

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of December 10, 2020

The regular meeting of the Second Injury Board convened at 2:10 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. Karl Scott, General Counsel
7. Shana Veade, General Counsel
8. Claudia Rush, General Counsel
9. Ta'Tanisha Youngblood, General Counsel
10. Michelle Sumrall, SIB Compliance Supervisor
11. Chandra Cola, SIB Audit & Finance Supervisor
12. 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 November 4, 2020. 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 Mr. Coulter, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. There was one hearing listed.

1. 19-0736 The Gray Insurance Company

Mr. Lee presented Claim #19-0736 to the Board, and stated that staff did not receive knowledge or merger to support the claim. He recommended the hearing request be denied. Mr. Hawkland moved for the Board deny the request. Ms. Faber seconded the motion and it passed unanimously.

Item 3 on the agenda lists (11) claims where recommendations were made for payment starting with Claim #19-0359 and ending with Claim #20-0067. Mr. Coulter made a motion to approve the claims for payment. Mr. Hawkland seconded the motion and it passed unanimously.

1. 19-0359 Cleco
2. 19-0551 Walgreen Company
3. 19-0668 Roman Catholic Church of New Orleans
4. 19-0698 Great West Casualty Company
5. 19-0718 City of Kenner

6. 19-0807 Parish Government Risk Management Agency
7. 19-0900 Jefferson Parish
8. 19-0936 Indemnity Ins. Co. of North America
9. 19-0964 Gray Insurance Company
10. 20-0031 City of Natchitoches
11. 20-0067 LA Workers' Compensation Corp.

The Chairman moved to *Item 4* on the agenda, (67) claims recommended for denial, beginning with Claim #19-0148, and ending with Claim #20-0761. The Chairman then requested a motion to approve the recommendation to deny the claims as described in the December 10, 2020 agenda. Mr. Hawkland made a motion to deny the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 19-0148 City of New Orleans
2. 19-0276 XL Specialty Insurance Company
3. 19-0360 LA Automobile Dealers Assn.
4. 19-0361 LA Health Care- Self Ins. Fund
5. 19-0523 Louisiana Hospital Association
6. 19-0531 LA Workers' Compensation Corp.
7. 19-0532 LA Workers' Compensation Corp.
8. 19-0550 City of Natchitoches
9. 19-0607 Bridgefield Casualty Insurance Company
10. 19-0646 LA Health Care- Self Ins. Fund
11. 19-0700 LA Health Care- Self Ins. Fund
12. 19-0770 Lafourche Parish Council/Government
13. 19-0806 LUBA Casualty Insurance Company
14. 19-0822 LA Workers' Compensation Corp.
15. 19-0830 Slidell Memorial Hospital
16. 19-0841 Our Lady of Lourdes
17. 19-0844 - Unverified
18. 19-0847 LA Workers' Compensation Corp.
19. 19-0850 - Unverified
20. 19-0852 LA Workers' Compensation Corp.
21. 19-0856 LCTA Casualty Ins. Co.
22. 19-0862 Lafayette Parish School Board
23. 19-0882 - Unverified
24. 19-0892 Travelers Property Casualty Company of America
25. 19-0923 Phoenix Insurance Company, The
26. 19-0926 LUBA Casualty Insurance Company
27. 19-0928 Audubon Nature Institute, Inc.
28. 19-0932 St. John Parish School Board
29. 19-0951 New Hampshire Insurance Company (AIG)
30. 19-0967 LA Construction & Industry SIF
31. 19-0971 Lafayette Consolidated Government
32. 19-0978 LA Construction & Industry SIF
33. 20-0002 LA Construction & Industry SIF
34. 20-0004 Silver Oak Casualty Insurance
35. 20-0018 State National Insurance Company
36. 20-0019 - Unverified
37. 20-0023 LA Construction & Industry SIF
38. 20-0025 Travelers Indemnity Company
39. 20-0034 Racetrac Petroleum, Inc.

40. 20-0035 Jefferson Parish Public School System
41. 20-0037 Louisiana Restaurant Association
42. 20-0058 Roman Catholic Church of New Orleans
43. 20-0086 New Hampshire Insurance Company (AIG)
44. 20-0107 Louisiana Restaurant Association
45. 20-0114 Jefferson Parish Public School System
46. 20-0126 Lafayette Parish School Board
47. 20-0153 Roman Catholic Church of New Orleans
48. 20-0154 LA Health Care- Self Ins. Fund
49. 20-0159 Louisiana Restaurant Association
50. 20-0171 LA Construction & Industry SIF
51. 20-0176 Zurich American Insurance Company
52. 20-0190 Office of Risk Management
53. 20-0192 LCTA Casualty Ins. Co.
54. 20-0217 LA Home Builders Assn.- SIF
55. 20-0256 LA Workers' Compensation Corp.
56. 20-0277 Bridgefield Employers Insurance Company
57. 20-0288 Office of Risk Management
58. 20-0295 LA Health Care- Self Ins. Fund
59. 20-0307 Office of Risk Management
60. 20-0310 LA Construction & Industry SIF
61. 20-0313 Travelers Indemnity of America
62. 20-0315 LA Workers' Compensation Corp.
63. 20-0321 St. Tammany Parish School Board
64. 20-0359 LUBA Casualty Insurance Company
65. 20-0536 LA Construction & Industry SIF
66. 20-0660 Roman Catholic Church of New Orleans
67. 20-0761 Office of Risk Management

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (220) partial payments due beginning with Claim #81-0333 and ending with Claim #19-0640. Ms. Faber moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of December 10, 2020. Mr. Hawkland seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (92) quarterly payments due beginning with Claim #83-0557 and ending with Claim #18-0804. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of December 10, 2020. Ms. Faber 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 (15) claims.

1. 97-0719
2. 98-0998
3. 05-0017
4. 06-0298
5. 09-0435
6. 11-0738
7. 15-0326
8. 16-0785
9. 17-0559
10. 18-0370
11. 18-0394
12. 18-0395
13. 18-0490
14. 18-0596
15. 19-0824

Mr. Hawkland moved to accept the recommendation. Mr. Coulter 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. 18-0581

Ms. Faber 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 #17-0139 Settlement Authority
2. Claim #17-0154 Settlement Authority
3. Claim #17-0194 Settlement Authority
4. Claim #17-0211 Continued Litigation
5. Claim #17-0444 Continued Litigation

6. Claim #17-0752 Settlement Authority
7. Claim #17-0858 Settlement Authority
8. Claim #18-0507 Continued Litigation
9. Claim #18-0537 Settlement Authority
10. Claim #18-0760 Settlement Authority
11. Claim #18-0811 Settlement Authority
12. Claim #19-0266 Settlement Authority
13. Claim #19-0324 Settlement Authority
14. Claim #19-0388 Settlement Authority
15. Claim #19-0511 Settlement Authority
16. Claim #19-0601 Settlement Authority
17. Claim #19-0942 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.

Mr. Coulter spoke concern for the State Treasurer pertaining to his health and recent illness, also noting the passing of Senator Regina Barrow's husband.

Mr. Hansberry asked if there were 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 2:42 pm

Recording Secretary: Claudia Brumfield