

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of September 07, 2017

The regular meeting of the Second Injury Board convened at 2:04 p.m.

The following were present:

1. Director Sheral Kellar, Director of Workers' Compensation Administration
2. Mr. Charles Hansberry, representing the Commissioner of Insurance, Chairman
3. Mr. Steve Hawkland, representing the Secretary of State, Vice-Chairman
4. Ms. Lynette Mack, representing the State Treasurer
5. Meridith Trahant, Acting Director of Second Injury Board
6. Michelle Bradley, General Counsel
7. Karl Scott, General Counsel
8. Darrick Lee, General Counsel
9. Michelle Sumrall, SIB Compliance Supervisor
10. 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 Ms. Mack seconded by Mr. Hawkland 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 (7) claims where recommendations were made for payment starting with Claim #16-0197 and ending with Claim #17-0470. The motion to approve the claims for payment was made by Mr. Hawkland, seconded by Director Kellar and passed unanimously.

1.	16-0197	Gray Insurance Company	104 week deductible
2.	16-0200	Parish Government Risk Management Agency	104 week deductible
3.	16-0354	Union Tank Car Company	104 week deductible
4.	16-0420	National Casualty Company	104 week deductible
5.	16-0461	Ouachita Parish School Board	104 week deductible
6.	16-0475	Lafayette General Health	104 week deductible
7.	17-0470	LA Workers' Compensation Corp.	104 week deductible

The Chairman moved to *Item 4* on the agenda, (65) claims recommended for denial, beginning with Claim #12-0935 and ending with Claim #17-0484. A request was made for a motion to approve the recommendation to deny the claims as described in the September 07, 2017 agenda. The motion was made by Ms. Mack; seconded by Mr. Hawkland and passed unanimously.

1. 12-0935 Argonaut Insurance Group
2. 13-0399 St. Landry Parish School Board

3. 13-0411 Bridgefield Casualty Insurance Company
4. 13-0414 Ace American Ins. Co
5. 13-0420 Ace American Ins. Co
6. 13-0423 Bridgefield Casualty Insurance Company
7. 16-0317 LUBA Casualty Insurance Company
8. 16-0362 LA Workers' Compensation Corp.
9. 16-0372 City of Alexandria
10. 16-0390 LCTA Casualty Ins. Co.
11. 16-0417 Lake Charles Memorial Hospital
12. 16-0445 LA Construction & Industry
13. 16-0466 Illinois National Insurance Company
14. 16-0539 LA Workers' Compensation Corp.
15. 16-0585 New Hampshire Insurance Company
16. 16-0590 Travelers Property Casualty Company of America
17. 16-0657 Stonetrust Commercial Ins. Co.
18. 16-0727 Office of Risk Management
19. 16-0733 LA Health Care- Self Ins. Fund
20. 16-0757 LA Health Care- Self Ins. Fund
21. 16-0798 LA Construction & Industry
22. 16-0801 Travelers Property Casualty Company of America
23. 16-0825 Stonetrust Commercial Ins. Co.
24. 16-0850 Safety National Casualty Corporation
25. 16-0870 Office of Risk Management
26. 16-0882 Office of Risk Management
27. 16-0885 Bridgefield Casualty Insurance Company
28. 16-0886 Argonaut Insurance Group
29. 16-0888 American Interstate Insurance Company
30. 16-0891 Office of Risk Management
31. 16-0900 Sentry Casualty Company
32. 16-0903 Jefferson Parish Public School System
33. 16-0904 Unverified
34. 16-0909 Louisiana Workers' Compensation Corporation
35. 16-0912 Louisiana Workers' Compensation Corporation
36. 16-0913 Travelers Property Casualty Company of America
37. 17-0009 Office of Risk Management
38. 17-0015 Louisiana Workers' Compensation Corporation
39. 17-0018 Office of Risk Management
40. 17-0025 Unverified
41. 17-0028 Unverified
42. 17-0033 Office of Risk Management
43. 17-0042 LA Health Care- Self Ins. Fund
44. 17-0048 St. John Parish School Board
45. 17-0066 Lafayette Parish School Board
46. 17-0069 LUBA Casualty Insurance Company
47. 17-0072 LUBA Casualty Insurance Company
48. 17-0081 New Hampshire Insurance Company
49. 17-0087 American Interstate Insurance Company
50. 17-0096 LA Commerce & Trade Assn.
51. 17-0099 LA Health Care- Self Ins. Fund
52. 17-0108 Midwest Employers Casualty Company
53. 17-0111 LUBA Casualty Insurance Company
54. 17-0114 LUBA Casualty Insurance Company

- 55. 17-0120 Old Republic Insurance Company
- 56. 17-0126 LA Commerce & Trade Assn. - SIF
- 57. 17-0129 Gray Insurance Company
- 58. 17-0132 Unverified
- 59. 17-0135 Unverified
- 60. 17-0141 Lafayette Consolidated Government
- 61. 17-0144 Bridgefield Employers Insurance Company
- 62. 17-0147 LA Workers' Compensation Corp.
- 63. 17-0150 Office of Risk Management
- 64. 17-0224 Accident Fund Ins. Co. of America
- 65. 17-0484 Liberty Mutual Ins. Co.

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (301) partial payments beginning with Claim #81-0470 and ending with Claim #16-0070. The Chairman asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of September 07, 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 (81) quarterly payments due beginning with Claim #83-0084 and ending with Claim #15-0403. Mr. Hawkland moved to accept the recommendation of staff and approve reimbursement of quarterly payments as submitted on the agenda of September 07, 2017. 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. Director Kellar 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 Director regarding settlement authority as discussed in Executive Session and to extend settlement authority to be reimbursed on quarterly basis for the following (8) claims.

- 1. 08-0837 – Indemnity only
- 2. 09-0204
- 3. 12-0385 – Indemnity only

4. 12-0984
5. 13-0248
6. 14-0242
7. 16-0405
8. 16-0508

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

The following (1) claim was recommended for settlement denial and that they continue to be paid on an on-going basis:

1. 14-0004

Ms. Mack moved to accept the recommendation. It was seconded by Director Kellar 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 #04-0125 Continued Litigation
2. Claim #11-0813 Continued Litigation
3. Claim #13-0471 Settlement Authority
4. Claim #14-0252 Settlement Authority
5. Claim #14-0500 Settlement Authority
6. Claim #15-0096 Continued Litigation
7. Claim #15-0146 Settlement Authority
8. Claim #15-0192 Settlement Authority
9. Claim #15-0211 Settlement Authority
10. Claim #15-0219 Settlement Authority
11. Claim #15-0312 Settlement Authority
12. Claim #15-0852 Continued Litigation
13. Claim #16-0533 Continued Litigation

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

The Chairman moved to *Item 9*, asking if there were any other matters to discuss. *Item 9a*, The LRS recommendation. Acting Director Meridith Trahant recommended, increasing the funds allocated to LRS, from the Second Injury Funds to \$525,000.00. Director Kellar made a motion to approve Ms. Trahant's recommendation. The motion was seconded by Mr. Hawkland and pass unanimously.

There were 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