

LA WORKERS' COMPENSATION SECOND INJURY BOARD

Meeting of June 6, 2013

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

The following were present:

Mr. Charles Hansberry, representing Commission of Insurance, Chairman

Mr. Steve Hawkland, representing Secretary of State

Mr. Wes Hataway, OWCA/Director

Pauline Williams, SIB Director

Michelle Sumrall, Compliance Supervisor

Meridith Trahant, General Counsel

Karl Scott, General Counsel

Latoya Fernandez, Program Compliance Officer

Amy Cutrer, Accounting Specialists

Megan Potter, SIB Administrative Assistant

Mr. Hansberry, Chairman, called the meeting to order and asked for Ms. Potter to read the minutes of the previous meeting, the first item on the agenda. Ms. Mack moved to dispense with the reading of the minutes and approve the minutes as printed and distributed. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman called for the second item, being hearings on pending claims on the June 6, 2013 agenda. Hearing #1 Claim #12-0294 was postponed from the agenda.

Hearing #2 Claim #12-0299 & Hearing #3 Claim #12-0387 parties were not present at the time, hearings were postponed to the end of the meeting.

The Chairman moved to Item 3 of the agenda. Being the recommendation of Ms. Williams to approve reimbursement on the following claims; filed number 1 thru 11 beginning with Claim #11-0393 and ending with Claim #13-0166. Mr. Hawkland moved to accept the recommendation of the Director and approve reimbursement of these claims. The motion was seconded by Ms. White and passed unanimously.

1.	LUBA Casualty Insurance Company	#11-0393	104 weeks ded.
2.	Bridgfield Casualty Insurance Company	#11-0864	104 weeks ded.
3.	Hartford Financial Services Group Inc.	#12-0176	104 weeks ded.
4.	LUBA Casualty Insurance Company	#12-0193	104 weeks ded.
5.	LAC-SIF	#12-0347	104 weeks ded.
6.	Louisiana Construction & Industry	#12-0789	104 weeks ded.
7.	Louisiana Safety Association of Timbermen	#12-1048	104 weeks ded.
8.	St. James Parish School Board	#12-1079	104 weeks ded.
9.	Terrebonne Parish Government	#12-1080	104 weeks ded.
10.	Louisiana Hospital Association	#13-0027	104 weeks ded.
11.	Louisiana Restaurant Association	#13-0166	104 weeks ded.

The Chairman moved to the fourth item, being the recommendation of the director to deny for reimbursement the following claims: files were numbered 1 through 107 beginning with Claim #11-0140 and ending with Claim #13-0217. Mr. Hawkland moved to accept the recommendation of the director to deny these claims. The motion was seconded by Ms. Mack and passed unanimously.

1.	Louisiana Office of Risk Management	#11-0140
2.	Louisiana Office of Risk Management	#11-0185
3.	Louisiana Commerce & Trade Association	#11-0489
4.	Louisiana Commerce & Trade Association	#11-0497
5.	Louisiana Workers' Compensation Corporation	#11-0525
6.	Louisiana Municipal Risk Management Agency	#11-0607
7.	Louisiana Commerce & Trade Association	#11-0703
8.	Lumbermens Underwriting Alliance	#11-0718
9.	Zurich American Insurance Company	#11-0723
10.	Bridgefield Casualty Insurance Company	#11-0730
11.	Hartford Casualty Insurance Company	#11-0763
12.	American State Insurance Company	#11-0771
13.	Louisiana Safety Association of Timbermen	#11-0819
14.	Indemnity Insurance Company of N. America	#11-0825
15.	LUBA Casualty Insurance Company	#11-0848
16.	Bridgefield Casualty Insurance Company	#11-0901
17.	City of Baton Rouge	#11-0934
18.	Louisiana Workers' Compensation Corporation	#11-0958
19.	Louisiana Commerce & Trade Association	#12-0075
20.	Louisiana Workers' Compensation Corporation	#12-0137
21.	Louisiana Restaurant Association	#12-0154
22.	Safety National Casualty Corporation	#12-0169
23.	SeaBright Insurance Company	#12-0219
24.	LUBA Casualty Insurance Company	#12-0220
25.	Louisiana Office of Risk Management	#12-0270
26.	Ace American Insurance Company	#12-0278
27.	Louisiana Workers' Compensation Corporation	#12-0339
28.	Louisiana Auto Dealers Association	#12-0372
29.	Safety National Casualty Corporation	#12-0409
30.	Zurich American Insurance Company	#12-0420
31.	Louisiana Commerce & Trade Association	#12-0458
32.	American Interstate Insurance Company	#12-0478
33.	Ace American Insurance Company	#12-0486
34.	Louisiana Workers' Compensation Corporation	#12-0493
35.	Opelousas General Hospital	#12-0507
36.	Louisiana Commerce & Trade Association	#12-0510
37.	Lafayette Parish School Board	#12-0513
38.	Louisiana Office of Risk Management	#12-0519
39.	LUBA Casualty Insurance Company	#12-0565
40.	LUBA Casualty Insurance Company	#12-0576
41.	Louisiana Commerce & Trade Association	#12-0609

42.	Not documented	#12-0645
43.	LUBA Casualty Insurance Company	#12-0648
44.	City of Shreveport	#12-0676
45.	Louisiana Commerce & Trade Association	#12-0681
46.	Not documented	#12-0696
47.	Not documented	#12-0699
48.	Louisiana Restaurant Association	#12-0755
49.	Louisiana Workers' Compensation Corporation	#12-0758
50.	Bridgefield Casualty Insurance Company	#12-0761
51.	LEMIC Insurance Company	#12-0764
52.	Bridgefield Casualty Insurance Company	#12-0767
53.	Louisiana Office of Risk Management	#12-0772
54.	Louisiana Workers' Compensation Corporation	#12-0777
55.	Louisiana Workers' Compensation Corporation	#12-0780
56.	Louisiana Workers' Compensation Corporation	#12-0782
57.	Louisiana Office of Risk Management	#12-0788
58.	Louisiana Restaurant Association	#12-0794
59.	Not documented	#12-0797
60.	Rapides Parish School Board	#12-0806
61.	Autozone, Inc.	#12-0819
62.	New Hampshire Insurance Company	#12-0822
63.	Ace American Insurance Company	#12-0828
64.	Louisiana Office of Risk Management	#12-0841
65.	Louisiana Office of Risk Management	#12-0842
66.	Not documented	#12-0843
67.	Bridgefield Casualty Insurance Company	#12-0846
68.	Louisiana Workers' Compensation Corporation	#12-0848
69.	Louisiana Home Builders Association	#12-0849
70.	Louisiana Municipal Risk Management Agency	#12-0858
71.	Louisiana Auto Dealers Association	#12-0860
72.	LEMIC Insurance Company	#12-0863
73.	Louisiana Workers' Compensation Corporation	#12-0864
74.	Louisiana Workers' Compensation Corporation	#12-0866
75.	LEMIC Insurance Company	#12-0869
76.	Louisiana Workers' Compensation Corporation	#12-0873
77.	Louisiana Workers' Compensation Corporation	#12-0876
78.	Louisiana Workers' Compensation Corporation	#12-0885
79.	Louisiana Workers' Compensation Corporation	#12-0885
80.	Louisiana Commerce & Trade Association	#12-0888
81.	Insurance Company of the State of PA	#12-0892
82.	LEMIC Insurance Company	#12-0897
83.	Safety National Casualty Corporation	#12-0898
84.	Indemnity Insurance Company of N. America	#12-0907
85.	Peerless Insurance Company	#12-0920
86.	Bridgefield Casualty Insurance Company	#12-0964
87.	Indemnity Insurance Company of N. America	#12-0970
88.	City of Monroe	#12-0985
89.	LUBA Casualty Insurance Company	#12-0986

90.	Not documented	#12-0989
91.	Old Republic Insurance Company	#12-0992
92.	Hartford Casualty Insurance Company	#12-1011
93.	Insurance Company of the State of PA	#12-1012
94.	Louisiana Restaurant Association	#12-1033
95.	New Hampshire Insurance Company	#12-1064
96.	Ouachita Parish School Board	#13-0002
97.	St. Charles Parish School Board	#13-0053
98.	Not documented	#13-0069
99.	Louisiana Municipal Risk Management Agency	#13-0071
100.	Indemnity Insurance Company of N. America	#13-0076
101.	Indemnity Insurance Company of N. America	#13-0079
102.	Louisiana Safety Association of Timbermen	#13-0097
103.	Not documented	#13-0111
104.	Insurance Company of the State of PA	#13-0165
105.	LEMIC Insurance Company	#13-0194
106.	LEMIC Insurance Company	#13-0203
107.	Louisiana Commerce & Trade Association	#13-0217

The Chairman moved to the fifth item, being the recommendation of the Director to approve reimbursement of the partial payments beginning with Claim #05-0092 Ace American Insurance Company and ending with Claim #95-0585 OneBeacon America Insurance Company. Ms. Mack moved to accept the recommendation of the Director and approve reimbursement of the partial payments (112) as submitted on the agenda of June 6, 2013. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman moved to the sixth item on the agenda, being approval of quarterly payments due beginning with Claim #00-0145 Louisiana Office of Risk Management and ending with Claim #98-1277 Bellsouth Telecommunications. Ms. Mack moved to accept the recommendation of the director and approve reimbursement of quarterly payments (176) as submitted on the agenda of June 6, 2013. The motion was seconded by Mr. Hawkland and passed unanimously.

The Chairman then moved to Item #7 of the agenda, public comment. There being no one present from the public, the Chairman moved to go into Executive Session to discuss Second Injury Board litigation and settlements. Mr. Hawkland moved to accept the recommendation. The motion was seconded by Ms. Mack and passed unanimously.

Upon returning from Executive Session, the Chairman made a motion to move out of Executive Session and back to regular session. Mr. Hansberry made a motion to amend the agenda to add claim #10-0275 to Item 8a.

The Chairman then made a motion to review of settlements to be paid as discussed and to extend settlement authority as recommended by the Director and discussed in Executive Session to be paid on quarterly basis. Claim #07-0773, Claim #09-0827, Claim #11-0522 are recommended for indemnity payment only.

Claim #00-0622
Claim #05-0807
Claim #06-0427
Claim #07-0496
Claim #07-0773
Claim #07-0802
Claim #08-0312
Claim #08-0384
Claim #09-0706
Claim #09-0827
Claim #11-0020
Claim #11-0167
Claim #11-0617
Claim #11-0789
Claim #11-0818
Claim #11-0964
Claim #12-0132
Claim #12-0570

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

The following claims were denied to be paid on an on-going basis:

Claim #05-0258
Claim #08-0039
Claim #10-0275
Claim #11-0522

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

On Item 8 B of the agenda, Second Injury Board litigation; The Chairman made a motion to accept the recommendation of the Director and pay the claims as follows:

Claim #09-0191; recommended by General Council for settlement authority.
Claim #05-0105; recommended by General Council to continue litigation.
Claim #12-0160; recommended by General Council to continue litigation.
Claim #11-0225; recommended by General Council to continue litigation.
Claim #10-0467; recommended by General Council to continue litigation.
Claim #12-0399; recommended by General Council for settlement authority.
Claim #11-0921; recommended by General Council for settlement authority.
Claim #11-0975; recommended by General Council for settlement authority.

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

On Item 9 of the agenda, any other matters requiring attention; Hearing #2 and Hearing #3 were recommended for denial. The Chairman moved to accept the recommendation of the director. Mr. Hawkland moved to accept the chairman's recommendation. The motion was seconded by Ms. Mack and passed unanimously.

Minutes (cont'd)

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There being no further business to discuss, the Chairman moved to adjourn. Mr. Hawkland moved to accept the chairman's recommendation. The motion was seconded by Ms. Mack and passed unanimously.

The meeting was adjourned at 3:00 p.m.

Recording Secretary: Megan Potter