

# MINUTES

## PCF OVERSIGHT BOARD

December 3, 2020

### ZOOM TELECONFERENCE

Dr. Christopher Foret, Chairman, convened the meeting of the Patient's Compensation Fund Oversight Board at 5:30 PM on Thursday, December 3, 2020.

The following Board members were in attendance:

Dr. Christopher Foret, Chairman	Dr. Luis Alvarado	Mr. Marcus Naquin
Mr. Scott Guidry	Mr. Gregory Waddell	Mr. Robert Ruel
Dr. Corey Hebert	Dr. Patrick Breaux	Ms. Jennifer DeCuir

Others present:

Mr. Ken Schnauder	Mr. Brian Mooney	Mr. Larry Warren
Ms. Barbara Woodard	Mr. David Bazzelle	Mr. David Moore
Mr. Kurt Loup	Mr. Dave Woolridge	Mr. Daniel Levert
Ms. Betty Patrick	Ms. Annette Droddy	Ms. Lindsay Watts
Ms. Shelly Fowler	Mr. Jeff Williams	

Dr. Foret called the meeting to order and asked that the record reflect nine Board members were in attendance and a quorum was present. Dr. Foret then welcomed the guests to the meeting and asked for all present to be introduced.

Dr. Foret asked for the discussion of Act 43, virtual open meeting compliance requirements. Mr. Schnauder advised during the second extraordinary legislative session of 2020 the legislature amended and passed Act 43 outlining requirements for virtual open public meetings: the Act requires two-thirds of members present in the meeting agree to consider any motion made. Mr. Naquin made a motion to consider three motions: approval of the PCF November Board meeting minutes, of the custodian bank contract and of the monthly claims. Mr. Ruel seconded the motion. Ms. Woodard then called the roll, and all members were unanimous in favor of hearing the motions.

Dr. Foret called for approval of the November 5, 2020 minutes. Mr. Naquin moved for the minutes to be adopted and Mr. Ruel seconded the motion; by verbal vote, the minutes were adopted with no dissenting votes.

Dr. Foret asked for the discussion of the PCF annual financial audit. Mr. David Moore and Mr. Daniel Levert of Postlethwaite and Netterville presented the Board with detailed annual financial statements and gave an overview of the audit; Mr. Moore and Mr. Levert advised it was a clean audit with no findings to report. They further commented the PCF staff does a very good job following rules, regulations and procedures and working with staff throughout the audit was a pleasure.

Dr. Foret called for the discussion of the custodian bank contract with Wells Fargo. Mr. Schnauder advised the 3-year contract with Wells Fargo, which retains custody of the portfolio and handles the investment trades, will expire on December 31, 2020. Mr. Schnauder advised Wells Fargo has been the custodial bank for the PCF for 8 years and recommended continuing the relationship. After some discussion, Mr. Naquin moved to approve the \$40,000.00 per-year contract for Wells Fargo – The Principal for three years, starting January 1, 2021. Dr. Breaux seconded the motion, and by verbal vote, the motion was approved with no dissenting votes.

Dr. Foret asked for the financial and budget reports. Ms. Woodard informed the Board the Fund balance for the fiscal year to date was approximately \$1,155,181,220, the total net collected in surcharge payments to date was approximately \$55,243,988 and the total net filing fees collected to date were \$105,300. She advised the investment income through October was approximately \$15,201,740, the total operating expenses to date were \$2,743,928 and the claims expenses to date were \$47,649,318.

Dr. Foret called for the claims report. Mr. Loup informed the Board for the month of November there were 50 panels filed, 80 panels closed, 98 claims opened, and 97 claims closed, ending the month with a total pending claim count of 4,248. Mr. Loup advised \$158,457 in judicial interest was paid for the month and \$166,539 in legal fees and expenses were paid. Mr. Loup presented 19 claims for settlement approval for the month in the amount of \$12,575,000. There were no questions asked and no public comments made.

Dr. Foret then advised Dr. Patrick Breaux was retiring from the Board after 8 years of service. Dr. Foret thanked Dr. Breaux for the exceptional knowledge, insight and dedication he gave to the PCF Oversight Board over the years. All Board members joined in thanking Dr. Breaux for his service.

Dr. Foret thanked the guests for attending the meeting. Mr. Ruel then made a motion for the Board to move into Executive Session; Mr. Guidry seconded the motion. The verbal vote was unanimous, and the Board moved into Executive Session to discuss matters of litigation.



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Dr. Christopher Foret, Chairman

January 7, 2021

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Date