

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of April 5, 2023, 2023

The regular meeting of the Second Injury Board convened at 2:00 p.m.

The following were present:

1. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Joseph Freeman, representing the State Treasurer
3. Chris Kirby, representing Dept. of Children and Family Service
4. Tavares Walker, representing the Office of Workers; Compensation Administration
5. Meridith Trahant, SIB Director
6. Karl Scott, General Counsel
7. Shana Veade, General Counsel
8. Ta'Tanisha Youngblood, General Counsel
9. Devionne Butler, General Counsel
10. Michelle Sumrall, SIB Compliance Supervisor
11. Chandra Cola, SIB Audit & Finance Supervisor
12. Tamara Hardnett, SIB Compliance
13. Claudia Brumfield, Recording Secretary

The Chairman began the meeting with *Item 1* on the agenda, being the reading of the minutes from the previous meeting of March 2, 2023. 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. Kirby, seconded by Mr. Freeman, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda. Hearing Request. There were none listed.

Item 3 on the agenda lists (17) claim where a recommendation was made for payment with Claim #20-1001 and ending with #23-0094. Mr. Kirby made a motion to approve the claims for payment. Mr. Freeman seconded the motion and it passed unanimously.

1. 20-1001 LA Workers' Compensation Corp.
2. 22-0068 LUBA Casualty Insurance Company
3. 22-0113 LUBA Casualty Insurance Company
4. 22-0183 City of Opelousas
5. 22-0241 Woman's Hospital
6. 22-0278 Federated Mutual Insurance
7. 22-0290 American Casualty of Reading, PA
8. 22-0377 West Jefferson Medical Center
9. 22-0480 LA Construction & Industry SIF
10. 22-0488 Retailers Casualty Insurance Company
11. 22-0689 Roman Catholic Church of New Orleans
12. 22-0696 Eastern Alliance Insurance Co.
13. 22-0702 LA Workers' Compensation Corp.
14. 22-0872 Ouachita Parish School Board
15. 22-0945 Louisiana Restaurant Association
16. 23-0014 Lafayette Consolidated Government
17. 23-0094 LA Workers' Compensation Corp.

Minutes (cont'd)

Page 2 of 5

April 5, 2023

The Chairman moved to *Item 4* on the agenda, (63) claims recommended for denial, beginning with Claim #21-0848, ending with Claim #22-0855. The Chairman requested a motion to approve the recommendation to deny the claims as described in the April 5, 2023 agenda. Mr. Kirby made a motion to deny the claims for payment. Mr. Freeman seconded the motion and it passed unanimously.

1. 21-0848 Accident Fund Ins. Co. of America
2. 21-0852 Terrebonne General Medical Center
3. 21-0870 Woman's Hospital
4. 21-0896 LUBA Casualty Insurance Company
5. 21-0911 Zurich American Insurance Company
6. 21-0923 LA Workers' Compensation Corp.
7. 21-0924 LUBA Casualty Insurance Company
8. 22-0001 LA Workers' Compensation Corp.
9. 22-0019 Indemnity Ins. Co. of North America
10. 22-0026 LUBA Casualty Insurance Company
11. 22-0028 City of New Orleans
12. 22-0049 Midwest Employers Casualty Company
13. 22-0052 Lafayette Consolidated Government
14. 22-0053 LUBA Casualty Insurance Company
15. 22-0064 City of New Orleans
16. 22-0147 Barber Brothers Contracting
17. 22-0166 LUBA Casualty Insurance Company
18. 22-0178 City of New Orleans
19. 22-0180 Regional Transit Authority
20. 22-0191 LUBA Casualty Insurance Company
21. 22-0202 LA Home Builders Assn.- SIF
22. 22-0208 Travelers Property Casualty Company of America
23. 22-0218 St. Landry Parish School Board
24. 22-0226 LUBA Casualty Insurance Company
25. 22-0230 Terrebonne General Medical Center
26. 22-0259 LUBA Casualty Insurance Company
27. 22-0346 Zurich American Insurance Company
28. 22-0351 Ace American Ins. Co
29. 22-0361 Ace American Ins. Co
30. 22-0370 LA Health Care- Self Ins. Fund
31. 22-0403 City of Opelousas
32. 22-0424 LUBA Casualty Insurance Company
33. 22-0461 LUBA Casualty Insurance Company
34. 22-0464 LUBA Casualty Insurance Company
35. 22-0473 Roman Catholic Church of New Orleans
36. 22-0479 LA Construction & Industry SIF
37. 22-0485 Office of Risk Management
38. 22-0497 Office of Risk Management
39. 22-0500 LA Construction & Industry SIF
40. 22-0509 City of New Orleans
41. 22-0512 LA Home Builders Assn.- SIF
42. 22-0515 LUBA Casualty Insurance Company
43. 22-0518 Office of Risk Management
44. 22-0521 LUBA Casualty Insurance Company
45. 22-0533 LA Health Care- Self Ins. Fund
46. 22-0569 LUBA Casualty Insurance Company
47. 22-0581 LA Home Builders Assn.- SIF
48. 22-0611 LUBA Casualty Insurance Company
49. 22-0622 LA Home Builders Assn.- SIF

Minutes (cont'd)

Page 3 of 5

April 5, 2023

50. 22-0632 LUBA Casualty Insurance Company
51. 22-0633 Louisiana Restaurant Association
52. 22-0647 - Unverified
53. 22-0665 Sentry Casualty Company
54. 22-0708 LUBA Casualty Insurance Company
55. 22-0738 LUBA Casualty Insurance Company
56. 22-0760 LUBA Casualty Insurance Company
57. 22-0761 Louisiana Restaurant Association
58. 22-0763 LUBA Casualty Insurance Company
59. 22-0772 Lafayette Consolidated Government
60. 22-0773 Coca-Cola Bottling Company United
61. 22-0778 LUBA Casualty Insurance Company
62. 22-0806 Louisiana Restaurant Association
63. 22-0855 Roman Catholic Church of New Orleans

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (295) partial payments due beginning with Claim #00-0183 and ending with Claim #99-1104. Mr. Kirby moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of April 5, 2023. Mr. Freeman seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (103) quarterly payments due beginning with Claim #00-0717 and ending with Claim #97-1150. Mr. Kirby moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of April 5, 2023. Mr. Freeman seconded the motion and it passed unanimously.

Mr. Hansberry called on *Item 7*, Public Comments. There were no members of the public present; therefore, Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Kirby made the motion. Mr. Freeman 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 staff regarding settlement authority as discussed in Executive Session and to extend settlement authority to be reimbursed on a quarterly basis for the following (16) claims.

1. 01-0962
2. 04-0884
3. 09-0204
4. 17-0613
5. 18-0855
6. 19-0099
7. 19-0881
8. 20-0090

9. 20-0754
10. 20-0783
11. 21-0280
12. 21-0375
13. 21-0437
14. 21-0501
15. 21-0618
16. 22-0291

Mr. Kirby moved to accept the recommendations. Mr. Freeman seconded the motion and it passed unanimously.

The following (1) claim had a recommendation for settlement denial and that reimbursement continue on and on-going basis:

1. 12-0896

Mr. Kirby moved to accept the recommendation. Mr. Freeman 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 # 12-0655 | Settlement Authority |
| 2. Claim # 17-0148 | Settlement Authority |
| 3. Claim # 17-0908 | Settlement Authority |
| 4. Claim # 19-0693 | Continue Litigation |
| 5. Claim # 20-0566 | Settlement Authority |
| 6. Claim # 20-0753 | Settlement Authority |
| 7. Claim # 21-0105 | Settlement Authority |
| 8. Claim # 21-0159 | Settlement Authority |
| 9. Claim # 21-0333 | Settlement Authority |
| 10. Claim # 21-0671 | Settlement Authority |
| 11. Claim #21-0767 | Settlement Authority |
| 12. Claim #22-0249 | Settlement Authority |

Mr. Kirby made the motion. Mr. Freeman seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss. An update regarding the 2022 SIF Assessment and collections was provided. Ms. Trahant stated, to date the Fund has collected \$50,846,137.50 in assessments towards the appropriation of \$60,787,174.00 including \$1,896,827.04

Minutes (cont'd)

Page 5 of 5

April 5, 2023

collected during the month of March. \$115,000.00 was collected towards prior assessments. Additional efforts to collect the remaining balance will continue.

Ms. Trahant also called attention to the OWCA Annual Report and LRS Quarterly Report, providing copies to the attending members.

There were no other matters to discuss; therefore, the Chairman asked for a motion to adjourn. Mr. Kirby moved to adjourn. Mr. Freeman seconded the motion and it passed unanimously.

The meeting adjourned at 2:40 pm

Recording Secretary: Claudia Brumfield