

## LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of January 9, 2014

The regular meeting of the Second Injury Board convened at 2:08 p.m.

The following were present:

1. Mr. Charles Hansberry, Chairman, representing Commissioner of Insurance
2. Mr. Wes Hataway, OWCA Director
3. Mr. Steve Hawkland, representing Secretary of State
4. Ms. Pauline Williams, SIB Director
5. Michelle Sumrall, Compliance Supervisor
6. Meridith Trahant, General Counsel
7. Jason Reid, Precision Rep
8. Karl Scott, General Counsel
9. Shaneka Davis, Recording Secretary

Mr. Hansberry, Chairman, called the meeting to order and began with *Item 1* on the agenda, being the reading of the minutes from the previous meeting. Mr. Hawkland moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Mr. Hataway and passed unanimously.

The Chairman motion to expand the agenda to adding one hearing to the agenda, claim #13-0945 for Precision Drilling Company, the carrier is Chartis Insurance Company. Mr. Hawkland moved to expand the agenda seconded by Mr. Hataway, and passed unanimously.

The Chairman moved to *Item 2* on the agenda, the hearing for claim # 13-0945. Mr. Jason Reid states he's representing Precision Drilling Company. Mr. Reid representing Precision stated that claim# 13-0945 was recommended for denial based on upon the decision that it was untimely. Based upon July 16, 2011 accident that occurred in Buffalo, Texas the claimant Gary Kennedy. States that Mr. Kennedy received benefits from Texas which commenced in 8/19/2011 and Continued in Texas until 06/11/13. First payment of benefits under Louisiana Worker Compensation until July of 2013, the claim was filed with SIB 11/5/2013. Which he feels is timely unless the "clock" started running in Texas. He states that it should be consider timely. (See filed attached). Mr. Hataway motion to continue the matter until February 6, 2014 board meeting to get additional information regarding the policy. Mr. Hawkland seconded the motion and passed unanimously.

Next the Chairman moved to *Item 3* on the agenda, being the recommendation of staff to approve reimbursement on the following (9) claims; beginning with Claim #13-0256 and ending with Claim #13-0846.

1.	13-0256	Louisiana Workers' Compensation Corporation	104 week deductible
2.	13-0378	City of New Orleans	104 week deductible
3.	13-0496	LA. Municipal Risk Mgmt. Agency	104 week deductible
4.	13-0547	LUBA Casualty Ins. Co.	104 week deductible
5.	13-0599	City of New Orleans	104 week deductible
6.	13-0629	LUBA Casualty Ins. Co.	104 week deductible
7.	13-0641	LA. Health Care SIF	104 week deductible
8.	13-0780	LA. Home Builders Assoc. SIF	104 week deductible
9.	13-0920	Bridgefield Casualty Ins. Co.	104 week deductible

Mr. Hansberry asked for a motion to accept the recommendation of staff and approve reimbursement of these claims. The motion was made by Mr. Hawkland, seconded by Mr. Hataway, and passed unanimously.

The Chairman moved to *Item 4* on the agenda, being the recommendation of staff to deny reimbursement for the following (39) claims; beginning with Claim #12-0147 and ending with Claim #13-0846.

1.	12-0147	LAC-SIF
2.	12-0759	Monroe City School Board
3.	12-0912	Louisiana Hospital Association
4.	12-0919	Peerless Insurance Company
5.	12-0936	Bridgefield Casualty Ins. Co.
6.	12-0943	St. Charles Parish School Board
7.	12-1003	Louisiana Workers' Compensation Corporation
8.	12-1017	Louisiana Commerce & Trade Association
9.	13-0039	Louisiana Workers' Compensation Corporation
10.	13-0073	Zurich American Insurance Company
11.	13-0100	Ace American Ins. Co
12.	13-0121	Lafayette Parish School Board
13.	13-0145	LA Commerce & Trade Assn.
14.	13-0163	PA Manufacturers Assn Ins Co/PMA Ins Group
15.	13-0237	LA. Retailers Mutual Ins. Co.
16.	13-0246	New Hampshire Ins. Co.
17.	13-0247	None Documented
18.	13-0270	LEMIC Insurance Company
19.	13-0391	Archdiocese of New Orleans
20.	13-0410	Bridgefield Casualty Insurance Company
21.	13-0416	None Documented
22.	13-0421	Louisiana Commerce & Trade Association
23.	13-0424	LEMIC Insurance Company
24.	13-0427	Safety National Casualty Corp.
25.	13-0431	Argonaut Insurance Group
26.	13-0439	Louisiana Office of Risk Management
27.	13-0445	New Hampshire Ins. Co.
28.	13-0449	Louisiana Commerce & Trade Association
29.	13-0451	None Documented

30.	13-0454	LA. Retailers Mutual Ins. Co.
31.	13-0463	Bridgefield Casualty Ins. Co.
32.	13-0466	None Documented
33.	13-0469	LA. Retailers Mutual Ins. Co.
34.	13-0473	Tulane University
35.	13-0484	Hartford Casualty Insurance Company
36.	13-0511	LA. Municipal Risk Mgmt. Agency
37.	13-0538	Diocese of Alexandria
38.	13-0846	Zurich American Insurance Company
39.	13-0876	Wausau Underwriters Insurance Company

Mr. Hawkland moved to accept the recommendation of staff to deny these claims. The motion was seconded by Mr. Hataway and passed unanimously.

The Chairman moved to *Item 5* on the agenda, being the recommendation to approve reimbursement of (165) partial payments beginning with Claim #77-0304 and ending with Claim #12-0327. Mr. Hansberry asked for a motion to accept the recommendation and approve reimbursement of the partial payments as submitted on the agenda of January 9, 2014. The motion was made by Mr. Hawkland, seconded by Mr. Hataway, and passed unanimously.

The Chairman moved to *Item 6* on the agenda, being the recommendation to approve (69) quarterly payments due beginning with Claim #87-0341 and ending with Claim #11-0969. Mr. Hawkland moved to accept the recommendation of the Director and approve reimbursement of quarterly payments as submitted on the agenda of January 9, 2014. The motion was seconded by Mr. Hataway and passed unanimously.

The Chairman moved to *Item 7*, Public Comment. No one from the public was present therefore, the Chairman moved to *Item 8* on the agenda. Ms. Mack made a motion to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hataway seconded the motion and it was passed unanimously.

Upon returning from Executive Session, the Chairman moved to *Item 8a* of the agenda, being settlement recommendations. The Chairman 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 claims:

1. 07-0705
2. 08-0030

3. 08-0316
4. 11-0147
5. 11-0339
6. 11-0396
7. 11-0789
8. 11-0973
9. 12-0107

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

The following claims were recommended to be denied for settlement and be paid on an on-going basis:

1. 92-0209
2. 12-0875
3. 13-0090

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

The Chairman states one item in *Item 8a* of the agenda, claim # 09-0860 has been postponed.

The Chairman moved to *Item 8b* of the agenda, being Second Injury Board litigation. The Chairman asked for a motion to grant authority to legal counsel as discussed in Executive Session, to represent the Board in the following manner:

1. Claim #11-0503 settlement authority
2. Claim #09-0830 continued litigation
3. Claim #12-0721 settlement authority
4. Claim #08-0281 settlement authority
5. Claim #12-0013 settlement authority
6. Claim #12-0594 settlement authority
7. Claim #12-0941 settlement authority
8. Claim #12-0779 settlement authority
9. Claim #10-0978 settlement authority
10. Claim #09-0581 settlement authority

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

There being no further business to discuss, the Chairman asked for a motion to adjourn. Mr. Hawkland made the motion which was seconded by Mr. Hataway and passed unanimously.

Minutes (cont'd)

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The meeting was adjourned at 2:43 p.m.

Recording Secretary: Shaneka Davis