

**LOUISIANA WORKERS' COMPENSATION SECOND INJURY BOARD
MINUTES**

*Louisiana Workforce Commission
Executive Conference Room, First Floor, Annex Building
1001 North 23rd Street, Baton Rouge, Louisiana 70802
Thursday, November 2, 2023 | 2:00 p.m. CT*

I. Call to Order

Mr. Chris Kirby, Vice-Chair, called to order the Regular Meeting of the Louisiana Workers' Compensation Second Injury Board on November 2, 2023, at 2:03 p.m.

Present

Mr. Chris Kirby, representing the Secretary of the Department of Children and Family Services

Mr. Steve Hawkland, representing the Secretary of State

Ms. Kayla Kirby, representing the State Treasurer

Mr. Tavares Walker, Assistant Secretary, Office of Workers' Compensation Administration

Absent

Mr. Charles Hansberry, Chair, representing the Commissioner of Insurance

Quorum was met.

Also, participating in the meeting were: Ms. Meridith Trahant, SIB Director; Mr. Karl Scott, Assistant Attorney General; Ms. Shana Veade, Attorney; Ms. Melissa Green, SIB Compliance Officer; and Ms. Claudia Brumfield, Recording Secretary.

II. Reading of minutes of previous meeting

Upon motion of Mr. Hawkland, seconded by Mr. Walker, the motion unanimously passed to dispense with the reading of the minutes of the October 5, 2023, meeting and to approve the minutes as printed and distributed.

III. Hearing Requests

None.

IV. Items 1 through 12: Recommended for Payment: Claim #22-0041 to Claim #23-0567

Staff recommended payment of the following 12 claims:

1. 22-0041 Standard Fire Insurance Company
2. 22-0540 LA Workers' Compensation Corp.
3. 22-0591 Plaquemines Parish School Board
4. 22-0634 City of New Orleans
5. 22-0686 LUBA Casualty Insurance Company
6. 22-0718 LA Automobile Dealers Assn.
7. 22-0863 St. Tammany Parish School Board
8. 22-0880 LA Workers' Compensation Corp.
9. 23-0060 Sunz Insurance Company
10. 23-0429 LUBA Casualty Insurance Company
11. 23-0450 North Oaks Medical Center
12. 23-0567 Liberty Mutual Fire Ins. Co.

Upon motion of Mr. Hawkland, seconded by Mr. Walker, the motion unanimously passed, and the afore-listed claims were approved for payment.

V. Items 1 through 102: Recommended for Denial: Claim #21-0421 to Claim #23-0545

Staff recommended denial of the following 102 claims:

1. 21-0421 City of Shreveport
2. 21-0474 LUBA Casualty Insurance Company
3. 21-0561 Charter Oak Fire Insurance Company, The
4. 22-0087 Safety National Casualty Corporation
5. 22-0170 LA Workers' Compensation Corp.
6. 22-0176 Jefferson Parish Public School System
7. 22-0236 Office of Risk Management
8. 22-0364 Accident Fund Ins. Co. of America
9. 22-0368 Travelers Property Casualty Company of America
10. 22-0391 LA Workers' Compensation Corp.
11. 22-0394 LA Health Care- Self Ins. Fund
12. 22-0421 Lowe's Home Center, Inc.
13. 22-0436 - Unknown
14. 22-0448 LA Workers' Compensation Corp.
15. 22-0454 City of Lake Charles
16. 22-0492 Zurich American Insurance Company
17. 22-0495 LA Construction & Industry SIF
18. 22-0496 LA Construction & Industry SIF
19. 22-0501 LA Construction & Industry SIF

20. 22-0514 LA Workers' Compensation Corp.
21. 22-0522 LA Workers' Compensation Corp.
22. 22-0525 Travelers Property Casualty Company of America
23. 22-0526 LUBA Casualty Insurance Company
24. 22-0528 - Unknown
25. 22-0529 Retailers Casualty Insurance Company
26. 22-0531 - Unverified
27. 22-0532 LUBA Casualty Insurance Company
28. 22-0537 LCTA Casualty Ins. Co.
29. 22-0538 LA Workers' Compensation Corp.
30. 22-0544 LA Workers' Compensation Corp.
31. 22-0547 Stonetrust Commercial Ins. Co.
32. 22-0550 Louisiana Restaurant Association
33. 22-0555 LUBA Casualty Insurance Company
34. 22-0561 LA Construction & Industry SIF
35. 22-0562 Office of Risk Management
36. 22-0568 North Oaks Medical Center
37. 22-0570 Retailers Casualty Insurance Company
38. 22-0573 Pennsylvania Manufacturers Assn Ins Co/PMA Ins Group
39. 22-0574 Bridgefield Casualty Insurance Company
40. 22-0576 Travelers Property Casualty Company of America
41. 22-0577 XL Specialty Insurance Company
42. 22-0582 LUBA Casualty Insurance Company
43. 22-0607 Federated Rural Electric Insurance
44. 22-0610 Louisiana Restaurant Association
45. 22-0656 LA Workers' Compensation Corp.
46. 22-0685 City of New Orleans
47. 22-0707 LUBA Casualty Insurance Company
48. 22-0724 LA Construction & Industry SIF
49. 22-0733 Federated Rural Electric Insurance
50. 22-0776 Safety National Casualty Corporation
51. 22-0788 Bridgefield Casualty Insurance Company
52. 22-0864 General Health, Inc.
53. 22-0865 City of Lake Charles
54. 22-0895 Office of Risk Management
55. 22-0902 St. Tammany Parish School Board
56. 22-0920 Jefferson Parish
57. 22-0952 LA Home Builders Assn.- SIF
58. 23-0011 LUBA Casualty Insurance Company
59. 23-0026 LA Construction & Industry SIF
60. 23-0050 Jefferson Parish Public School System
61. 23-0056 - Unknown
62. 23-0058 Sherwin-Williams Company
63. 23-0062 Liberty Insurance Corporation

64.	23-0064	Frank Winston Crum Insurance Co.
65.	23-0066	Office of Risk Management
66.	23-0068	LUBA Casualty Insurance Company
67.	23-0070	LUBA Casualty Insurance Company
68.	23-0074	Starr Specialty Insurance Company
69.	23-0082	LA Workers' Compensation Corp.
70.	23-0084	Office of Risk Management
71.	23-0086	LA Municipal Risk Mgmt. Agency
72.	23-0098	Lafayette Consolidated Government
73.	23-0103	Louisiana Restaurant Association
74.	23-0112	Retailers Casualty Insurance Company
75.	23-0114	Accident Fund Ins. Co. of America
76.	23-0131	Argonaut Insurance Group
77.	23-0146	LUBA Casualty Insurance Company
78.	23-0198	St. Landry Parish School Board
79.	23-0206	Valero Services, Inc.
80.	23-0252	LUBA Casualty Insurance Company
81.	23-0254	LUBA Casualty Insurance Company
82.	23-0272	LUBA Casualty Insurance Company
83.	23-0282	XL Insurance America, Inc.
84.	23-0291	LA Home Builders Assn.- SIF
85.	23-0295	Accident Fund Ins. Co. of America
86.	23-0302	Accident Fund Ins. Co. of America
87.	23-0303	Travelers Property Casualty Company of America
88.	23-0304	Travelers Property Casualty Company of America
89.	23-0308	LUBA Casualty Insurance Company
90.	23-0310	LA Construction & Industry SIF
91.	23-0317	Travelers Indemnity Company of Connecticut
92.	23-0352	- Unknown
93.	23-0360	LUBA Casualty Insurance Company
94.	23-0382	LA Automobile Dealers Assn.
95.	23-0415	Parish Government Risk Management Agency
96.	23-0422	St. Tammany Parish Hospital
97.	23-0473	Parish Government Risk Management Agency
98.	23-0489	LUBA Casualty Insurance Company
99.	23-0506	Beauregard Parish School Board
100.	23-0511	Accident Fund Ins. Co. of America
101.	23-0523	LUBA Casualty Insurance Company
102.	23-0545	LUBA Casualty Insurance Company

Upon motion of Mr. Hawkland, seconded by Ms. Kirby, the motion unanimously passed, and the afore-listed claims were unanimously denied for payment.

VI. Recommended for Approval of Partial Payments Due: Claim #00-0432 to Claim #99-1028

Staff recommended payment of 166 partial payments in the total amount of \$6,027,237.00 for Claim #00-0432 to Claim #99-1028.

Upon motion of Mr. Hawkland, seconded by Mr. Walker, the motion unanimously passed, and partial payments in the total amount of \$6,025,327.00 for 166 claims beginning with Claim #00-0432 to Claim #99-1028 were approved.

VII. Recommended for Approval of Quarterly Payments Due: Claim #01-0048 to Claim #96-0018

Staff recommended payment of 80 quarterly payments in the total amount of \$1,451,547.53 for Claim #01-0432 to Claim #96-0018.

Upon motion of Mr. Hawkland, seconded by Mr. Walker, the motion unanimously passed, and quarterly payments in the amount of \$1,451,547.53 for 80 claims beginning with Claim #01-0048 to Claim #96-0018 were approved.

VIII. Public Comments

None.

IX. Executive Session - Discussion concerning Second Injury Board Litigation & Settlements

Upon motion of Mr. Hawkland, seconded by Mr. Walker, the motion unanimously passed, and the Board entered into Executive Session.

The Board concluded Executive Session and reconvened into its regular meeting.

X. Recommendation for Review of Settlement

Staff recommended settlement to be reimbursed on a quarterly basis of the following 20 claims:

1. 09-0262
2. 15-0034
3. 18-0062
4. 18-0601
5. 20-0544

6. 21-0433
7. 22-0377
8. 22-0470
9. 18-0855
10. 22-0004
11. 14-0481
12. 21-0818
13. 22-0588
14. 22-0684
15. 23-0320
16. 18-0251
17. 22-0005
18. 21-0495
19. 21-0114
20. 21-0651.

Upon motion of Mr. Hawkland, seconded by Ms. Kirby, the motion unanimously passed, and the 20 afore-listed claims were approved for settlement to be reimbursed on a quarterly basis.

XI. Second Injury Board Litigation

Upon motion of Mr. Hawkland, seconded by Ms. Kirby, the motion unanimously passed, and legal counsel was authorized to proceed in the manner designated for the following claims that are currently in litigation:

1. 17-0498 Settlement Authority granted
2. 18-0664 Settlement Authority granted
3. 19-0953 Settlement Authority granted
4. 21-0050 Settlement Authority granted
5. 22-0370 Settlement Authority granted.

Mr. Walker abstained from voting in reference to Claim 17-0498.

XII. Any other matters requiring attention:

a. 2023 SIB Annual Assessment

Staff presented an informative report regarding the SIB budget and legislative appropriations. Staff also made a recommendation to set the SIB annual assessment rate at 7.25%, which remains unchanged from last year.

Upon motion of Mr. Hawkland, seconded by Ms. Kirby, the motion unanimously passed, and the 2023 SIB annual assessment rate of 7.25% was approved.

b. LCTA

Ms. Terrel Thomas, attorney for LCTA Casualty Insurance Company (LCTA), requested that the acquisition of LCTA by an unidentified insurer be discussed. Ms. Thomas further requested that the SIB Director be granted authority to sign a compromise agreement on behalf of the Board.

After discussions regarding the purchaser, Mr. Hawkland made a motion to deny any authority be delegated to the SIB Director to contract/settle with LCTA on the Board's behalf. The motion was seconded by Ms. Kirby, and it passed unanimously.

c. 2024 SIB Meeting Dates *Tentative*

The Board discussed following tentative dates for SIB Meetings in 2024:

Thursday, January 11, 2024
Thursday, February 1, 2024
Thursday, March 7, 2024
Thursday, April 4, 2024
Thursday, May 2, 2024
Thursday, June 6, 2024
Thursday, July 11, 2024
Thursday, August 8, 2024
Thursday, September 5, 2024
Thursday, October 3, 2024
Thursday, November 7, 2024
Thursday, December 5, 2024.

XIII. Adjournment

Upon motion of Ms. Kirby, seconded by Mr. Hawkland, the meeting was adjourned at 2:34 p.m.