

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of February 7, 2013

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

The following were present:

Ms. Lynette Mack, representing State Treasurer

Mr. Steve Hawkland, representing Secretary of State

Mr. Wes Hataway, OWCA/Director

Pauline Williams, SIB Director

Michelle Sumrall, Compliance Supervisor

Meridith Trahant, General Counsel

Will Green, General Counsel

Karl Scott, General Counsel

Megan Potter, SIB Administrative Assistant

Mr. Wes Hataway, Chairman, called the meeting to order and asked for Ms. Potter to read the minutes of the previous meeting, the first item on the agenda. Ms. Lynette Mack moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Mr. Steve Hawkland and passed unanimously.

The Chairman called for the second item, being hearings on pending claims on the February 7, 2013 agenda. Hearing #1 Claim #10-0052 and Hearing #3 Claim #12-0298 were postponed from the agenda. Hearing #2 Claim #12-0313, Gary Kern representing Louisiana Construction & Industry was postponed to after executive session to give Mr. Kern time to attend the meeting. The Chairman moved to Item 3 of the agenda.

The Chairman moved to Item 3 of the agenda. Being the recommendation of Ms. Williams to approve reimbursement on the following claims; filed number 1 thru 13 beginning with Claim #11-0663 and ending with Claim #12-0951; excluding all postponed claims: Claim #12-0366 and Claim #12-0406. Mr. Hawkland moved to accept the recommendation of the Director and approve reimbursement of these claims. The motion was seconded by Ms. Mack and passed unanimously.

1.	LUBA Casualty Insurance Company	#11-0663	104 weeks ded.
2.	Louisiana Restaurant Association	#11-0803	104 weeks ded.
3.	Guarantee Life Insurance Company	#11-0840	104 weeks ded.
4.	Louisiana Workers' Compensation Corporation	#11-0847	104 weeks ded.
5.	Bridgfield Casualty Insurance Company	#11-0963	104 weeks ded.
6.	Monroe City School Board	#12-0015	104 weeks ded.
7.	City of New Orleans	#12-0205	104 weeks ded.
8.	LA Safety Association of Timbermen	#12-0208	104 weeks ded.
9.	Argonaut Insurance Group	Postponed #12-0366	104 weeks ded.
10.	Safety National Casualty Corporation	Postponed #12-0409	104 weeks ded.

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| 11. | LUBA Casualty Insurance Company | #12-0571 | 104 weeks ded. |
| 12. | City of New Orleans | #12-0867 | 104 weeks ded. |
| 13. | Louisiana Municipal Risk Management Agency | #12-0951 | 104 weeks ded. |

The Chairman moved to the fourth item, being the recommendation of the director to deny for reimbursement the following claims: files were numbered 1 through 80 beginning with Claim #09-1035 and ending with Claim #12-0958. Ms. Mack moved to accept the recommendation of the director to deny these claims. The motion was seconded by Mr. Hawkland and passed unanimously.

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| 1. | American Interstate Insurance Company | #09-1035 |
| 2. | American Interstate Insurance Company | #10-0325 |
| 3. | Stonetrust Commercial Insurance Company | #10-0675 |
| 4. | Bridgefield Casualty Insurance Company | #11-0236 |
| 5. | Bridgefield Casualty Insurance Company | #11-0350 |
| 6. | United States Fidelity | #11-0426 |
| 7. | Louisiana Commerce & Trade Association | #11-0560 |
| 8. | Louisiana Commerce & Trade Association | #11-0628 |
| 9. | LEMIC Insurance Company | #11-0694 |
| 10. | Louisiana Commerce & Trade Association | #11-0702 |
| 11. | Louisiana Office of Risk Management | #11-0726 |
| 12. | Bridgefield Casualty Insurance Company | #11-0812 |
| 13. | American Interstate Insurance Company | #11-0839 |
| 14. | Not documented | #11-0842 |
| 15. | East Baton Rouge Parish School Board | #11-0878 |
| 16. | Louisiana Workers' Compensation Corporation | #11-0888 |
| 17. | Louisiana Workers' Compensation Corporation | #11-0925 |
| 18. | Louisiana Health Care SIF | #11-0928 |
| 19. | Louisiana Commerce & Trade Association | #11-0945 |
| 20. | Not documented | #12-0109 |
| 21. | LUBA Casualty Insurance Company | #12-0119 |
| 22. | Louisiana Workers' Compensation Corporation | #12-0144 |
| 23. | City Insurance Company | #12-0252 |
| 24. | New Hampshire Insurance Company | #12-0282 |
| 25. | City of Baton Rouge | #12-0343 |
| 26. | U.S.F. & G. Insurance Company | #12-0353 |
| 27. | Insurance Company of the State of PA | #12-0367 |
| 28. | Bridgefield Casualty Insurance Company | #12-0376 |
| 29. | Jefferson Parish School Board | #12-0394 |
| 30. | Louisiana Workers' Compensation Corporation | #12-0395 |
| 31. | Hartford Financial Services Group | #12-0406 |
| 32. | City of Baton Rouge | #12-0418 |
| 33. | Bridgefield Casualty Insurance Company | #12-0421 |
| 34. | Louisiana Commerce & Trade Association | #12-0424 |
| 35. | Home Depot | #12-0427 |
| 36. | Louisiana Workers' Compensation Corporation | #12-0428 |
| 37. | Louisiana Commerce & Trade Association | #12-0430 |

38.	Not documented	#12-0433
39.	Indemnity Insurance Company of N. America	#12-0436
40.	Louisiana Commerce & Trade Association	#12-0448
41.	LUBA Casualty Insurance Company	#12-0452
42.	Louisiana Commerce & Trade Association	#12-0455
43.	LEMIC Insurance Company	#12-0456
44.	Louisiana Workers' Compensation Corporation	#12-0467
45.	Not documented	#12-0470
46.	Louisiana Workers' Compensation Corporation	#12-0473
47.	Louisiana Workers' Compensation Corporation	#12-0484
48.	Bridgefield Casualty Insurance Company	#12-0485
49.	PA Manufacturers Association Insurance Company	#12-0487
50.	Webster Parish School Board	#12-0490
51.	Louisiana Retailers Mutual Insurance Company	#12-0491
52.	Not documented	#12-0497
53.	Louisiana Office of Risk Management	#12-0512
54.	LEMIC Insurance Company	#12-0523
55.	XL Specialty Insurance Company	#12-0526
56.	Bridgefield Casualty Insurance Company	#12-0532
57.	New Hampshire Insurance Company	#12-0541
58.	PA Manufacturers Association Insurance Company	#12-0549
59.	Not documented	#12-0552
60.	Jefferson Parish School Board	#12-0585
61.	Louisiana Workers' Compensation Corporation	#12-0595
62.	Louisiana Health Care SIF	#12-0601
63.	Bridgefield Casualty Insurance Company	#12-0613
64.	City of Lake Charles	#12-0616
65.	Bridgefield Casualty Insurance Company	#12-0625
66.	Hartford Insurance Company of the Midwest	#12-0628
67.	Louisiana Municipal Risk Management	#12-0636
68.	Not documented	#12-0705
69.	Louisiana Health Care SIF	#12-0721
70.	Old Republic Insurance Company	#12-0744
71.	Louisiana Safety Association of Timbermen	#12-0752
72.	Not documented	#12-0762
73.	Autozone, Inc.	#12-0765
74.	Safety National Casualty Corporation	#12-0820
75.	Louisiana Home Builders Association SIF	#12-0826
76.	Louisiana Municipal Risk Management Agency	#12-0852
77.	Fidelity & Guaranty Insurance Company	#12-0916
78.	Touro Infirmary	#12-0934
79.	City of New Orleans	#12-0947
80.	Louisiana Commerce & Trade Association	#12-0958

The Chairman moved to the fifth item, being the recommendation of the Director to approve reimbursement of the partial payments beginning with Claim #04-0754 Ace American Insurance Company and ending with Claim #01-1190 Louisiana Workers' Compensation Corporation. Mr. Hawkland moved to accept the recommendation of the Director and approve reimbursement of the partial payments (230) as submitted on the agenda of February 7, 2013. The motion was seconded by Mrs. Mack and passed unanimously.

The Chairman moved to the sixth item on the agenda, being approval of quarterly payments due beginning with Claim #00-0773 Parish Government Risk Management Agency and ending with Claim #99-1060 Libbey, Inc. Ms. Mack moved to accept the recommendation of the director and approve reimbursement of quarterly payments (79) as submitted on the agenda of February 7, 2013. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman then moved to Item #7 of the agenda, public comment. There being no one present from the public, the Chairman moved to go into Executive Session to discuss Second Injury Board litigation and settlements. Ms. Mack moved to accept the recommendation. The motion was seconded by Mr. Hawkland and passed unanimously.

Upon returning from Executive Session, the Chairman made a motion to move out of Executive Session and back to regular session.

The Chairman then made a motion to review of settlements to be paid as discussed and to extend settlement authority as recommended by the Director and discussed in Executive Session to be paid on quarterly basis.

Claim #99-0456
Claim #02-0240
Claim #03-0247
Claim #05-0842
Claim #06-0614
Claim #07-0564
Claim #08-0135
Claim #08-0316
Claim #09-0202
Claim #10-0568
Claim #10-0616
Claim #10-0625
Claim #10-0745
Claim #10-0759
Claim #10-0785
Claim #10-0917
Claim #11-0221

Claim #11-0294
Claim #11-0587
Claim #11-0627
Claim #11-0668
Claim #11-0964
Claim #12-0003
Claim #12-0349

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

The following claims were denied to be paid on an on-going basis:

Claim #97-1350
Claim #00-0745
Claim #09-0594
Claim #10-0726
Claim #11-0615

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

On Item 8 B of the agenda, Second Injury Board litigation; The Chairman made a motion to accept the recommendation of the Director and pay the claims as follows:

Claim #06-0716; recommended by General Council for settlement authority.
Claim #09-0939; recommended by General Council to continue litigation.
Claim #10-0707; recommended by General Council for settlement authority.
Claim #09-0187; recommended by General Council to continue litigation.
Claim #12-0010; recommended by General Council for settlement authority.
Claim #10-0510; recommended by General Council for settlement authority.
Claim #09-0802; recommended by General Council to continue litigation.
Claim #11-0358; recommended by General Council for settlement authority.
Claim #11-0973; recommended by General Council for settlement authority.
Claim #10-0417; recommended by General Council for settlement authority.
Claim #10-0662; recommended by General Council to continue litigation.
Claim #11-0632; recommended by General Council for settlement authority.
Claim #10-0649; recommended by General Council for settlement authority.
Claim #00-0221; recommended by General Council to continue litigation.
Claim #97-1428; recommended by General Council to continue litigation.
Claim #92-0942; recommended by General Council to continue litigation.
Claim #97-0567; recommended by General Council to continue litigation.

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

On Item 9 of the agenda, any other matters requiring attention; there was not any.

Minutes (cont'd)

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There being no further business to discuss, the Chairman moved to adjourn. Mr. Hawkland moved to accept the chairman's recommendation. The motion was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 2:43p.m.

Recording Secretary: Megan Potter