

# **M I N U T E S**

**MEETING DATE:**           **May 8, 2007**

**MEMBERS PRESENT:**    Mr. Fernest J. Benoit, Mr. Lamarr Davis, Mr. Ben Garris, Dr. Glenn Green, Sr., Mr. Ed Hardin, Ms. Ann Polak, Ms. Audrey Thibodeaux, Mr. Bill Willis,

**MEMBERS ABSENT:**     Ms. Mickey DeLaup, Ms. Elizabeth Harvey, Ms. Rose G. Montgomery,

**STAFF PRESENT:**       Linda Gautier, Carla Domingue

**GUESTS PRESENT:**     Erich Duchmann, Carolyn Stapleton, Mechelle Delahoussaye, Barbara Doiron, Mona Lisa Hunter

## **I. CALL TO ORDER**

Meeting was called to order by Mr. Lamarr Davis at 9:35 a.m.

## **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. Caddo 07-002**

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

#### **A 2. Orleans 06-060**

Mr. Benoit made a motion to award \$4,500.00 for FUNERAL. Dr. Green seconded the motion and the motion passed 6 to 2 with no abstentions.

#### **A 3. Orleans 06-095**

Mr. Benoit made a motion to award \$4,500.00 for FUNERAL. Dr. Green seconded the motion and the motion passed unanimously.

### **IV. EMERGENCY CONFIRM/DENY**

Dr. Green 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. Acadia 07-001**

Mr. Hardin made a motion to award \$3,394.00 for FUNERAL. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

#### **F 2. Allen 07-001**

Mr. Hardin made a motion to award \$145.00 for MEDICAL. Mr. Garris seconded the motion and the motion passed unanimously.

#### **F 3. Allen 07-002**

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

#### **F 4. Ascension 07-002**

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

#### **F 5. Beauregard 06-007**

Ms. Polak made a motion to award \$134.78 for WAGE. Dr. Green seconded the motion and the motion passed unanimously.

#### **F 6. Bossier 05-024**

Mr. Willis made a motion to award \$5,713.80 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

#### **F 7. Bossier 06-024**

Dr. Green made a motion to award \$480.00 for MENTAL HEALTH and to request an updated mental health treatment plan as of 3/29/07. Ms. Polak seconded the motion and the motion passed unanimously.

#### **F 8. Bossier 06-025**

Mr. Hardin made a motion to award \$300.00 for MENTAL HEALTH and to request an

**V. ITEMS FOR FULL DISCUSSION**

updated mental health treatment plan as of 4/20/07. Dr. Green seconded the motion and the motion passed unanimously.

**F 9. Bossier 07-008**

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

**F 10. Bossier 07-009**

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

**F 11. Bossier 07-010**

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

**F 12. Bossier 07-011**

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

**F 13. Bossier 07-013**

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

**F 14. Caddo 06-034**

Mr. Willis made a motion to award \$360.00 for MENTAL HEALTH and to request an updated mental health treatment plan as of 1/15/07. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 15. Caddo 06-048**

Mr. Willis made a motion to award \$4,056.70 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 16. Caddo 06-054**

Ms. Polak made a motion to award \$120.00 for MENTAL HEALTH, \$1,413.97 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 17. Caddo 06-068**

Mr. Willis made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Benoit seconded the motion and the motion passed unanimously.

**F 18. Caddo 07-001**

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

**F 19. Calcasieu 05-069**

Ms. Polak made a motion to defer claims awaiting updated mental health treatment plan. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 20. Calcasieu 06-057**

Ms. Polak made a motion to award \$300.00 for MENTAL HEALTH. Mr. Benoit seconded the motion and the motion passed unanimously.

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**F 21. Calcasieu 06-067**

Ms. Polak made a motion to award \$300.00 for MENTAL HEALTH. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 22. Calcasieu 07-001**

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

**F 23. Calcasieu 07-008**

Ms. Polak made a motion to award \$180.00 for MENTAL HEALTH. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 24. Calcasieu 07-010**

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

**F 25. Calcasieu 07-011**

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

**F 26. Calcasieu 07-014**

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

**F 27. Calcasieu 07-017**

Ms. Polak made a motion to award \$514.72 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 28. Calcasieu 07-018**

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

**F 29. Concordia 07-006**

Mr. Hardin 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 30. East Baton Rouge 07-010**

Mr. Hardin made a motion to award \$2,238.62 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL), \$243.20 for WAGE. Mr. Willis seconded the motion and the motion passed unanimously.

**F 31. East Baton Rouge 07-022**

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

**F 32. East Baton Rouge 07-023**

Mr. Hardin made a motion to award \$3,706.00 for FUNERAL. Dr. Green seconded the motion and the motion passed unanimously.

**F 33. East Baton Rouge 07-024**

Mr. Hardin made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim

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contribution / illegal activity). Dr. Green seconded the motion and the motion passed unanimously.

**F 34. East Baton Rouge 07-025**

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

**F 35. East Baton Rouge 07-026**

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

**F 36. East Baton Rouge 07-027**

Mr. Garris made a motion to deny under authority of R.S. 46:1809 A (claimant had no losses). Dr. Green seconded the motion and the motion passed unanimously.

**F 37. East Baton Rouge 07-028**

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

**F 38. East Baton Rouge 07-029**

Mr. Hardin made a motion to approve the eligibility of this claimant. Mr. Benoit seconded the motion and the motion passed 7 to 1 with no abstentions.

**F 39. East Baton Rouge 07-030**

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

**F 40. Evangeline 07-001**

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

**F 41. Iberia 07-003**

Ms. Thibodeaux made a motion to award \$375.00 for MENTAL HEALTH. Dr. Green seconded the motion and the motion passed unanimously.

**F 42. Iberia 07-007**

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

**F 43. Iberia 07-012**

Ms. Thibodeaux made a motion to award \$621.27 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Hardin seconded the motion and the motion passed unanimously.

**F 44. Iberia 07-013**

Ms. Thibodeaux made a motion to award \$3,684.80 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 45. Iberia 07-016**

Ms. Thibodeaux made a motion to award \$9,500.00 for MEDICAL. Mr. Benoit seconded

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the motion and the motion passed unanimously.

### **F 46. Jackson 06-002**

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

### **F 47. Jefferson 07-002**

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

### **F 48. Jefferson 07-007**

Dr. Green 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 49. Jefferson 07-008**

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

### **F 50. Lafayette 07-010**

Mr. Benoit made a motion to award \$4,500.00 for FUNERAL. Ms. Thibodeaux seconded the motion and the motion passed 7 to 0 with 1 abstention.

### **F 51. Lafourche 04-009**

Dr. Green made a motion to award \$600.00 for MENTAL HEALTH. Mr. Garris seconded the motion and the motion passed unanimously.

### **F 52. Lafourche 06-051**

Ms. Thibodeaux made a motion to award \$245.38 for CHILD CARE. Mr. Benoit seconded the motion and the motion passed unanimously.

### **F 53. Lafourche 07-014**

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

### **F 54. Lafourche 07-017**

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

### **F 55. Lafourche 07-018**

Ms. Thibodeaux made a motion to award \$256.20 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

### **F 56. Lafourche 07-019**

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

### **F 57. Lafourche 07-020**

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

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**F 58. Natchitoches 07-007**

Mr. Benoit 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 59. Orleans 06-049**

Dr. Green 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 60. Orleans 06-057**

Dr. Green made a motion to approve the eligibility of this claimant. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 61. Orleans 06-097**

Dr. Green made a motion to award \$4,500.00 for FUNERAL. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 62. Orleans 06-102**

Dr. Green made a motion to award \$227.50 for MEDICAL. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

**F 63. Orleans 07-010**

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

**F 64. Orleans 07-022**

Dr. Green made a motion to approve the eligibility of this claimant. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 65. Orleans 98-044**

Dr. Green made a motion to award \$2,279.42 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 66. Ouachita 07-005**

Dr. Green made a motion to award \$2,225.00 for FUNERAL. Mr. Benoit seconded the motion and the motion passed unanimously.

**F 67. Rapides 07-005**

Mr. Willis made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity). Mr. Garris seconded the motion and the motion passed 7 to 1 with no abstentions.

**F 68. Rapides 07-007**

Mr. Benoit made a motion to approve the eligibility of this claimant. Dr. Green seconded the motion and the motion passed unanimously.

**F 69. St. Charles 06-013**

Ms. Thibodeaux made a motion to award \$300.00 for MEDICAL, \$81.60 for MEDICAL MILEAGE. Ms. Polak seconded the motion and the motion passed unanimously.

**F 70. St. Landry 05-035**

Dr. Green made a motion to award \$750.00 for MENTAL HEALTH and to request an

**V. ITEMS FOR FULL DISCUSSION**

updated mental health treatment plan as of 1/20/07. Mr. Garris seconded the motion and the motion passed unanimously.

**F 71. St. Martin 06-012**

Mr. Benoit made a motion to award \$192.00 for MEDICAL MILEAGE. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

**F 72. St. Martin 06-025**

Ms. Polak made a motion to award \$360.36 for MEDICAL, \$447.50 for MENTAL HEALTH. Mr. Garris seconded the motion and the motion passed unanimously.

**F 73. St. Martin 07-009**

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

**F 74. St. Martin 07-010**

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

**F 75. St. Martin 07-011**

Mr. Benoit made a motion to approve the eligibility of this claimant. Dr. Green seconded the motion and the motion passed unanimously.

**F 76. Tangipahoa 07-001**

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

**F 77. Tangipahoa 07-010**

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

**F 78. Tangipahoa 07-018**

Mr. Benoit made a motion to award \$4,366.50 for FUNERAL. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

**F 79. Tangipahoa 07-020**

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

**F 80. Webster 07-005**

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

**F 81. Winn 05-002**

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

**L 1. Bossier 05-006**

Mr. Garris made a motion to award \$5,412.10 for SUPPORT. Ms. Polak seconded the motion and the motion passed unanimously.

**VI. LATE ADDITIONS**

**L 2. Caddo 05-079**

Mr. Willis made a motion to award \$3,455.64 for SUPPORT. Mr. Benoit seconded the motion and the motion passed unanimously.

**L 3. Calcasieu 06-023**

Ms. Polak made a motion to award \$60.00 for MENTAL HEALTH and, on the recommendation of the Board mental health consultant, to send the mental health provider a letter stating that we will consider claims only through July 31, 2007. Mr. Benoit seconded the motion and the motion passed unanimously.

**L 4. Calcasieu 06-052**

Ms. Polak made a motion to award \$240.00 for MENTAL HEALTH. Dr. Green seconded the motion and the motion passed unanimously.

**L 5. Calcasieu 07-003**

Ms. Polak made a motion to award \$318.50 for MEDICAL. Mr. Garris seconded the motion and the motion passed unanimously.

**L 6. Calcasieu 07-007**

Ms. Polak made a motion to award \$1,575.80 for MEDICAL, \$145.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Benoit seconded the motion and the motion passed unanimously.

**L 7. Concordia 07-004**

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

**L 8. Concordia 07-005**

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

**L 9. East Baton Rouge 06-048**

Mr. Hardin made a motion to award \$134.42 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

**L 10. Iberia 07-004**

Ms. Thibodeaux made a motion to award \$225.00 for MENTAL HEALTH. Mr. Benoit seconded the motion and the motion passed unanimously.

**L 11. Lafayette 07-013**

Ms. Thibodeaux made a motion to award \$177.37 for WAGE, \$4,905.40 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Benoit seconded the motion and the motion passed unanimously.

**L 12. Lafourche 05-067**

Dr. Green made a motion to award \$120.00 for MENTAL HEALTH. Mr. Benoit seconded the motion and the motion passed unanimously.

**L 13. Livingston 06-008**

Dr. Green made a motion to award \$1,143.74 for WAGE. Mr. Benoit seconded the motion and the motion passed unanimously.

**VI. LATE ADDITIONS**

**L 14. Orleans 07-018**

Ms. Polak made a motion to award \$623.78 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

**L 15. Orleans 07-019**

Dr. Green made a motion to award \$115.00 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

**L 16. Ouachita 07-001**

Mr. Benoit made a motion to award \$387.27 for MEDICAL MILEAGE. Dr. Green seconded the motion and the motion passed unanimously.

**L 17. Ouachita 07-003**

Mr. Benoit made a motion to award \$4,939.17 for MEDICAL. Ms. Thibodeaux seconded the motion and the motion passed unanimously.

**L 18. St. Martin 05-023**

Mr. Benoit made a motion to award \$8,243.85 for WAGE. Dr. Green seconded the motion and the motion passed unanimously.

**L 19. St. Tammany 06-022**

Mr. Benoit made a motion to award \$1,694.00 for MEDICAL. Mr. Hardin seconded the motion and the motion passed unanimously.

**L 20. Tangipahoa 07-009**

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

**L 21. Tangipahoa 07-019**

Mr. Benoit made a motion to defer ruling awaiting more information from the district attorney's office. Dr. Green seconded the motion and the motion passed unanimously.

## **VII. OTHER BUSINESS**

JEFF04-001 Claimant requested reduction in the reimbursement due CVR after settlement. Dr. Green made a motion to defer the decision until further information was obtained. Mr. Benoit seconded the motion and the motion passed unanimously.