

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of November 2, 2017

The regular meeting of the Second Injury Board convened at 2:01 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. Mr. Chip Coulter, representing the Children and Family Services
5. Pauline Williams, OWCA Deputy Director
6. Meridith Trahant, Acting Director of Second Injury Board
7. Jessica Masaracchia, SIB Audit/OWCA Finance Supervisor
8. Michelle Bradley, General Counsel
9. Karl Scott, General Counsel
10. Darrick Lee, General Counsel
11. Michelle Sumrall, SIB Compliance Supervisor
12. Tiffany Mason, SIB Program Compliance Officer
13. Lakisha Johnson, SIB Program Compliance Officer
14. 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 3* on the agenda being there were no hearing requests listed under *Item 2*.

Item 3 on the agenda lists (4) claims where recommendations were made for payment starting with Claim #16-0136 and ending with Claim #17-0524. 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. | 16-0136 | Lafayette Parish School Board | 104 week deductible |
| 2. | 16-0767 | LA Workers' Compensation Corp. | 104 week deductible |
| 3. | 17-0352 | Louisiana Workers' Compensation Corporation | 104 week deductible |
| 4. | 17-0524 | Wal-Mart Associates, Inc. | 104 week deductible |

The Chairman moved to *Item 4* on the agenda, (47) claims recommended for denial, beginning with Claim #16-0251 and ending with Claim #17-0630. A request was made for a motion to approve the recommendation to deny the claims as described in the November 02, 2017 agenda. The motion was made by Mr. Coulter; seconded by Mr. Hawkland and passed unanimously.

1. 16-0251 LA Construction & Industry
2. 16-0341 Office of Risk Management
3. 16-0391 LA Workers' Compensation Corp.
4. 16-0564 Lincoln Parish School Board
5. 16-0577 LA Health Care- Self Ins. Fund
6. 16-0600 Sentry Insurance A Mutual Company
7. 16-0621 LA Municipal Risk Mgmt. Agency
8. 16-0624 Stonetrust Commercial Ins. Co.
9. 16-0628 LA Health Care- Self Ins. Fund
10. 16-0630 St. Tammany Parish Hospital
11. 16-0633 City of Baton Rouge, East Baton Rouge Parish
12. 16-0645 Starnet Insurance Company
13. 16-0646 Stonetrust Commercial Ins. Co.
14. 16-0648 Louisiana Workers' Compensation Corporation
15. 16-0654 LA Automobile Dealers Assn.
16. 16-0690 LA Health Care- Self Ins. Fund
17. 16-0754 Unverified
18. 16-0805 LUBA Casualty Insurance Company
19. 16-0867 Louisiana Workers' Compensation Corporation
20. 17-0013 Louisiana Restaurant Association
21. 17-0039 LA Workers' Compensation Corp.
22. 17-0065 Pennsylvania Manufacturers Assn. Ins Co
23. 17-0075 Office of Risk Management
24. 17-0104 Louisiana Workers' Compensation Corporation
25. 17-0116 Zurich American Insurance Company
26. 17-0122 LA Automobile Dealers Assn.
27. 17-0128 Louisiana Workers' Compensation Corporation
28. 17-0131 LCTA Casualty Ins. Co.
29. 17-0137 Cameron Parish Police Jury
30. 17-0146 LCTA Casualty Ins. Co.
31. 17-0149 Safety National Casualty Corporation
32. 17-0152 Office of Risk Management
33. 17-0155 LA Construction & Industry
34. 17-0158 Jefferson Parish Public School System
35. 17-0215 Office of Risk Management
36. 17-0245 EBR Parish School Board
37. 17-0248 Jefferson Parish
38. 17-0254 LA Workers' Compensation Corp.
39. 17-0263 Bridgefield Casualty Insurance Company
40. 17-0269 Office of Risk Management
41. 17-0290 Gray Insurance Company
42. 17-0292 LA Construction & Industry
43. 17-0310 Travelers Group
44. 17-0320 Walgreen Company
45. 17-0418 LA Automobile Dealers Assn.
46. 17-0585 Stonetrust Commercial Insurance Company
47. 17-0630 Chateau Living Center of Kenner

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (258) partial payments beginning with Claim #80-0247 and ending with Claim #15-0613. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the

partial payments as submitted on the agenda of November 02, 2017. The motion was made by Mr. Hawkland seconded by Ms. Mack, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (97) quarterly payments due beginning with Claim #88-0220 and ending with Claim #15-0725. Ms. Mack moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of November 02, 2017. The motion was seconded by Mr. Hawkland 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 (6) claims.

1. 99-0050
2. 13-1043
3. 14-0435
4. 15-0442
5. 15-0507
6. 15-0587

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

The following (3) claims were recommended for settlement denial and that they continue to be paid on an on-going basis:

1. 07-0921
2. 10-0417
3. 13-0072

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 #11-0814 Continued Litigation
2. Claim #14-0011 Continued Litigation
3. Claim #14-0100 Settlement Authority
4. Claim #14-0849 Settlement Authority
5. Claim #15-0247 Settlement Authority
6. Claim #15-0432 Continued Litigation
7. Claim #15-0542 Settlement Authority
8. Claim #15-0757 Settlement Authority
9. Claim #15-0763 Settlement Authority
10. Claim #16-0156 Settlement Authority
11. Claim #16-0590 Settlement Authority

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

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

Item 9a addressed the 2017 SIF Assessment Rate recommendation. Ms. Trahant made a recommendation to increase the assessment rate to 6.75% due to a lower amount of paid benefits being reported. The increase will allow SIB to maintain a 1 year timeframe in reimbursements. The motion was made by Mr. Coulter to accept the assessment recommendation of the Acting Director, seconded by Mr. Hawkland, and passed unanimously.

Item 9b, SIF Knowledge Questionnaire, was the next issue to be addressed. Ms. Trahant brought to the attention of the Board changes to the SIF Knowledge Questionnaire designed to assist in keeping employees' personal information confidential. Mr. Hansberry suggested making a change in the 1st paragraph from "your benefits" to "your workers' compensation benefits". Mr. Coulter moved to accept the changes. The motion was seconded by Mr. Hawkland and passed unanimously.

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 3:00pm

Recording Secretary: Claudia Brumfield