

M I N U T E S

MEETING DATE: April 8, 2008

MEMBERS PRESENT: Mr. Lamarr Davis, Ms. Mickey DeLaup, Mr. Ben Garris, Mr. Ed Hardin, Ms. Rose G. Montgomery, Ms. Ann Polak, Ms. Audrey Thibodeaux,

MEMBERS ABSENT: Mr. Fernest J. Benoit, Dr. Glenn Green, Sr., Ms. Elizabeth Harvey, Mr. Bill Willis,

STAFF PRESENT: Carla Domingue, Linda Gautier

GUESTS PRESENT: Ercih Duchmann, Mechelle Delahoussaye

I. CALL TO ORDER

The Board meeting was called to order by Mr. Lamarr Davis at 9:35am.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Mr. Hardin made a motion to approve the minutes of the previous meeting. Ms Polak seconded the motion, and the motion passed unanimously.

III. APPEALS

A 1. East Baton Rouge 08-001

Ms. Thibodeaux made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity). Ms. Polak seconded the motion and the motion passed unanimously.

A 2. East Baton Rouge 08-003

Ms. Polak made a motion to award \$125.91 for MEDICAL, \$21.93 for MEDICAL MILEAGE. Ms. Montgomery seconded the motion and the motion passed unanimously.

A 3. Orleans 07-079

Ms. Polak made a motion to award \$3,481.79 for FUNERAL. Mr. Hardin seconded the motion and the motion passed unanimously.

IV. EMERGENCY CONFIRM/DENY

Ms. Polak made a motion to confirm the emergency rulings for the previous month. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 1. Allen 08-001

Ms. Polak made a motion to approve the eligibility of this claimant. Mr. Garris seconded the motion and the motion passed unanimously.

F 2. Avoyelles 07-002

Mr. Hardin made a motion to award \$4,500.00 for FUNERAL. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 3. Bossier 08-007

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 4. Bossier 08-008

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 5. Bossier 08-009

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Thibodeaux seconded the motion and the motion passed 6 to 0 with 1 abstention.

F 6. Caddo 07-034

Ms. DeLaup made a motion to award \$1,180.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously.

F 7. Caddo 07-038

Mr. Hardin made a motion to award \$10,000.00 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 8. Caddo 07-063

Ms. Polak made a motion to award \$720.00 for MENTAL HEALTH. Ms. Montgomery seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 9. Caddo 07-083

Ms. Thibodeaux made a motion to award \$5,276.69 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Garris seconded the motion and the motion passed unanimously.

F 10. Caddo 07-094

Mr. Hardin made a motion to award \$4,000.00 for FUNERAL. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 11. Caddo 07-095

Ms. DeLaup made a motion to award \$4,000.00 for FUNERAL. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 12. Caddo 07-096

Ms. Polak made a motion to award \$1,488.24 for SUPPORT. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 12. Caddo 07-096

Ms. Polak made a motion to award \$4,500.00 for FUNERAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 13. Caddo 07-099

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. DeLaup seconded the motion and the motion passed unanimously.

F 14. Caddo 08-012

Mr. Garris made a motion to approve the eligibility of this claimant. Mr. Hardin seconded the motion and the motion passed unanimously.

F 15. Caddo 08-019

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 16. Calcasieu 06-040

Ms. Thibodeaux made a motion to award \$360.00 for MENTAL HEALTH and to close the Mental Health portion of the case. Ms. Polak seconded the motion and the motion passed unanimously.

F 17. Calcasieu 07-038

Ms. Polak made a motion to award \$420.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 6/8/08. Mr. Garris seconded the motion and the motion passed unanimously.

F 18. Calcasieu 07-043

Ms. Thibodeaux made a motion to award \$180.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 12/14/07. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 19. Calcasieu 08-007

Ms. Polak made a motion to award \$180.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 4/18/08. Ms. Montgomery seconded the

V. ITEMS FOR FULL DISCUSSION

motion and the motion passed unanimously.

F 20. Calcasieu 08-014

Ms. Polak made a motion to award \$1,730.45 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL), \$329.43 for WAGE. Ms. DeLaup seconded the motion and the motion passed unanimously.

F 21. Calcasieu 08-016

Ms. Polak made a motion to award \$60.00 for MENTAL HEALTH. Mr. Garris seconded the motion and the motion passed unanimously.

F 22. Calcasieu 08-023

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Mr. Garris seconded the motion and the motion passed unanimously.

F 23. Cameron 08-001

Ms. Thibodeaux made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution). Mr. Garris seconded the motion and the motion passed unanimously.

F 24. Concordia 07-017

Ms. Polak made a motion to award \$150.00 for MEDICAL, \$630.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 6/5/08. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 25. Concordia 08-003

Mr. Hardin made a motion to approve the eligibility of this claimant. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 26. Concordia 08-004

Mr. Hardin made a motion to approve the eligibility of this claimant. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 27. Concordia 08-005

Ms. Thibodeaux made a motion to defer ruling awaiting Death Certificate. Ms. Polak seconded the motion and the motion passed unanimously.

F 28. Concordia 08-006

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 29. East Baton Rouge 07-032

Mr. Hardin made a motion to award \$200.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 30. East Baton Rouge 08-201

Mr. Hardin made a motion to award \$4,000.00 for FUNERAL. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 30. East Baton Rouge 08-201

Ms. Polak made a motion to award \$846.62 for SUPPORT. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 31. Iberia 08-003

Ms. Thibodeaux made a motion to award \$1,614.16 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 32. Iberia 08-012

Ms. Thibodeaux made a motion to award \$396.00 for WAGE. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 33. Iberville 07-009

Ms. Thibodeaux made a motion to award \$10,000.00 for MEDICAL. Mr. Hardin seconded the motion and the motion passed unanimously.

F 34. Iberville 08-001

Ms. Thibodeaux made a motion to deny under authority of LAC22: XIII.301(A)(1)(a)i (felony convictions). Mr. Garris seconded the motion and the motion passed unanimously.

F 35. Jefferson 08-004

Ms. Thibodeaux made a motion to award \$4,500.00 for FUNERAL. Ms. DeLaup seconded the motion and the motion passed unanimously.

F 36. Jefferson 08-005

Ms. Thibodeaux made a motion to deny under authority of LAC22: XIII.301(A)(1)(a)i (felony convictions). Ms. Montgomery seconded the motion and the motion passed unanimously.

F 37. Jefferson 08-006

Ms. DeLaup made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity). Ms. Polak seconded the motion and the motion passed unanimously.

F 38. Lafayette 07-042

Ms. Thibodeaux made a motion to award \$607.24 for MEDICAL. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 39. Lafayette 08-006

Ms. Thibodeaux made a motion to award \$1,538.88 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 40. Lafourche 05-084

Mr. Garris made a motion to award \$300.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 4/21/08. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 41. Lafourche 05-085

Ms. Thibodeaux made a motion to award \$300.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 4/21/08. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 42. Lafourche 06-018

Ms. Thibodeaux made a motion to award \$600.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 4/28/08. Ms. Montgomery seconded the

V. ITEMS FOR FULL DISCUSSION

motion and the motion passed unanimously.

F 43. Lafourche 06-021

Ms. Thibodeaux made a motion to award \$600.00 for MENTAL HEALTH., and to request an Updated Mental Health Treatment Plan as of 3/19/08. Ms. Polak seconded the motion and the motion passed unanimously.

F 44. Lafourche 06-034

Ms. Thibodeaux made a motion to award \$300.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 5/4/08. Ms. Polak seconded the motion and the motion passed unanimously.

F 45. Lafourche 06-036

Ms. Thibodeaux made a motion to award \$300.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 4/29/08. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 46. Lafourche 07-023

Ms. Thibodeaux made a motion to award \$660.00 for MENTAL HEALTH., and to request an Updated Mental Health Treatment Plan as of 2/20/08. Mr. Hardin seconded the motion and the motion passed unanimously.

F 47. Lafourche 07-072

Ms. Thibodeaux made a motion to award \$9,425.48 for MEDICAL. Mr. Hardin seconded the motion and the motion passed unanimously.

F 48. Lafourche 08-008

Ms. Thibodeaux made a motion to award \$4,500.00 for FUNERAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 49. Lafourche 08-011

Ms. Thibodeaux made a motion to deny under authority of R.S. 46:1809 B(1) (crime definition). Ms. Montgomery seconded the motion and the motion passed unanimously.

F 50. Lafourche 08-013

Ms. Thibodeaux made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed unanimously.

F 51. Lafourche 08-014

Ms. Thibodeaux made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed unanimously.

F 52. Lafourche 08-015

Ms. Thibodeaux made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed unanimously.

F 53. Lafourche 08-016

Ms. Thibodeaux made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed unanimously.

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F 54. Lafourche 08-017

Ms. Thibodeaux made a motion to approve the eligibility of this claimant. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 55. Lafourche 08-021

Ms. Thibodeaux made a motion to approve the eligibility of this claimant. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 56. Lincoln 07-017

Ms. Thibodeaux made a motion to award \$2,676.25 for FUNERAL. Mr. Hardin seconded the motion and the motion passed unanimously.

F 57. Lincoln 08-002

Mr. Garris made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Montgomery seconded the motion and the motion passed unanimously.

F 58. Lincoln 08-003

Ms. Thibodeaux made a motion to approve the eligibility of this case. Ms. DeLaup seconded the motion and the motion passed unanimously. Ms. DeLaup made a motion to deny the claim under authority of R.S. 46:1809 A (claimant had no losses). Mr. Garris seconded the motion and the motion passed unanimously.

F 59. Livingston 07-008

Ms. Polak made a motion to award \$180.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 3/3/08. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 60. Livingston 07-011

Ms. Polak made a motion to award \$540.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 5/28/08. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 61. Livingston 08-001

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(1) (not a compensable expense). Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 62. Orleans 07-054

Ms. DeLaup made a motion to award \$2,250.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 62. Orleans 07-054

Ms. DeLaup made a motion to award \$2,250.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 63. Orleans 07-099

Ms. DeLaup made a motion to approve the eligibility of this claimant. Ms. Montgomery seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 64. Orleans 07-124

Ms. Thibodeaux made a motion to award \$4,500.00 for FUNERAL, and to waive the one year filing deadline. Ms. Polak seconded the motion and the motion passed unanimously.

F 65. Orleans 07-136

Ms. DeLaup made a motion to defer ruling awaiting More information from court. Mr. Garris seconded the motion and the motion passed unanimously.

F 66. Orleans 07-147

Mr. Garris made a motion to award \$101.01 for MEDICAL. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 67. Orleans 08-023

Ms. Thibodeaux made a motion to award \$4,500.00 for FUNERAL. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 68. Orleans 08-039

Ms. Thibodeaux made a motion to award \$3,732.55 for FUNERAL. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 69. Orleans 08-040

Ms. Thibodeaux made a motion to award \$3,732.55 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 70. Pointe Coupee 07-006

Ms. Thibodeaux made a motion to award \$2,787.75 for MEDICAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 71. Rapides 08-001

Ms. Thibodeaux made a motion to award \$1,595.69 for MEDICAL. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 72. Rapides 08-003

Ms. Thibodeaux made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity). Ms. Montgomery seconded the motion and the motion passed unanimously.

F 73. St. Bernard 03-010

Ms. Thibodeaux made a motion to award \$700.00 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 74. St. Charles 07-011

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

F 75. St. Charles 07-015

Ms. Thibodeaux made a motion to approve the eligibility of this claimant. Mr. Hardin seconded the motion and the motion passed unanimously.

F 76. St. Helena 08-001

Ms. Thibodeaux made a motion to deny under authority of LAC22: XIII.301(A)(1)(a)i

V. ITEMS FOR FULL DISCUSSION

(felony convictions). Ms. Montgomery seconded the motion and the motion passed unanimously.

F 77. St. Landry 06-035

Ms. Thibodeaux made a motion to award \$480.00 for MENTAL HEALTH, and to request an Updated Mental Health Treatment Plan as of 4/18/08. Mr. Garris seconded the motion and the motion passed unanimously.

F 78. St. Landry 08-002

Ms. Thibodeaux made a motion to award \$10,000.00 for MEDICAL and to close the case. Ms. Polak seconded the motion and the motion passed unanimously.

F 79. St. Landry 08-004

Ms. Thibodeaux made a motion to award \$9,168.99 for MEDICAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 80. St. Martin 08-001

Ms. Thibodeaux made a motion to approve the eligibility of this claimant. Mr. Garris seconded the motion and the motion passed unanimously.

F 81. St. Martin 08-002

Ms. Thibodeaux made a motion to deny under authority of LAC22: XIII.301(A)(1)(a)i (felony convictions). Ms. Montgomery seconded the motion and the motion passed unanimously.

F 82. St. Mary 08-002

Ms. Thibodeaux made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed unanimously.

F 83. St. Tammany 08-005

Ms. Thibodeaux made a motion to deny under authority of LAC22: XIII.301(A)(1)(a)i (felony convictions). Ms. Polak seconded the motion and the motion passed unanimously.

F 84. St. Tammany 08-007

Ms. DeLaup made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution). Ms. Montgomery seconded the motion and the motion passed unanimously.

F 85. Terrebonne 03-002

Mr. Garris made a motion to go into Executive Session. Ms. Polak seconded the motion. Ms. DeLaup made a motion to return to open session. Ms. Polak seconded the motion. Ms. DeLaup made a motion to award \$1,932.58 for MEDICAL. Mr. Hardin seconded the motion and the motion passed unanimously.

F 86. Terrebonne 08-003

Ms. Polak made a motion to award. Estimate approved for: \$5,250.00 for MEDICAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 87. Vermilion 07-008

Ms. Thibodeaux made a motion to award \$207.66 for MEDICAL. Ms. Montgomery seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 88. Washington 08-001

Mr. Hardin made a motion to award \$4,500.00 for FUNERAL. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

VII. OTHER BUSINESS

Board discussed coming up with a definition of Total and Permanent disability.

Ms. Polak made a motion to adjourn the meeting. Mr. Hardin seconded the motion. Mr. Davis adjourned the meeting at 11:35am.