shaneka Davis