

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of February 2, 2023

The regular meeting of the Second Injury Board convened at 2:02 p.m.

The following were present:

1. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Steve Hawkland, representing the Secretary of State
3. Kayla Kirby, representing the State Treasurer
4. Meridith Trahant, LWC Executive Counsel
5. Shana Veade, Interim Director of SIB
6. Karl Scott, General Counsel
7. Ta'Tanisha Youngblood, General Counsel
8. Michelle Sumrall, SIB Compliance Supervisor
9. Chandra Cola, SIB Audit & Finance Supervisor
10. 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 January 12, 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. Hawkland, seconded by Ms. Kirby, and passed unanimously.

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

Item 3 on the agenda lists (6) claims where recommendations were made for payment starting with Claim #22-0043 and ending with Claim #22-0730. Mr. Hawkland made a motion to approve the claims for payment. Ms. Kirby seconded the motion and it passed unanimously.

1. 22-0043 Monroe City School Board
2. 22-0132 Safety National Casualty Corporation
3. 22-0281 LA Workers' Compensation Corp.
4. 22-0373 Zurich American Insurance Company
5. 22-0638 Old Republic Insurance Company
6. 22-0730 Gray Insurance Company

The Chairman moved to *Item 4* on the agenda, (56) claims recommended for denial, beginning with Claim #21-0656, ending with Claim #22-0435. The Chairman requested a motion to approve the recommendation to deny the claims as described in the February 2, 2023 agenda. Mr. Hawkland made a motion to deny the claims for payment. Ms. Kirby seconded the motion and it passed unanimously.

1. 21-0656 Capital Area Transit System (Formerly Capital Transportation)
2. 21-0662 LUBA Casualty Insurance Company
3. 21-0665 Slidell Memorial Hospital
4. 21-0668 LA Workers' Compensation Corp.

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5. 21-0674 Office of Risk Management
6. 21-0701 Liberty Mutual Ins. Co.
7. 21-0707 LUBA Casualty Insurance Company
8. 21-0710 LUBA Casualty Insurance Company
9. 21-0728 LA Construction & Industry SIF
10. 21-0731 Argonaut Insurance Group
11. 21-0743 City of New Orleans
12. 21-0749 St. Charles Parish School Board
13. 21-0752 - Unknown
14. 21-0755 Manufacturers Alliance Insurance Co.
15. 21-0758 Pennsylvania Manufacturers Assn Ins Co/PMA Ins Group
16. 21-0773 - Unknown
17. 21-0788 Bridgefield Casualty Insurance Company
18. 21-0809 City of New Orleans
19. 21-0830 Retailers Casualty Insurance Company
20. 21-0836 - Unverified
21. 21-0839 LUBA Casualty Insurance Company
22. 21-0842 LA Workers' Compensation Corp.
23. 21-0851 St. Tammany Parish School Board
24. 21-0863 Louisiana Restaurant Association
25. 21-0881 Zurich American Insurance Company
26. 21-0898 LA Automobile Dealers Assn.
27. 21-0902 St. John Parish School Board
28. 21-0905 Willis-Knighton Medical Center
29. 22-0024 Lake Charles Memorial Hospital
30. 22-0033 City of New Orleans
31. 22-0035 LUBA Casualty Insurance Company
32. 22-0057 LUBA Casualty Insurance Company
33. 22-0058 Jefferson Parish
34. 22-0145 St. Tammany Parish School Board
35. 22-0163 Zurich American Insurance Company
36. 22-0199 Stonetrust Commercial Ins. Co.
37. 22-0232 City of Slidell
38. 22-0238 City of Lake Charles
39. 22-0268 Lowe's Home Center, Inc.
40. 22-0317 Old Republic Insurance Company
41. 22-0319 Wal-Mart Associates, Inc.
42. 22-0321 LA Workers' Compensation Corp.
43. 22-0327 Coca-Cola Bottling Company United
44. 22-0331 Argonaut Insurance Group
45. 22-0333 Office of Risk Management
46. 22-0335 Great American Alliance Insurance Company
47. 22-0337 LA Construction & Industry SIF
48. 22-0339 LA Health Care- Self Ins. Fund
49. 22-0352 Ace American Ins. Co
50. 22-0353 Great American Alliance Insurance Company
51. 22-0357 Ace American Ins. Co
52. 22-0359 Travelers Property Casualty Company of America
53. 22-0365 Sunz Insurance Company
54. 22-0401 LA Construction & Industry SIF
55. 22-0410 Office of Risk Management
56. 22-0435 Pennsylvania Manufacturers Assn Ins Co/PMA Ins Group

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (203) partial payments due beginning with Claim #00-0331 and ending with Claim #99-0888. Mr. Hawkland moved

to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of February 2, 2023. Ms. Kirby seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (87) quarterly payments due beginning with Claim #01-0048 and ending with Claim #96-0018. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of February 2, 2023. Ms. Kirby 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. Hawkland made the motion. Ms. Kirby 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 (11) claims.

1. 97-0476 – Indemnity only
2. 17-0653
3. 19-0130
4. 19-0840
5. 20-0866
6. 21-0062
7. 21-0448
8. 21-0600
9. 22-0043
10. 22-0046
11. 22-0329

Mr. Hawkland moved to accept the recommendations. Ms. Kirby 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.

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| 1. | Claim # 12-0401 | Settlement Authority |
| 2. | Claim # 15-0438 | Continue Litigation |
| 3. | Claim # 20-0263 | Settlement Authority |

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| 4. | Claim # 20-0730 | Settlement Authority |
| 5. | Claim # 20-0768 | Settlement Authority |
| 6. | Claim # 21-0365 | Settlement Authority |
| 7. | Claim # 21-0520 | Continue Litigation |
| 8. | Claim # 21-0615 | Settlement Authority |
| 9. | Claim # 21-0666 | Settlement Authority |

Mr. Hawkland made the motion. Mr. Kirby 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. Veade stated, to date the Fund has collected \$40,714,844.20 in assessments from 475 of 673 accounts. An additional \$713,317.00 has been collected from delinquent accounts assessed in prior years.

There were no other matters to discuss; therefore, the Chairman asked for a motion to adjourn.

Mr. Hawkland moved to adjourn. Ms. Kirby seconded the motion and it passed unanimously.

The meeting adjourned at 2:22 pm

Recording Secretary: Claudia Brumfield