

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of June 7, 2018

The regular meeting of the Second Injury Board convened at 2:10 p.m.

The following were present:

1. Mr. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Mr. Steve Hawkland, representing the Secretary of State, Vice-Chairman
3. Ms. Lynette Mack, representing the State Treasurer
4. Meridith Trahan, Acting Director of Second Injury Board
5. Michelle Bradley, General Counsel
6. Michelle Sumrall, SIB Compliance Supervisor
7. Claudia Brumfield, Recording Secretary

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. 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. Mack and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, Hearing Requests. Regarding the first claim listed, Claim #17-0136, Ms. Trahan explained to the Board that there were no issues beyond the standard legal elements that would necessitate a hearing. Mr. Hansberry asked for a motion in regards to the first request. A motion was made by Mr. Hawkland to deny a hearing for Claim # 17-0136. The motion was seconded by Ms. Mack and passed unanimously. The second request regarding Claim #17-0142 was presented by Ms. Trahan. Ms. Mack made a motion to deny a hearing on the claim. The motion was seconded by Mr. Hawkland and passed unanimously. A third request was received on Claim #17-0200. After Ms. Trahan's presentation, Mr. Hawkland made a motion to deny the hearing request. The motion was seconded by Ms. Mack and passed unanimously.

Item 3 on the agenda lists (7) claims where recommendations were made for payment starting with Claim #16-0271 and ending with Claim #18-0059. The motion to approve the claims for payment was made by Ms. Mack, seconded by Mr. Hawkland and passed unanimously.

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|----|---------|---|---------------------|
| 1. | 16-0271 | City of Monroe | 104 week deductible |
| 2. | 17-0078 | Zurich American Insurance Company | 104 week deductible |
| 3. | 17-0702 | LCTA Casualty Ins. Co. | 104 week deductible |
| 4. | 17-0748 | Jefferson Parish | 104 week deductible |
| 5. | 17-0789 | LA Construction & Industry | 104 week deductible |
| 6. | 17-0855 | LA Commerce & Trade Assn. | 104 week deductible |
| 7. | 18-0059 | Louisiana Workers' Compensation Corporation | 104 week deductible |

Minutes (cont'd)

Page 2

June 7, 2018

The Chairman moved to *Item 4* on the agenda, (175) claims recommended for denial, beginning with Claim #15-0724 and ending with Claim #18-0096. A request was made for a motion to approve the recommendation to deny the claims as described in the June 7, 2018 agenda. The motion was made by Mr. Hawkland; seconded by Ms. Mack and passed unanimously.

1. 15-0724 Louisiana Construction & Industry - SIF
2. 15-0875 Louisiana Workers' Compensation Corporation
3. 16-0130 Louisiana Workers' Compensation Corporation
4. 16-0220 New Hampshire Insurance Company
5. 16-0350 Unverified
6. 16-0447 Stonetrust Commercial Ins. Co.
7. 16-0519 Christus St. Frances Cabrini Hospital
8. 16-0764 LA Workers' Compensation Corp.
9. 16-0785 Ins. Co. of the State of PA
10. 16-0800 Lafayette Parish School Board
11. 16-0821 Technology Insurance Company
12. 16-0887 American Interstate Insurance Company
13. 17-0008 Safety National Casualty Corporation
14. 17-0014 American Interstate Insurance Company
15. 17-0026 LA Workers' Compensation Corp.
16. 17-0031 LA Construction & Industry
17. 17-0043 Technology Insurance Company
18. 17-0118 LA Workers' Compensation Corp.
19. 17-0124 Travelers Property Casualty Company of America
20. 17-0133 City of Baton Rouge, East Baton Rouge Parish
21. 17-0145 LA Commerce & Trade Assn. - SIF
22. 17-0148 St. Bernard Parish School Board
23. 17-0154 LA Construction & Industry
24. 17-0157 City of Baton Rouge, East Baton Rouge Parish
25. 17-0163 Parish Government Risk Management Agency
26. 17-0172 Office of Risk Management
27. 17-0178 National Union Fire Insurance Company
28. 17-0181 LUBA Casualty Insurance Company
29. 17-0184 Office of Risk Management
30. 17-0187 Bridgefield Casualty Insurance Company
31. 17-0188 Stonetrust Commercial Ins. Co.
32. 17-0191 LUBA Casualty Insurance Company
33. 17-0193 Beauregard Parish School Board
34. 17-0202 LA Automobile Dealers Assn.
35. 17-0204 Office of Risk Management
36. 17-0211 Louisiana Workers' Compensation Corporation
37. 17-0213 Willis-Knighton Medical Center
38. 17-0216 LUBA Casualty Insurance Company
39. 17-0219 Stonetrust Commercial Ins. Co.
40. 17-0220 LUBA Casualty Insurance Company
41. 17-0222 Office of Risk Management
42. 17-0228 LA Workers' Compensation Corp.

Minutes (cont'd)

Page 3

June 7, 2018

43. 17-0229 Coca-Cola Bottling Company United
44. 17-0231 Office of Risk Management
45. 17-0232 Gray Insurance Company
46. 17-0237 Bridgefield Casualty Insurance Company
47. 17-0243 New Hampshire Insurance Company
48. 17-0246 Ace American Ins. Co
49. 17-0249 LUBA Casualty Insurance Company
50. 17-0255 LA Workers' Compensation Corp.
51. 17-0257 New Hampshire Insurance Company
52. 17-0259 Louisiana Workers' Compensation Corporation
53. 17-0264 Unverified
54. 17-0270 Thibodaux Regional Medical Center
55. 17-0273 Bridgefield Casualty Insurance Company
56. 17-0279 Office of Risk Management
57. 17-0285 LA Health Care- Self Ins. Fund
58. 17-0288 Ace American Ins. Co
59. 17-0291 Office of Risk Management
60. 17-0294 LA Commerce & Trade Assn. - SIF
61. 17-0306 LA Construction & Industry
62. 17-0312 LA Construction & Industry
63. 17-0321 Office of Risk Management
64. 17-0327 Travelers Insurance Company
65. 17-0336 Ace American Ins. Co
66. 17-0339 City of New Orleans
67. 17-0345 Zurich American Insurance Company
68. 17-0351 Technology Insurance Company
69. 17-0354 Old Republic Insurance Company
70. 17-0363 City of Alexandria
71. 17-0375 Jefferson Parish Public School System
72. 17-0387 Zurich American Insurance Company
73. 17-0396 Office of Risk Management
74. 17-0402 Jefferson Parish
75. 17-0405 Harrah's Operating Company, Inc
76. 17-0408 Parish Government Risk Management Agency
77. 17-0411 LUBA Casualty Insurance Company
78. 17-0413 Bridgefield Casualty Insurance Company
79. 17-0419 Retailers Casualty Insurance Company
80. 17-0427 City of Shreveport
81. 17-0430 Retailers Casualty Insurance Company
82. 17-0434 Stonetrust Commercial Ins. Co.
83. 17-0437 Office of Risk Management
84. 17-0440 Ace American Ins. Co
85. 17-0443 Great American Insurance Company
86. 17-0449 Lafayette Parish Sheriff's Office
87. 17-0455 Office of Risk Management
88. 17-0464 Federal Insurance Company
89. 17-0485 LA Construction & Industry
90. 17-0488 Office of Risk Management
91. 17-0500 Unverified
92. 17-0503 LA Construction & Industry
93. 17-0506 Retailers Casualty Insurance Company
94. 17-0509 Lake Charles Memorial Hospital

Minutes (cont'd)

Page 4

June 7, 2018

95. 17-0512 St. Charles Parish School Board
96. 17-0518 Bridgefield Casualty Insurance Company
97. 17-0536 City of Shreveport
98. 17-0539 LUBA Casualty Insurance Company
99. 17-0545 Office of Risk Management
100. 17-0547 Bridgefield Employers Insurance Company
101. 17-0554 Zurich American Insurance Company
102. 17-0560 LUBA Casualty Insurance Company
103. 17-0578 City of New Orleans
104. 17-0583 City of Natchitoches
105. 17-0584 Unverified
106. 17-0633 Unverified
107. 17-0657 Federated Mutual Insurance
108. 17-0672 Unverified
109. 17-0680 Office of Risk Management
110. 17-0682 Louisiana Workers' Compensation Corporation
111. 17-0688 Commerce And Industry Insurance Company (AIG)
112. 17-0690 Stonetrust Commercial Ins. Co.
113. 17-0692 Office of Risk Management
114. 17-0694 LCTA Casualty Ins. Co.
115. 17-0696 LA Health Care- Self Ins. Fund
116. 17-0698 Terrebonne Parish Cons. Government
117. 17-0699 Unverified
118. 17-0708 State National Insurance Company
119. 17-0709 Gray Insurance Company
120. 17-0710 Wal-Mart Associates, Inc.
121. 17-0712 EBR Parish School Board
122. 17-0714 Ace American Ins. Co
123. 17-0718 Opelousas General Health System
124. 17-0720 Plaquemines Parish School Board
125. 17-0724 Travelers Casualty & Surety Co.
126. 17-0726 Retailers Casualty Insurance Company
127. 17-0730 LA Automobile Dealers Assn.
128. 17-0731 LA Workers' Compensation Corp.
129. 17-0732 LUBA Casualty Insurance Company
130. 17-0733 Unverified
131. 17-0734 City of Alexandria
132. 17-0735 LA Health Care- Self Ins. Fund
133. 17-0738 LA Construction & Industry
134. 17-0739 Electric Insurance Company/GE
135. 17-0741 LUBA Casualty Insurance Company
136. 17-0742 LA Construction & Industry
137. 17-0743 Bridgefield Casualty Insurance Company
138. 17-0744 Ochsner Medical Center-Kenner
139. 17-0745 Louisiana Restaurant Association
140. 17-0746 Louisiana Workers' Compensation Corporation
141. 17-0750 Unverified
142. 17-0751 Unverified
143. 17-0752 St. John Parish School Board
144. 17-0753 LA Commerce & Trade Assn.
145. 17-0756 City of New Orleans
146. 17-0757 LUBA Casualty Insurance Company

Minutes (cont'd)

Page 5

June 7, 2018

147.	17-0758	LUBA Casualty Insurance Company
148.	17-0764	LA Construction & Industry
149.	17-0766	LA Construction & Industry
150.	17-0767	Ace American Ins. Co
151.	17-0770	Roman Catholic Church of New Orleans
152.	17-0773	Ace American Ins. Co
153.	17-0791	Bridgefield Casualty Insurance Company
154.	17-0795	LUBA Casualty Insurance Company
155.	17-0797	LA Automobile Dealers Assn.
156.	17-0799	Office of Risk Management
157.	17-0803	Safety National Casualty Corporation
158.	17-0807	Bridgefield Casualty Insurance Company
159.	17-0809	Unverified
160.	17-0817	American Zurich Ins. Co.
161.	17-0821	Technology Insurance Company
162.	17-0823	St. Tammany Parish School Board
163.	17-0827	Unverified
164.	17-0829	LA Workers' Compensation Corp.
165.	17-0833	Zurich American Insurance Company
166.	17-0835	United Wisconsin Ins. Co.
167.	17-0839	Ace American Ins. Co
168.	17-0841	Unverified
169.	17-0850	United Wisconsin Ins. Co.
170.	17-0851	Ace American Ins. Co
171.	17-0875	Indemnity Ins. Co. of North America
172.	17-0882	Plaquemines Parish Government
173.	17-0925	LA Construction & Industry
174.	18-0073	Jefferson Parish
175.	18-0096	Unverified

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (134) partial payments beginning with Claim #82-0350 and ending with Claim #16-0337. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of June 7, 2018. The motion was made by Ms. Mack seconded by Mr. Hawkland, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (89) quarterly payments due beginning with Claim #83-0084 and ending with Claim #16-0337. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of June 7, 2018. The motion was seconded by Ms. Mack and passed unanimously.

The Chairman moved to *Item 7*, Public Comment. No one from the public was present; therefore, the Chairman moved to the next item on the agenda.

Mr. Hansberry asked for a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland made the motion. It was seconded by Ms. Mack 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 Acting Director regarding settlement authority as discussed in Executive Session and to extend settlement authority to be reimbursed on quarterly basis for the following (15) claims.

1. 08-0582
2. 08-0739 – Indemnity only
3. 11-0344
4. 12-0568
5. 13-0042 – Indemnity only
6. 13-0054
7. 13-0529
8. 14-0254
9. 14-0684
10. 15-0211
11. 16-0100
12. 16-0197
13. 16-0405
14. 16-0625
15. 17-0381

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

The following (2) claims were recommended for settlement denial and that they continue to be paid on an on-going basis:

1. 09-0851 & 13-0065
2. 14-0268

Ms. Mack moved to accept the recommendation. It was seconded by Mr. Hawkland and 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 #12-0591 Settlement Authority
2. Claim #14-0717 Settlement Authority
3. Claim #15-0186 Continued Litigation
4. Claim #15-0432 Settlement Authority
5. Claim #15-0643 Settlement Authority
6. Claim #16-0259 Settlement Authority
7. Claim #16-0645 Settlement Authority
8. Claim #16-0661 Continued Litigation
9. Claim #16-0742 Settlement Authority
10. Claim #16-0799 Settlement Authority
11. Claim #16-0912 Continued Litigation
12. Claim #17-0174 Settlement Authority

The motion was made by Ms. Mack, seconded by Mr. Hawkland and passed unanimously.

The Chairman moved to *Item 9*, asking if there were any other matters to discuss.

There were then no other matters to discuss. The Chairman asked for a motion to adjourn. Mr. Hawkland moved to adjourn. The motion was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 2:40pm

Recording Secretary: Claudia Brumfield