

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of August 1, 2019

The regular meeting of the Second Injury Board convened at 2:05 p.m.

The following were present:

1. Steve Hawkland, representing the Secretary of State, Vice-Chairman
2. Lynette Mack, representing the State Treasurer
3. Meridith Trahant, Director of Second Injury Board
4. Karl Scott, General Counsel
5. Shana Veade, General Counsel
6. Claudia Rush, General Counsel
7. Ariel Dixon, representing the Office of Workers' Compensation Administration
8. Chandra Cola, SIB Audit & Finance Supervisor
9. Erica Williams, SIB Compliance Officer
10. Claudia Brumfield, Recording Secretary

Mr. Hawkland called the meeting to order and began with *Item 1* on the agenda, being the reading of the minutes from the previous meeting. Mr. Hawkland asked for motion to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was made by Ms. Mack, seconded by Ms. Dixon, and passed unanimously.

Mr. Hawkland moved to *Item 2*, on the agenda listing one hearing request.

1. 18-0827 LA Construction and Industry SIF

Ms. Trahant stated that the claim had a recommendation for denial due to insufficient documentation in the file. She found no issues warranting a hearing and she recommended the Board deny the request. Ms. Mack made a motion to deny the request for a hearing. Ms. Dixon seconded the motion and it passed unanimously.

Item 3 on the agenda lists (10) claims where recommendations were made for payment starting with Claim #17-0314 and ending with Claim #18-0741. Ms. Mack made a motion to approve the listed claims for payment. Ms. Dixon seconded the motion and it passed unanimously.

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|----|---------|------------------------------------|---------------------|
| 1. | 17-0314 | LUBA Casualty Insurance Company | 104 week deductible |
| 2. | 18-0156 | Technology Insurance Company | 104 week deductible |
| 3. | 18-0231 | LA Automobile Dealers Assn. | 104 week deductible |
| 4. | 18-0378 | LUBA Casualty Insurance Company | 104 week deductible |
| 5. | 18-0394 | Arch Insurance Company | 104 week deductible |
| 6. | 18-0395 | Arch Insurance Company | 104 week deductible |
| 7. | 18-0476 | LUBA Casualty Insurance Company | 104 week deductible |
| 8. | 18-0502 | Terrebonne Parish Cons. Government | 104 week deductible |
| 9. | 18-0701 | Louisiana Restaurant Association | 104 week deductible |

10. 18-0741 Ochsner Hospital (Ochsner Clinic Foundation) 104 week deductible

The Chairman moved to *Item 4* on the agenda, (64) claims recommended for denial, beginning with Claim #17-0317, ending with Claim #19-0322. The Chairman requested a motion to approve the recommendation to deny the claims as described in the August 1, 2019 agenda. Ms. Mack made motion to approve the claims for payment. Ms. Dixon seconded the motion and it passed unanimously.

1. 17-0317 LA Construction & Industry
2. 18-0254 - Unknown
3. 18-0257 Textron, Inc.
4. 18-0272 LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)
5. 18-0281 - Unknown
6. 18-0332 Bridgefield Casualty Insurance Company
7. 18-0366 LA Workers' Compensation Corp.
8. 18-0372 LA Home Builders Assn.- SIF
9. 18-0375 LA Workers' Compensation Corp.
10. 18-0390 Bridgefield Casualty Insurance Company
11. 18-0408 LA Workers' Compensation Corp.
12. 18-0411 Louisiana Restaurant Association
13. 18-0431 New Hampshire Insurance Company (AIG)
14. 18-0434 Parish Government Risk Management Agency
15. 18-0464 LA Workers' Compensation Corp.
16. 18-0497 Louisiana Hospital Association
17. 18-0542 Old Republic Insurance Company
18. 18-0567 City of New Orleans
19. 18-0617 - Unverified
20. 18-0619 LA Workers' Compensation Corp.
21. 18-0631 LA Workers' Compensation Corp.
22. 18-0647 - Unknown
23. 18-0656 LA Workers' Compensation Corp.
24. 18-0737 St. Bernard Parish School Board
25. 18-0803 Retailers Casualty Insurance Company
26. 18-0806 - Unknown
27. 18-0807 Parish Government Risk Management Agency
28. 18-0809 Office of Risk Management
29. 18-0813 Louisiana Restaurant Association
30. 18-0824 LUBA Casualty Insurance Company
31. 18-0825 LA Workers' Compensation Corp.
32. 18-0828 Ace American Ins. Co
33. 18-0834 LA Workers' Compensation Corp.
34. 18-0837 Retailers Casualty Insurance Company
35. 18-0840 Lafayette General Health
36. 18-0844 Lafayette Parish School Board
37. 18-0845 LA Construction & Industry
38. 18-0849 LA Health Care- Self Ins. Fund
39. 18-0880 LA Automobile Dealers Assn.
40. 18-0892 Office of Risk Management
41. 19-0005 - Unknown
42. 19-0026 Bridgefield Employers Insurance Company

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43. 19-0029 Parish Government Risk Management Agency
44. 19-0032 St. Tammany Parish School Board
45. 19-0035 St. Tammany Parish School Board
46. 19-0038 Terrebonne Parish Cons. Government
47. 19-0047 Ace American Ins. Co
48. 19-0052 Louisiana Restaurant Association
49. 19-0056 LUBA Casualty Insurance Company
50. 19-0060 - Unverified
51. 19-0062 Gray Insurance Company
52. 19-0075 LUBA Casualty Insurance Company
53. 19-0078 Retailers Casualty Insurance Company
54. 19-0088 Woman's Hospital
55. 19-0105 LA Construction & Industry
56. 19-0124 North Oaks Medical Center
57. 19-0195 Entergy Services, Inc.
58. 19-0205 New Hampshire Insurance Company (AIG)
59. 19-0214 Louisiana Hospital Association
60. 19-0231 Jefferson Parish Public School System
61. 19-0256 - Unverified
62. 19-0279 Wal-Mart Associates, Inc.
63. 19-0293 North River Insurance Co., The
64. 19-0322 Office of Risk Management

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (238) partial payments beginning with Claim #80-0247 and ending with Claim #18-0055. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of August 1, 2019. Ms. Mack made the motion. Ms. Dixon 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 #87-0532 and ending with Claim #16-0753. Ms. Mack moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of August 1, 2019. Ms. Dixon seconded the motion and it passed unanimously.

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

Mr. Hawkland asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Ms. Mack made the motion. Ms. Dixon 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 (13) claims.

1. 96-0018
2. 97-0532
3. 09-0705 – Indemnity only
4. 13-0249
5. 14-0268
6. 15-0818
7. 16-0359
8. 16-0585
9. 16-0742
10. 17-0346
11. 17-0528 – Indemnity only
12. 17-0648
13. 18-0154

Ms. Mack moved to accept the recommendation. Ms. Dixon 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 #10-0942 Continue Litigation
2. Claim #12-0236 Continue Litigation
3. Claim #12-0630 Settlement Authority
4. Claim #14-0245 Settlement Authority
5. Claim #15-0101 Settlement Authority
6. Claim #15-0143 Continue Litigation
7. Claim #16-0327 Settlement Authority
8. Claim #17-0006 Settlement Authority
9. Claim #17-0012 Settlement Authority
10. Claim #17-0563 Settlement Authority
11. Claim #17-0613 Settlement Authority
12. Claim #17-0838 Settlement Authority
13. Claim #17-0911 Settlement Authority
14. Claim #18-0093 Settlement Authority
15. Claim #18-0340 Settlement Authority
16. Claim #18-0341 Settlement Authority
17. Claim #18-0359 Settlement Authority

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Ms. Mack made the motion. Ms. Dixon seconded the motion and it passed unanimously.

The Vice-Chairman moved to *Item 9*, any other matters to discuss, Ms. Trahan made a recommendation to allocate the funds of \$534,000.00 to LRS. Ms. Mack made a motion to approve the recommendation of Ms. Trahan. Ms. Dixon seconded the motion and it passed unanimously.

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

The meeting adjourned at 2:25 pm

Recording Secretary: Claudia Brumfield