

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of May 4, 2023, 2023

The regular meeting of the Second Injury Board convened at 2:07 p.m.

The following were present:

1. Charles Hansberry, representing the Commissioner of Insurance, Chairman
2. Kayla Kirby, representing the State Treasurer
3. Chris Kirby, representing Dept. of Children and Family Service
4. Steve Hawkland, representing the Secretary of State
5. Tavares Walker, representing the Office of Workers; Compensation Administration
6. Meridith Trahan, SIB Director
7. Karl Scott, General Counsel
8. Shana Veade, General Counsel
9. Ta'Tanisha Youngblood, General Counsel
10. Devionne Butler, General Counsel
11. Michelle Sumrall, SIB Compliance Supervisor
12. Chandra Cola, SIB Audit & Finance Supervisor
13. Tamara Hardnett, SIB Compliance
14. Shawndrika Moore, SIB Compliance
15. 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 April 5, 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, Hearing Requests. There were none listed.

*Item 3* on the agenda lists (12) claim where a recommendation was made for payment with Claim #21-0282 and ending with #23-0059. Mr. Hawkland made a motion to approve the claims for payment.

Mr. Kirby seconded the motion and it passed unanimously.

1. 21-0282 Pennsylvania Manufacturers Indemnity
2. 21-0837 LA Workers' Compensation Corp.
3. 21-0873 Liberty Mutual Ins. Co.
4. 21-0912 LA Workers' Compensation Corp.
5. 22-0067 LA Workers' Compensation Corp.
6. 22-0240 LA Home Builders Assn.- SIF
7. 22-0279 LUBA Casualty Insurance Company
8. 22-0476 Jefferson Parish
9. 22-0599 LA Workers' Compensation Corp.
10. 22-0603 Louisiana Hospital Association
11. 22-0635 XL Specialty Insurance Company
12. 23-0059 City of Monroe

The Chairman moved to *Item 4* on the agenda, (92) claims recommended for denial, beginning with Claim #17-0813, ending with Claim #23-0080. The Chairman requested a motion to approve the recommendation to deny the claims as described in the May 4, 2023 agenda. Mr. Hawkland made a motion to deny the claims for payment. Mr. Kirby seconded the motion and it passed unanimously.

1. 17-0813 - Unverified
2. 21-0791 XL Insurance America, Inc.
3. 21-0843 Eastern Alliance Insurance Co.
4. 21-0855 AIU Insurance Company (AIG)
5. 21-0861 Regional Transit Authority
6. 21-0864 Entergy Services, Inc.
7. 21-0869 Office of Risk Management
8. 21-0875 Great American Alliance Insurance Company
9. 21-0878 Zurich American Insurance Company
10. 21-0879 Liberty Mutual Ins. Co.
11. 21-0882 Amguard Insurance Company
12. 21-0884 Accident Fund Ins. Co. of America
13. 21-0885 Gray Insurance Company
14. 21-0888 City of New Orleans
15. 21-0891 Office of Risk Management
16. 21-0893 Liberty Mutual Ins. Co.
17. 21-0920 Travelers Casualty & Surety Co.
18. 21-0929 Office of Risk Management
19. 22-0002 Great West Casualty Company
20. 22-0008 State Farm Fire & Casualty Company
21. 22-0011 Regional Transit Authority
22. 22-0014 City of New Orleans
23. 22-0017 Tangipahoa Parish School Board
24. 22-0029 City of New Orleans
25. 22-0038 Louisiana Hospital Association
26. 22-0040 Safety National Casualty Corporation
27. 22-0044 New Hampshire Insurance Company (AIG)
28. 22-0047 LA Construction & Industry SIF
29. 22-0050 City of New Orleans
30. 22-0056 City of New Orleans
31. 22-0059 Office of Risk Management
32. 22-0125 - Unknown
33. 22-0154 Amguard Insurance Company
34. 22-0184 Amguard Insurance Company
35. 22-0185 LUBA Casualty Insurance Company
36. 22-0188 Zurich American Insurance Company
37. 22-0206 Travelers Property Casualty Company of America
38. 22-0209 Travelers Indemnity Company of Connecticut
39. 22-0211 St. Charles Parish School Board
40. 22-0252 LUBA Casualty Insurance Company
41. 22-0255 Travelers Property Casualty Company of America
42. 22-0266 Roman Catholic Church of New Orleans
43. 22-0287 Louisiana Restaurant Association
44. 22-0292 Charter Oak Fire Insurance Company, The
45. 22-0295 Recreation & Park Commission of East Baton Rouge
46. 22-0297 Federated Rural Electric Insurance
47. 22-0299 LA Workers' Compensation Corp.
48. 22-0362 Travelers Property Casualty Company of America
49. 22-0366 Ace American Ins. Co

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50. 22-0382 St. Landry Parish School Board
51. 22-0384 St. Joseph of Harahan, LLC (05471-0 Plantation Management)
52. 22-0409 Retailers Casualty Insurance Company
53. 22-0420 LA Workers' Compensation Corp.
54. 22-0433 LUBA Casualty Insurance Company
55. 22-0508 Beauregard Parish School Board
56. 22-0527 LUBA Casualty Insurance Company
57. 22-0530 Travelers Property Casualty Company of America
58. 22-0534 Louisiana Restaurant Association
59. 22-0536 - Unverified
60. 22-0539 LA Workers' Compensation Corp.
61. 22-0542 LA Construction & Industry SIF
62. 22-0545 Office of Risk Management
63. 22-0548 Louisiana Restaurant Association
64. 22-0551 Pennsylvania Manufacturers Assn Ins Co/PMA Ins Group
65. 22-0554 LUBA Casualty Insurance Company
66. 22-0556 Roman Catholic Church of New Orleans
67. 22-0557 St. Tammany Parish Hospital
68. 22-0560 LUBA Casualty Insurance Company
69. 22-0572 Starr Indemnity & Liability Company
70. 22-0584 LUBA Casualty Insurance Company
71. 22-0586 - Unverified
72. 22-0587 - Unverified
73. 22-0590 - Unknown
74. 22-0593 City of New Orleans
75. 22-0608 Louisiana Restaurant Association
76. 22-0614 Safety National Casualty Corporation
77. 22-0617 American Zurich Ins. Co.
78. 22-0620 Office of Risk Management
79. 22-0623 Federated Mutual Insurance
80. 22-0626 Office of Risk Management
81. 22-0629 LUBA Casualty Insurance Company
82. 22-0641 - Unverified
83. 22-0670 Roman Catholic Church of New Orleans
84. 22-0672 - Unverified
85. 22-0700 Wal-Mart Associates, Inc.
86. 22-0703 Lafayette Consolidated Government
87. 22-0705 - Unknown
88. 22-0781 Plaquemines Parish Government
89. 22-0786 Travelers Property Casualty Company of America
90. 22-0817 Terrebonne Parish School Board
91. 22-0869 Wal-Mart Associates, Inc.
92. 23-0080 Travelers Casualty & Surety Co.

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve (208) partial payments due beginning with Claim #00-0223 and ending with Claim #99-0879. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of partial payments as submitted on the agenda of May 4, 2023. Mr. Kirby seconded the motion and it passed unanimously.

The Chairman moved to *Item 6*, on the agenda, being the recommendation to approve (86) quarterly payments due beginning with Claim #01-0048 and ending with Claim #96-0018. Mr. Hawkland moved to

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accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of May 4, 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 (19) claims.

1. 01-0478
2. 05-0596
3. 16-0717
4. 17-0439
5. 18-0062
6. 18-0197
7. 19-0317
8. 19-0497
9. 19-0856
10. 20-0207
11. 21-0027
12. 21-0116
13. 21-0627
14. 21-0814
15. 21-0871
16. 22-0031
17. 22-0058
18. 22-0068
19. 22-0373

Ms. Kirby moved to accept the recommendations. Mr. Kirby 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. Mr. Hawkland recused himself from deliberations on Item 6, Claim #20-0760 due to having personal knowledge of the employee.

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1. Claim # 15-0709 Continue Litigation
2. Claim # 16-0482 Settlement Authority
3. Claim # 17-0474 Settlement Authority
4. Claim # 18-0013 Settlement Authority
5. Claim # 20-0513 Settlement Authority
6. Claim # 20-0760 Settlement Authority
7. Claim # 21-0264 Settlement Authority
8. Claim # 21-0630 Settlement Authority
9. Claim # 22-0289 Settlement Authority
10. Claim # 22-0389 Settlement Authority

Ms. Kirby 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 \$51,792,855.04 in assessments from 540 of 673 entities towards the appropriation of \$60,787,174.00. 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. Kirby moved to adjourn. Ms. Kirby seconded the motion and it passed unanimously.

The meeting adjourned at 2:29 pm

Recording Secretary: Claudia Brumfield