

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of July 8, 2020

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

The following were present:

1. Charles Hansberry, representing the Commission of Insurance, Chairman (Zoom)
2. Steve Hawkland, representing the Secretary of State (Zoom)
3. Chip Coulter, representing Dept. of Children and Family Services (Zoom)
4. Meridith Trahant, Director of Second Injury Board
5. Karl Scott, General Counsel
6. Shana Veade, General Counsel
7. Michelle Sumrall, SIB Compliance Supervisor
8. Chandra Cola, SIB Audit & Finance Supervisor
9. Claudia Brumfield, Recording Secretary

Ms. Trahant made note that the meeting was being held through video/teleconference pursuant to John Bel Edwards' Executive Order #52-2020, Section 4, Paragraph E.

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 June 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 listing two hearing requests.

1. 19-0511 LA Construction & Industry
2. 19-0577 Ace American Ins. Co.

Ms. Trahant presented the first hearing request regarding Claim #19-0511, stating that the claim had a recommendation for denial based on insufficient information in the file. She found no issues warranting a hearing and she recommended the Board deny the request. Mr. Hawkland made a motion to deny the request for a hearing. Mr. Coulter seconded the motion and it passed unanimously.

Ms. Trahant presented the second hearing request regarding Claim #19-0577, stating that the claim had a recommendation for denial based on insufficient information in the file. She found no issues warranting a hearing and she recommended the Board deny the request. Mr. Hawkland made a motion to deny the request for a hearing. Mr. Coulter seconded the motion and it passed unanimously.

*Item 3* on the agenda lists (10) claims where recommendations were made for payment starting with Claim #18-0338 and ending with Claim #20-0072. Mr. Hawkland made a motion to approve the claims for payment. Mr. Coulter seconded the motion and it passed unanimously.

1.	18-0338	Hartford Ins. Co. of the SE	104 week deductible
2.	19-0154	Beauregard Parish School Board	104 week deductible
3.	19-0562	LA Home Builders Assn.- SIF	104 week deductible
4.	19-0630	Sentry Insurance A Mutual Company	104 week deductible
5.	19-0650	Zurich American Insurance Company	104 week deductible
6.	19-0678	Jefferson Parish Public School System	104 week deductible
7.	19-0826	New Hampshire Insurance Company (AIG)	104 week deductible
8.	19-0903	Diocese of Baton Rouge	104 week deductible
9.	20-0042	New Hampshire Insurance Company (AIG)	104 week deductible
10.	20-0072	De Soto Parish School Board	104 week deductible

The Chairman moved to *Item 4* on the agenda, (68) claims recommended for denial, beginning with Claim #18-0348, ending with Claim #20-0078. The Chairman then requested a motion to approve the recommendation to deny the claims as described in the July 8, 2020 agenda. Mr. Hawkland made motion to deny the claims for payment. Mr. Coulter seconded the motion and it passed unanimously.

1.	18-0348	LAC-Self-Insured Fund	
2.	18-0452	Ace American Ins. Co	
3.	19-0043	LA Municipal Risk Mgmt. Agency	
4.	19-0050	Lafayette Parish School Board	
5.	19-0063	LA Workers' Compensation Corp.	
6.	19-0081	General Health, Inc.	
7.	19-0159	LA Commerce & Trade Assn. - SIF (LCTA Casualty Ins. Co.)	
8.	19-0189	Monroe City School Board	
9.	19-0197	LA Workers' Compensation Corp.	
10.	19-0401	LA Workers' Compensation Corp.	
11.	19-0409	LA Automobile Dealers Assn.	
12.	19-0445	Office of Risk Management	
13.	19-0448	LA Workers' Compensation Corp.	
14.	19-0482	Office of Risk Management	
15.	19-0484	Great American Insurance Company	
16.	19-0505	Walgreen Company	
17.	19-0516	LA Workers' Compensation Corp.	
18.	19-0519	LUBA Casualty Insurance Company	
19.	19-0522	City of Alexandria	
20.	19-0528	Retailers Casualty Insurance Company	
21.	19-0529	Louisiana Restaurant Association	
22.	19-0534	Ace American Ins. Co	
23.	19-0535	Bridgefield Casualty Insurance Company	
24.	19-0538	Louisiana Restaurant Association	
25.	19-0540	St. Landry Parish School Board	
26.	19-0541	LUBA Casualty Insurance Company	
27.	19-0546	XL Specialty Insurance Company	

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28. 19-0555 Bridgefield Casualty Insurance Company
29. 19-0556 American Interstate Insurance Company
30. 19-0559 Lafayette Parish School Board
31. 19-0561 St. Tammany Parish School Board
32. 19-0564 Bridgefield Casualty Insurance Company
33. 19-0565 Office of Risk Management
34. 19-0568 Thibodaux Regional Medical Center
35. 19-0573 LUBA Casualty Insurance Company
36. 19-0574 St. Tammany Parish School Board
37. 19-0580 Ace American Ins. Co
38. 19-0582 Sentry Casualty Company
39. 19-0583 Sentry Casualty Company
40. 19-0586 - Unverified
41. 19-0588 Stonetrust Commercial Ins. Co.
42. 19-0589 Louisiana Restaurant Association
43. 19-0591 Travelers Indemnity of America
44. 19-0597 Parish Government Risk Management Agency
45. 19-0603 - Unknown
46. 19-0605 - Unknown
47. 19-0609 LUBA Casualty Insurance Company
48. 19-0615 Lafayette General Health
49. 19-0632 LA Health Care- Self Ins. Fund
50. 19-0637 Bridgefield Casualty Insurance Company
51. 19-0652 Retailers Casualty Insurance Company
52. 19-0661 Roman Catholic Church of New Orleans
53. 19-0670 LA Health Care- Self Ins. Fund
54. 19-0694 - Unknown
55. 19-0699 LUBA Casualty Insurance Company
56. 19-0706 Indemnity Ins. Co. of North America
57. 19-0713 Parish Government Risk Management Agency
58. 19-0725 - Unverified
59. 19-0729 LA Construction & Industry
60. 19-0754 Travelers Property & Casualty
61. 19-0765 LA Construction & Industry
62. 19-0858 LA Health Care- Self Ins. Fund
63. 19-0873 LA Health Care- Self Ins. Fund
64. 19-0876 LA Health Care- Self Ins. Fund
65. 19-0929 Vinson Guard Service, Inc.
66. 19-0945 LA Automobile Dealers Assn.
67. 20-0066 Sentry Casualty Company
68. 20-0078 - Unknown

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (254) partial payments due beginning with Claim #80-0247 and ending with Claim #18-0782. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of July 8, 2020. Mr. Coulter seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (73) quarterly payments due beginning with Claim #95-0317 and ending with Claim #18-0145. Mr. Hawkland

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moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of July 8, 2020. Mr. Coulter seconded the motion and it passed unanimously.

The Chairman moved to Item 7, Public Comment. The Chairman asked the members of the public who were attending via teleconference to identify themselves for the record. Mr. Kirk Landry, Mr. Gary Kern, Mr. Colin O'Rourke, Mr. Scott Leday, Ms. Melissa Baham and Dr. John Schweitzer identified themselves for the record.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland made the motion. Mr. Coulter 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 (18) claims.

1. 94-0154
2. 09-0202
3. 09-0350
4. 12-0160
5. 14-0580
6. 14-0751
7. 14-0782
8. 15-0866
9. 16-0555
10. 17-0012
11. 17-0038
12. 17-0041
13. 17-0261
14. 17-0488
15. 18-0147
16. 18-0174
17. 19-0442
18. 19-0722

Mr. Hawkland moved to accept the recommendation. Mr. Coulter seconded the motion and it passed unanimously.

The following (5) claims had recommendations for settlement denial and that reimbursement continue on and on-going basis:

1. 97-1269
2. 06-0232
3. 10-0463
4. 10-0762
5. 16-0590

Mr. Hawkland moved to accept the recommendation. Mr. Coulter 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 #13-0118 Settlement Authority
2. Claim #15-0268 Settlement Authority
3. Claim #15-0270 Settlement Authority
4. Claim #16-0456 Settlement Authority
5. Claim #16-0757 Settlement Authority
6. Claim #16-0813 Settlement Authority
7. Claim #17-0547 Settlement Authority
8. Claim #17-0603 Settlement Authority
9. Claim #17-0655 Settlement Authority
10. Claim #17-0768 Settlement Authority
11. Claim #18-0148 Settlement Authority
12. Claim #18-0186 Settlement Authority
13. Claim #18-0199 Settlement Authority
14. Claim #18-0421 Settlement Authority
15. Claim #18-0881 Settlement Authority
16. Claim #19-0311 Settlement Authority

Mr. Hawkland made the motion. Mr. Coulter seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, any other matters to discuss. Dr. John Schweitzer and Ms. Melissa Beham gave a presentation regarding the status of LA Rehabilitation Services and noted several

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successes of the collaboration with the Second Injury Fund. The Board anticipates the allocation recommendation from Ms. Trahan at the August meeting.

Ms. Trahan also brought to the board a concern of accepting electronic signatures on the SIF Post-Hire Questionnaire. After a discussion, Ms. Trahan stated that staff would look into the matter further to determine if any additional costs would be associated with creating a digital form.

There were then no other matters to discuss. The Chairman asked for a motion to adjourn. Mr. Hawkland moved to adjourn. Mr. Coulter seconded the motion and it passed unanimously.

The meeting adjourned at 3:12 pm

Recording Secretary: Claudia Brumfield