

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of June 3, 2021

The regular meeting of the Second Injury Board convened at 2:03 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. Shana Veade, 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

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 May 6, 2021. 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 Ms. Faber, seconded by Mr. Coulter, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. There was no hearing listed.

Item 3 on the agenda lists (14) claims where recommendations were made for payment starting with Claim #19-0767 and ending with Claim #20-0882. Ms. Faber made a motion to approve the claims for payment. Mr. Coulter seconded the motion and it passed unanimously.

1. 19-0767 Accident Fund Ins. Co. of America
2. 19-0963 Walgreen Company
3. 20-0195 LA Health Care- Self Ins. Fund
4. 20-0257 LA Loggers SIF
5. 20-0318 City of Shreveport
6. 20-0380 LUBA Casualty Insurance Company
7. 20-0388 LA Health Care- Self Ins. Fund
8. 20-0544 LUBA Casualty Insurance Company
9. 20-0565 LA Construction & Industry SIF
10. 20-0656 LA Loggers SIF
11. 20-0665 Old Republic Insurance Company
12. 20-0681 LUBA Casualty Insurance Company
13. 20-0856 LA Workers' Compensation Corp.
14. 20-0882 LUBA Casualty Insurance Company

Minutes (cont'd)

Page 2 of 5

June 3, 2021

The Chairman moved to *Item 4* on the agenda, (113) claims recommended for denial, beginning with Claim #17-0343 and ending with Claim #21-0200. The Chairman requested a motion to approve the recommendation to deny the claims as described in the June 3, 2021 agenda. Mr. Hawkland made a motion to deny the claims for payment. Ms. Faber seconded the motion and it passed unanimously.

1. 17-0343 Zurich American Insurance Company
2. 19-0861 Zurich American Insurance Company
3. 19-0879 American Interstate Insurance Company
4. 19-0968 Ace American Ins. Co
5. 19-0985 National Union Fire Insurance - Pittsburgh, PA (AIG)
6. 20-0020 American Interstate Insurance Company
7. 20-0059 Office of Risk Management
8. 20-0063 LA Automobile Dealers Assn.
9. 20-0074 - Unverified
10. 20-0077 LA Workers' Compensation Corp.
11. 20-0083 Property, Casualty Insurance Company of Hartford
12. 20-0088 Willis-Knighton Medical Center
13. 20-0103 LA Health Care- Self Ins. Fund
14. 20-0145 LA Workers' Compensation Corp.
15. 20-0151 LA Workers' Compensation Corp.
16. 20-0164 LA Workers' Compensation Corp.
17. 20-0167 LA Workers' Compensation Corp.
18. 20-0181 LUBA Casualty Insurance Company
19. 20-0222 LA Automobile Dealers Assn.
20. 20-0226 Parish Government Risk Management Agency
21. 20-0236 Louisiana Restaurant Association
22. 20-0265 LA Construction & Industry SIF
23. 20-0276 LA Workers' Compensation Corp.
24. 20-0281 LA Construction & Industry SIF
25. 20-0292 LA Workers' Compensation Corp.
26. 20-0302 Old Republic Insurance Company
27. 20-0304 Retailers Casualty Insurance Company
28. 20-0314 Ace American Ins. Co
29. 20-0330 Willis-Knighton Medical Center
30. 20-0338 Lafayette Parish School Board
31. 20-0340 Office of Risk Management
32. 20-0342 Bridgefield Casualty Insurance Company
33. 20-0346 LA Municipal Risk Mgmt. Agency
34. 20-0348 Louisiana Restaurant Association
35. 20-0354 LA Workers' Compensation Corp.
36. 20-0356 Retailers Casualty Insurance Company
37. 20-0361 Liberty Mutual Fire Ins. Co.
38. 20-0364 Liberty Insurance Corporation
39. 20-0368 LUBA Casualty Insurance Company
40. 20-0374 LA Construction & Industry SIF
41. 20-0378 Office of Risk Management
42. 20-0382 - Unknown
43. 20-0384 Office of Risk Management
44. 20-0386 LA Workers' Compensation Corp.
45. 20-0392 Tangipahoa Parish School Board
46. 20-0394 LA Workers' Compensation Corp.
47. 20-0424 Stonetrust Commercial Ins. Co.
48. 20-0446 - Unverified
49. 20-0482 - Unknown

Minutes (cont'd)

Page 3 of 5

June 3, 2021

50. 20-0505 LA Health Care- Self Ins. Fund
51. 20-0507 Retailers Casualty Insurance Company
52. 20-0509 Hartford Casualty Insurance Company
53. 20-0513 Office of Risk Management
54. 20-0515 LUBA Casualty Insurance Company
55. 20-0533 Stonetrust Commercial Ins. Co.
56. 20-0539 Continental Indemnity Company
57. 20-0541 Jefferson Parish
58. 20-0551 Audubon Nature Institute, Inc.
59. 20-0555 Liberty Insurance Corporation
60. 20-0559 Everest National Insurance Company
61. 20-0561 Recreation & Park Commission of East Baton Rouge
62. 20-0569 - Unverified
63. 20-0571 Acadian Ambulance Service, Inc
64. 20-0575 Ace American Ins. Co
65. 20-0577 - Unverified
66. 20-0581 Recreation & Park Commission of East Baton Rouge
67. 20-0587 Liberty Mutual Ins. Co.
68. 20-0589 Tangipahoa Parish School Board
69. 20-0591 Lafayette Parish Sheriff's Office
70. 20-0597 City of New Orleans
71. 20-0599 Norguard Insurance Company
72. 20-0601 - Unknown
73. 20-0605 Office of Risk Management
74. 20-0607 Tangipahoa Parish School Board
75. 20-0618 Bridgefield Employers Insurance Company
76. 20-0621 American Zurich Ins. Co.
77. 20-0625 Office of Risk Management
78. 20-0630 LA Home Builders Assn.- SIF
79. 20-0631 Terrebonne Parish School Board
80. 20-0633 LA Construction & Industry SIF
81. 20-0636 City of New Orleans
82. 20-0637 Liberty Mutual Ins. Co.
83. 20-0639 Indemnity Ins. Co. of North America
84. 20-0642 Louisiana Hospital Association
85. 20-0654 City of New Orleans
86. 20-0666 Retailers Casualty Insurance Company
87. 20-0667 Office of Risk Management
88. 20-0669 Jefferson Parish Public School System
89. 20-0670 LA Construction & Industry SIF
90. 20-0684 - Unverified
91. 20-0685 Stonetrust Commercial Ins. Co.
92. 20-0687 LA Construction & Industry SIF
93. 20-0688 Office of Risk Management
94. 20-0691 LA Workers' Compensation Corp.
95. 20-0696 Roman Catholic Church of New Orleans
96. 20-0701 Gray Insurance Company
97. 20-0703 LUBA Casualty Insurance Company
98. 20-0706 American Zurich Ins. Co.
99. 20-0709 Bridgefield Casualty Insurance Company
100. 20-0712 New Hampshire Insurance Company (AIG)
101. 20-0718 City of New Orleans
102. 20-0721 American Zurich Ins. Co.
103. 20-0727 Jefferson Parish
104. 20-0736 Lafayette Parish School Board
105. 20-0742 Technology Insurance Company
106. 20-0745 LA Workers' Compensation Corp.

Minutes (cont'd)

Page 4 of 5

June 3, 2021

107. 20-0902 LUBA Casualty Insurance Company
108. 20-0912 Argonaut Insurance Group
109. 20-0920 LA Municipal Risk Mgmt. Agency
110. 20-0962 Liberty Mutual Ins. Co.
111. 20-0977 LUBA Casualty Insurance Company
112. 20-1013 LUBA Casualty Insurance Company
113. 21-0200 Louisiana Restaurant Association

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (177) partial payments due beginning with Claim #83-0653 and ending with Claim #20-0042. Ms. Faber moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of June 3, 2021. Mr. Hawkland seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (88) quarterly payments due beginning with Claim #83-0557 and ending with Claim #19-0602. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of June 3, 2021. 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 (9) claims.

1. 09-0435
2. 13-0003
3. 14-0893
4. 17-0362
5. 18-0059
6. 18-0583
7. 18-0614
8. 18-0760
9. 18-0835

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

The following (7) claims had recommendations for settlement denial and that reimbursement continue on and on-going basis:

1. 13-0116
2. 15-0143
3. 16-0503
4. 16-0813
5. 18-0578
6. 18-0733
7. 18-0881

Mr. Coulter moved to accept the recommendation. Ms. Faber 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 #14-0392 Settlement Authority
2. Claim #15-0794 Settlement Authority
3. Claim #16-0434 Settlement Authority
4. Claim #16-0786 Settlement Authority
5. Claim #17-0318 Settlement Authority
6. Claim #17-0347 Settlement Authority
7. Claim #17-0516 Settlement Authority
8. Claim #17-0782 Settlement Authority
9. Claim #18-0150 Settlement Authority
10. Claim #18-0390 Settlement Authority
11. Claim #18-0860 Settlement Authority
12. Claim #19-0080 Continued Litigation
13. Claim #19-0259 Settlement Authority
14. Claim #19-0611 Continued Litigation
15. Claim #19-0753 Settlement Authority

Ms. Faber made the motion. Mr. Coulter seconded the motion and it passed unanimously.

The Chairman moved to *Item 9*, 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 2:33 pm

Recording Secretary: Claudia Brumfield