

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of March 2, 2023

The regular meeting of the Second Injury Board convened at 2:00 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. Chris Kirby, representing Dept. of Children and Family Service
5. Tavares Walker, representing the Office of Workers' Compensation Administration
6. Meridith Trahant, SIB Director
7. Shana Veade, General Counsel
8. Ta'Tanisha Youngblood, General Counsel
9. Devionne Butler, General Counsel
10. Michelle Sumrall, SIB Compliance Supervisor
11. Chandra Cola, SIB Audit & Finance Supervisor
12. Melissa Green, SIB Compliance
13. Tamara Hardnett, SIB Compliance
14. 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 February 2, 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 Mr. Kirby, and passed unanimously.

Mr. Hansberry moved to *Item 2* on the agenda, listing one hearing request.

1. 21-0848 Accident Fund Ins. Co. of America

Ms. Trahant presented the item and made reference to LA R.S. 23:1378C regarding requests for hearings. She stated that the claim had a recommendation for denial based on not meeting the legal elements. She recommended the Board deny the request. Mr. Hawkland made a motion to deny the request for a hearing. Mr. Kirby seconded the motion and it passed unanimously.

Item 3 on the agenda lists (1) claim where a recommendation was made for payment with Claim #22-0919. Mr. Hawkland made a motion to approve the claims for payment. Mr. Kirby seconded the motion and it passed unanimously.

1. 22-0919 Lafayette Parish School Board

The Chairman moved to *Item 4* on the agenda, (37) claims recommended for denial, beginning with Claim #21-0660, ending with Claim #22-0891. The Chairman requested a motion to approve the recommendation to deny the claims as described in the March 2, 2023 agenda. Mr. Hawkland made a motion to deny the claims for payment. Mr. Kirby seconded the motion and it passed unanimously.

1. 21-0660 Roman Catholic Church of New Orleans
2. 21-0770 Old Republic Insurance Company
3. 21-0776 - Unverified
4. 21-0794 - Unverified
5. 21-0803 Liberty Mutual Ins. Co.
6. 21-0815 Terrebonne General Medical Center
7. 21-0821 Willis-Knighton Medical Center
8. 21-0857 Travelers Indemnity Company of Connecticut
9. 21-0866 LA Construction & Industry SIF
10. 22-0090 Safety National Casualty Corporation
11. 22-0123 LA Workers' Compensation Corp.
12. 22-0142 Liberty Mutual Ins. Co.
13. 22-0156 LA Workers' Compensation Corp.
14. 22-0196 Louisiana Restaurant Association
15. 22-0265 LA Health Care- Self Ins. Fund
16. 22-0325 Lafayette General Health
17. 22-0358 - Unverified
18. 22-0367 American Interstate Insurance Company
19. 22-0369 Louisiana Hospital Association
20. 22-0371 - Unverified
21. 22-0381 LA Workers' Compensation Corp.
22. 22-0387 Regional Transit Authority
23. 22-0389 Office of Risk Management
24. 22-0392 LA Workers' Compensation Corp.
25. 22-0402 Lafayette Consolidated Government
26. 22-0407 Ace American Ins. Co
27. 22-0413 Willis-Knighton Medical Center
28. 22-0416 - Unknown
29. 22-0428 Tulane University
30. 22-0431 Pennsylvania Manufacturers Assn Ins Co/PMA Ins Group
31. 22-0434 Sentry Casualty Company
32. 22-0437 Stonetrust Commercial Ins. Co.
33. 22-0449 LA Workers' Compensation Corp.
34. 22-0458 Amtrust Ins. Co. of Kansas
35. 22-0465 LUBA Casualty Insurance Company
36. 22-0467 Louisiana Restaurant Association
37. 22-0891 LUBA Casualty Insurance Company

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (252) partial payments due beginning with Claim #00-0181 and ending with Claim #99-1028. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of March 2, 2023. Mr. Kirby seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (78) quarterly payments due beginning with Claim #04-0953 and ending with Claim #98-0998. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of March 2, 2023. Mr. 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. Mr. 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. 08-0049
2. 11-0181
3. 15-0604
4. 17-0054
5. 17-0800
6. 19-0972
7. 20-0091
8. 20-0264
9. 21-0074
10. 21-0685
11. 21-0709

Mr. Hawkland moved to accept the recommendations. Mr. Kirby seconded the motion and it passed unanimously.

The following (1) claim had a recommendation for settlement denial and that reimbursement continue on and on-going basis:

1. 04-0884

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

Minutes (cont'd)

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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 # 13-0482 Settlement Authority
2. Claim # 17-0727 Continue Litigation
3. Claim # 18-0448 Continue Litigation
4. Claim # 20-0239 Settlement Authority
5. Claim # 20-0365 Settlement Authority
6. Claim # 20-0990 Settlement Authority
7. Claim # 21-0105 Continue Litigation
8. Claim # 21-0259 Settlement Authority
9. Claim # 21-0490 Settlement Authority
10. Claim # 21-0495 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. Trahan stated, to date the Fund has collected \$48,949,310.46 in assessments from 515 of 673 accounts. Of the 80 delinquent accounts owing a total of \$3,321,401.00 towards prior assessments, an additional \$665,107.36 has been collected from 15 accounts which is 27% of the 75% goal of \$2,491,050.75. Additional efforts to collect the remaining balance will continue.

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

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

The meeting adjourned at 2:22 pm

Recording Secretary: Claudia Brumfield