

M I N U T E S

MEETING DATE: June 9, 2009

MEMBERS PRESENT: Ms. Nancy Adcock, Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Ms. Mary L. Fanara, Mr. Ben Garris, Jimmy Pohlmann, Ms. Ann Polak, Ms. Carolyn Stapleton, Ms. Lucille Williams,

MEMBERS ABSENT: Mr. Kenneth Jones, Ms. Sharon Rodi,

STAFF PRESENT: Robert Wertz, Linda Gautier, Carla Domingue

GUESTS PRESENT: Erich Duchmann, Mechelle Delahoussaye (Orleans), Kent Wolkart (Jefferson), Kathleen Dugdale (Union), Keith Hoffman (Orleans)

I. CALL TO ORDER

The CVR Board meeting of June 9, 2009 was called to order at 9:30 a.m. by Mr. Lamarr Davis.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Ms. Polak made a motion to approve the minutes of the previous Board meeting. Mr. Dibenedetto seconded the motion and the motion passed.

III. APPEALS

A 1. Orleans 09-049

Mr. Garris made a motion to award \$4,291.18 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

IV. EMERGENCY CONFIRM/DENY

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

V. ITEMS FOR FULL DISCUSSION

F 1. Bossier 07-041

Ms. Adcock made a motion to award \$390.00 for MENTAL HEALTH, \$74.90 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 06/03/09.

F 2. Bossier 09-007

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

F 3. Caddo 08-059

Mr. DiBenedetto made a motion to award \$60.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 03/11/09.

F 4. Caddo 08-064

Ms. Adcock made a motion to award \$480.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

F 5. Calcasieu 03-042

Ms. Williams made a motion to award \$414.50 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 11/08/08.

F 6. Calcasieu 06-038

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

F 7. Calcasieu 07-032

Ms. Polak made a motion to award \$840.00 for MENTAL HEALTH. Mr. Garris seconded the motion and the motion passed unanimously. Dr. Duchmann will send a Treatment Review to the mental health provider.

F 8. Calcasieu 08-054

Mr. DiBenedetto made a motion to award \$1,290.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed 8 to 0 with 1 abstention. The board also agreed to mark the case as "closed".

F 9. Calcasieu 08-062

Ms. Polak made a motion to award \$120.00 for MENTAL HEALTH. Ms. Fanara

V. ITEMS FOR FULL DISCUSSION

seconded the motion and the motion passed 8 to 0 with 1 abstention. The board also agreed to request an Updated Mental Health Treatment Plan as of 03/25/09.

F 10. Calcasieu 08-071

Ms. Polak made a motion to award \$180.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 11. Calcasieu 08-072

Ms. Polak made a motion to award \$360.00 for MENTAL HEALTH. Jim Pohlmann seconded the motion and the motion passed 8 to 0 with 1 abstention. The board also agreed to request an Updated Mental Health Treatment Plan as of 04/09/09.

F 12. Calcasieu 08-073

Jim Pohlmann made a motion to award \$180.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed 8 to 0 with 1 abstention. The board also agreed to request an Updated Mental Health Treatment Plan as of 03/25/09.

F 13. Calcasieu 09-011

Ms. Polak made a motion to award \$10,000.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed 8 to 0 with 1 abstention. The board also agreed to mark the case as "closed".

F 14. Calcasieu 09-016

Ms. Polak made a motion to award \$5,000.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 15. Calcasieu 09-018

Ms. Polak made a motion to award \$2,062.50 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The Board also agreed to request an Updated Mental Health Treatment Plan as of 03/24/09 and to let the mental health provider know that the mental health portion of the case is nearing its maximum.

F 16. Calcasieu 09-019

Ms. Polak made a motion to award \$2,062.50 for MENTAL HEALTH. Ms. Stapleton seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 02/08/09.

F 17. Calcasieu 09-020

Ms. Polak made a motion to award \$1,937.50 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 02/08/09.

F 18. Calcasieu 09-021

Ms. Polak made a motion to award \$300.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 07/19/09.

F 19. Calcasieu 09-024

Ms. Polak made a motion to award \$180.00 for MENTAL HEALTH. Mr. Garris seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 09/25/09.

V. ITEMS FOR FULL DISCUSSION

F 20. Calcasieu 09-025

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Mr. Davis seconded the motion and the motion passed 7 to 2 with no abstentions. The Board also requested that this victim be referred to the Rape Crisis Center.

F 21. Calcasieu 09-026

Ms. Fanara made a motion to award \$5,000.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 22. Calcasieu 09-028

Ms. Polak made a motion to award \$900.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 23. Concordia 09-008

Ms. Fanara made a motion to award \$1,101.50 for MEDICAL. Jim Pohlmann seconded the motion and the motion passed unanimously.

F 24. East Baton Rouge 09-015

Ms. Fanara made a motion to award \$2,840.00 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 25. East Baton Rouge 09-018

Ms. Fanara made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 26. East Baton Rouge 09-020

Mr. DiBenedetto made a motion to award \$1,058.35 for MEDICAL. Ms. Polak seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 27. East Baton Rouge 09-023

Ms. Polak made a motion to award \$9,479.52 for WAGE, \$15,520.48 for MEDICAL. Mr. Garris seconded the motion and the motion passed 8 to 0 with 1 abstention. The board agreed to increase the case maximum to \$25,000. The board also agreed to mark the case as "closed".

F 28. East Baton Rouge 09-024

Ms. Williams made a motion to approve the eligibility of this claimant. Ms. Adcock seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 29. East Baton Rouge 09-028

Ms. Polak made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed 8 to 0 with 1 abstention. The board agreed to waive the one year deadline for applying for reparations.

F 30. East Baton Rouge 09-029

Ms. Adcock made a motion to approve the eligibility of this claimant. Mr. DiBenedetto seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 31. East Baton Rouge 09-033

Mr. DiBenedetto made a motion to award \$5,000.00 for FUNERAL. Ms. Williams

V. ITEMS FOR FULL DISCUSSION

seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 32. East Baton Rouge 09-036

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Adcock seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 33. East Baton Rouge 09-042

Mr. DiBenedetto made a motion to award \$5,000.00 for FUNERAL, \$2,141.82 for MEDICAL. Jim Pohlmann seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 34. Franklin 09-001

Ms. Polak made a motion to award \$2,035.20 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Garris seconded the motion and the motion passed 8 to 0 with 1 abstention.

F 35. Iberville 09-001

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

F 36. Jefferson 09-010

Ms. Polak made a motion to award \$5,000.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 37. Jefferson 09-011

Ms. Adcock made a motion to award \$2,457.53 for FUNERAL. The claim amounts were reduced by 50 % for contribution. Ms. Williams seconded the motion and the motion passed 8 to 1 with no abstentions.

F 38. Jefferson 09-012

Mr. DiBenedetto made a motion to award \$5,000.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 39. Jefferson 09-013

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

F 40. Jefferson Davis 09-001

Ms. Polak made a motion to award \$5,000.00 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 41. Lafourche 08-025

Ms. Stapleton made a motion to award \$229.69 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 42. Lafourche 08-031

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Williams seconded the motion and the motion passed 8 to 1 with no abstentions.

V. ITEMS FOR FULL DISCUSSION

F 43. Lafourche 08-092

Ms. Polak made a motion to award \$4,101.80 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 44. Lafourche 09-007

Ms. Adcock made a motion to award \$896.81 for MEDICAL, \$203.32 for AMBULANCE TRANSPORT (MEDICAL). Ms. Fanara seconded the motion and the motion passed unanimously.

F 45. Lafourche 09-008

Ms. Adcock made a motion to award \$515.62 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 46. Lafourche 09-009

Ms. Adcock made a motion to award \$355.39 for MEDICAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 47. Lafourche 09-010

Ms. Adcock made a motion to award \$185.80 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 48. Lafourche 09-027

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

F 49. Lafourche 09-031

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

F 50. Lafourche 09-032

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

F 51. Lafourche 09-033

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

F 52. Livingston 08-007

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

F 53. Livingston 08-008

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

F 54. Livingston 09-003

Ms. Stapleton made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution). Ms. Williams seconded the motion and the motion passed 8 to 1 with no

V. ITEMS FOR FULL DISCUSSION

abstentions.

F 55. Orleans 08-088

Ms. Polak made a motion to award \$290.50 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 56. Orleans 09-013

Ms. Williams made a motion to award \$4,971.40 for FUNERAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 57. Orleans 09-033

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

F 58. Orleans 09-040

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

F 59. Orleans 09-062

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

F 60. Orleans 09-064

Mr. Garris made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Ms. Fanara seconded the motion and the motion passed unanimously.

F 61. Orleans 09-065

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

F 62. Orleans 09-067

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

F 63. Orleans 09-068

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

F 64. Orleans 09-070

Ms. Adcock made a motion to defer ruling awaiting more information. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 65. Orleans 09-072

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

V. ITEMS FOR FULL DISCUSSION

F 66. Orleans 09-079

Ms. Adcock 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 66. Orleans 09-079

Ms. Adcock 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 67. Orleans 09-082

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

F 68. Orleans 09-084

Ms. Williams made a motion to award \$377.30 for MEDICAL. Jim Pohlmann seconded the motion and the motion passed unanimously.

F 69. Orleans 09-090

Ms. Williams made a motion to award \$4,603.74 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 70. Orleans 09-091

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

F 71. Orleans 09-095

Ms. Adcock made a motion to defer ruling awaiting more information. Ms. Williams seconded the motion and the motion passed unanimously.

F 72. Orleans 09-100

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

F 73. Orleans 09-101

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Fanara seconded the motion and the motion passed 8 to 1 with no abstentions.

F 74. Ouachita 08-026

Ms. Fanara made a motion to award \$1,425.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously and to let the mental health provider know that the mental health portion of the case is nearing its maximum.

F 75. St. Landry 09-008

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

V. ITEMS FOR FULL DISCUSSION

F 76. St. Martin 09-016

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Ms. Williams seconded the motion and the motion passed unanimously.

F 77. St. Mary 08-009

Mr. DiBenedetto made a motion to award \$9,385.00 for MEDICAL, \$615.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 78. St. Mary 09-003

Ms. Adcock made a motion to award \$216.77 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 79. St. Mary 09-004

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

F 80. St. Tammany 09-005

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

F 81. St. Tammany 09-013

Mr. DiBenedetto made a motion to award \$1,350.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 03/30/09.

F 82. St. Tammany 09-017

Ms. Polak made a motion to award \$1,125.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 06/30/09.

F 83. Tangipahoa 09-014

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

F 84. Tangipahoa 09-015

Ms. Fanara made a motion to award \$145.57 for MEDICAL, \$1,776.91 for MEDICAL TRAVEL (MEDICAL). Ms. Williams seconded the motion and the motion passed unanimously.

F 85. Tangipahoa 09-019

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

F 86. Terrebonne 09-017

Mr. DiBenedetto 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.

V. ITEMS FOR FULL DISCUSSION

F 87. Vermilion 09-012

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

F 88. West Feliciana 09-001

Ms. Stapleton made a motion to award \$5,000.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 1. Calcasieu 09-017

Ms. Polak made a motion to award \$360.00 for MENTAL HEALTH. Mr. Garris seconded the motion and the motion passed unanimously.

L 2. Calcasieu 09-029

Ms. Adcock made a motion to award \$1,008.00 for MEDICAL, \$3,427.84 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

L 3. Concordia 08-013

Ms. Williams made a motion to award \$180.00 for MENTAL HEALTH. Jim Pohlmann seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

L 4. East Baton Rouge 08-066

Ms. Polak made a motion to award \$6,285.00 for SUPPORT. Mr. Garris seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 5. East Baton Rouge 08-070

Mr. DiBenedetto made a motion to award \$5,000.00 for SUPPORT. Ms. Williams seconded the motion and the motion passed 8 to 0 with 1 abstention. The board also agreed to mark the case as "closed".

V. ITEMS FOR FULL DISCUSSION

L 6. East Baton Rouge 09-021

Mr. DiBenedetto made a motion to award \$2,389.05 for MEDICAL, \$50.00 for AMBULANCE TRANSPORT (MEDICAL), \$1,350.96 for MEDICAL MILEAGE. Ms. Williams seconded the motion and the motion passed 8 to 0 with 1 abstention.

VI. LATE ADDITIONS

L 7. Orleans 08-006

Mr. Garris made a motion to award \$1,762.25 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

V. ITEMS FOR FULL DISCUSSION

L 8. Orleans 08-082

Mr. DiBenedetto made a motion to award \$2,501.15 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

VI. LATE ADDITIONS

L 9. Orleans 09-085

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Mr. Garris seconded the motion and the motion passed unanimously.

L 10. Orleans 09-089

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

L 11. St. Landry 09-009

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

L 12. St. Mary 08-004

Ms. Fanara made a motion to defer claims awaiting more information. Mr. Garris seconded the motion and the motion passed unanimously.

L 13. Terrebonne 08-009

Ms. Adcock made a motion to award \$833.57 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

L 14. East Baton Rouge 08-064

Ms. Adcock made a motion to award \$6,197.09 for MEDICAL. Ms. Polak seconded the motion and the motion passed 8 to 0 with 1 abstention.

L 15. Desoto 08-005

Ms. Williams made a motion to award \$540.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 04/30/09.

VII. OTHER BUSINESS

Mr. Dibenedetto made a motion to adjourn the meeting. Ms. Williams seconded the motion. Mr. Davis adjourned the meeting at 12:00 p.m.