

M I N U T E S

MEETING DATE: August 9, 2011

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

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

STAFF PRESENT: Robert Wertz, Carla Trahan, Margaret Watson

GUESTS PRESENT: Erich Duchmann, Kent Wolkart, Mechelle Delahoussaye, Tiffany Veal, Wayne Babin, Latina Jolivett, Fredrica Palmer

I. CALL TO ORDER

Mr. Davis called the Crime Victims Reparations Board meeting for the date of August 9, 2011 to order at 9:03 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Ms. Adcock made a motion to approve the minutes of the previous meeting. Ms. Williams seconded the motion and the motion passed unanimously.

III. APPEALS

A 1. Calcasieu 10-038

Ms. Fanara made a motion to deny. Ms. Adcock seconded the motion. The motion was withdrawn. Ms. Polak made a motion to defer ruling awaiting information from law enforcement. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

A 2. Lafayette 11-010

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

IV. EMERGENCY CONFIRM/DENY

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

V. ITEMS FOR FULL DISCUSSION

F 1. Acadia 11-006

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

F 2. Ascension 11-003

Mr. DiBenedetto made a motion to award \$2,168.31 for MEDICAL. Ms. Williams seconded the motion and the motion passed 7 to 0 with 1 abstention.

F 3. Bossier 11-016

Ms. Adcock made a motion to approve the eligibility of this claimant. Ms. Polak seconded the motion and the motion passed 7 to 0 with 1 abstention.

F 4. Caddo 08-064

Ms. Adcock made a motion to award \$120.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed 7 to 0 with 1 abstention. The board also agreed to mark the case as "closed".

F 5. Caddo 11-019

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B (3) (crime reported late). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 6. Caddo 11-040

Ms. Adcock made a motion to award \$6,467.07 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 7. Calcasieu 04-005

Ms. Polak made a motion to award \$2,957.50 for MEDICAL, \$600.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Fanara seconded the motion and the motion passed unanimously.

F 8. Calcasieu 10-011

Ms. Polak made a motion to award \$525.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to

V. ITEMS FOR FULL DISCUSSION

mark the case as "closed".

F 9. Calcasieu 10-021

Ms. Polak made a motion to award \$874.51 for MEDICAL TRAVEL (MEDICAL), \$1,490.42 for MENTAL HEALTH, \$618.29 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously. The Board would also like the mental health provider to know that the patient is nearing the mental health outpatient maximum.

F 10. Calcasieu 11-005

Ms. Polak made a motion to approve. The motion died for lack of a second. Ms. Stapleton made a motion to deny under authority of LAC22: XIII.301(A)(1)(a) (felony convictions). Ms. Adcock seconded the motion and the motion passed 7 to 1 with no abstentions.

F 11. Calcasieu 11-024

Ms. Williams made a motion to award \$289.00 for CRIME SCENE CLEANUP. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 12. Calcasieu 11-031

Ms. Polak made a motion to award \$4,756.50 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 13. Calcasieu 11-032

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

F 14. Concordia 11-004

Ms. Maggio made a motion to approve the eligibility of this claimant. The claim amounts were reduced by 50 % for contribution. Ms. Fanara seconded the motion and the motion passed 8 to 1 with no abstentions.

F 15. Concordia 11-009

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

F 16. Concordia 11-012

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

F 17. East Baton Rouge 10-054

Ms. Maggio made a motion to award \$4,813.10 for MEDICAL. Estimate approved for: \$1,052.94 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 18. East Baton Rouge 11-143

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

F 19. Franklin 11-003

Ms. Stapleton made a motion to award \$323.23 for MEDICAL. Ms. Fanara seconded the

V. ITEMS FOR FULL DISCUSSION

motion and the motion passed unanimously.

F 20. Franklin 11-004

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

F 21. Iberville 11-004

Ms. Stapleton made a motion to approve. The motion was withdrawn. Mr. DiBenedetto made a motion to deny. The motion died for lack of a second. Ms. Adcock made a motion to approve the eligibility of this claimant. The claim amounts were reduced by 50 % for contribution. Ms. Williams seconded the motion and the motion passed 6 to 2 with no abstentions.

F 22. Lafayette 11-017

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

F 23. Lafayette 11-019

Mr. DiBenedetto made a motion to award \$8,430.88 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$1,269.12 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 24. Lafourche 03-037

Ms. Polak made a motion to defer claims awaiting case notes to clarify course of treatment. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 25. Lafourche 11-059

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

F 26. Lafourche 11-060

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

F 27. Lafourche 11-061

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

F 28. Lafourche 11-062

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

F 29. Lafourche 11-064

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

F 30. Lafourche 11-065

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

V. ITEMS FOR FULL DISCUSSION

F 31. Lafourche 11-066

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

F 32. Lafourche 11-067

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

F 33. Livingston 11-002

Ms. Stapleton made a motion to award \$3,058.44 for MEDICAL. Ms. Maggio seconded the motion and the motion passed unanimously.

F 34. Livingston 11-003

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

F 35. Madison 11-004

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Fanara seconded the motion and the motion passed unanimously. The Board also requested that a death certificate accompany any future claims.

F 36. Madison 11-005

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Fanara seconded the motion and the motion passed unanimously. The Board also requested that a death certificate accompany any future claims.

F 37. Natchitoches 11-001

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

F 38. Orleans 05-066

Mr. DiBenedetto made a motion to deny the claims under authority of R.S. 46:1809 B(1). Ms. Adcock seconded the motion and the motion passed unanimously.

F 39. Orleans 05-084

Ms. Polak made a motion to award \$4,052.00 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 40. Orleans 09-130

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

F 41. Orleans 10-187

Ms. Stapleton made a motion to award \$4,713.47 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 42. Orleans 11-003

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

V. ITEMS FOR FULL DISCUSSION

F 43. Orleans 11-010

Ms. Polak made a motion to award \$280.00 for MEDICAL. Estimate approved for: \$2,983.00 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 44. Orleans 11-051

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

F 45. Orleans 11-052

Ms. Stapleton made a motion to deny under authority of LAC22: XIII.301(A)(1)(a) (felony convictions) and R.S. 46:1809 B(4)(a) (victim contribution / illegal activity). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 46. Orleans 11-057

Ms. Stapleton made a motion to defer ruling awaiting more information from law enforcement. Ms. Maggio seconded the motion and the motion passed unanimously.

F 47. Orleans 11-058

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

F 48. Orleans 11-061

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

F 49. Orleans 11-062

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

F 50. Orleans 11-064

Ms. Stapleton made a motion to approve. The motion was withdrawn. Ms. Williams made a motion to defer ruling awaiting more information. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 51. Orleans 11-066

Ms. Polak made a motion to award \$1,629.10 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 52. Orleans 11-068

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

F 53. Orleans 11-070

Mr. DiBenedetto made a motion to award \$74.50 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Stapleton seconded the motion and the motion passed unanimously.

F 54. Orleans 11-082

Ms. Adcock made a motion to award \$49.88 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 55. Orleans 11-083

Ms. Maggio 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 56. Ouachita 11-010

Ms. Polak made a motion to award \$1,012.50 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

F 57. Richland 11-001

Ms. Adcock made a motion to award \$3,918.43 for MEDICAL, \$800.00 for WAGE. Ms. Maggio seconded the motion and the motion passed unanimously.

F 58. St. Charles 11-013

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

F 59. St. Charles 11-014

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

F 60. St. Charles 11-031

Ms. Polak 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 8 to 1 with no abstentions.

F 61. St. Charles 11-033

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 6 to 2 with 1 abstention.

F 62. St. Charles 11-034

Ms. Williams made a motion to award \$400.00 for WAGE, \$9,600.00 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 63. St. Charles 11-035

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

F 64. St. Charles 11-036

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

F 65. St. Charles 11-037

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

F 66. St. Charles 11-038

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

V. ITEMS FOR FULL DISCUSSION

F 67. St. Charles 11-039

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

F 68. St. Charles 11-040

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

F 69. St. Charles 11-041

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

F 70. St. Landry 10-014

Ms. Maggio made a motion to deny. Motion died for lack of a second. Ms. Polak made a motion to award \$2,878.52 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. DiBenedetto seconded the motion and the motion passed 7 to 1 with 1 abstention.

F 71. St. Landry 11-007

Ms. Polak made a motion to award \$1,707.37 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 72. St. Martin 11-002

Ms. Polak made a motion to award \$2,500.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 73. St. Martin 11-006

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Ms. Adcock seconded the motion and the motion passed 8 to 1 with no abstentions.

F 74. St. Martin 11-007

Ms. Fanara made a motion to approve the eligibility of this claimant. Ms. Maggio seconded the motion and the motion passed 8 to 1 with no abstentions.

F 75. St. Tammany 98-040

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B (3) e (filed late). Ms. Adcock seconded the motion and the motion passed unanimously.

F 76. Tangipahoa 10-021

Ms. Maggio made a motion to award \$3,305.49 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for contribution. Ms. Polak seconded the motion and the motion passed unanimously.

F 77. Vermilion 11-004

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

F 78. Washington 11-001

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

V. ITEMS FOR FULL DISCUSSION

F 79. West Feliciana 10-002

Ms. Polak made a motion to award \$1,947.00 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 05/01/11.

L 1. Acadia 11-003

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

L 2. Acadia 11-003

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

L 3. Orleans 09-061

Mr. DiBenedetto made a motion to deny increasing maximum eligibility for total and permanent disability. Mr. Pohlmann seconded the motion and the motion passed unanimously.

L 4. Tangipahoa 11-003

Ms. Polak made a motion to award. Motion died for lack of a second. Mr. DiBenedetto made a motion to award \$901.33 for MEDICAL. The claim amounts were reduced by 50 % for contribution. Ms. Maggio seconded the motion and the motion passed 8 to 1 with no abstentions.

L 5. Assumption 10-006

Mr. DiBenedetto made a motion to award \$490.50 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

L 6. Acadia 11-005

Ms. Fanara made a motion to defer ruling awaiting incident report. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

L 7. Calcasieu 11-035

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

L 8. East Baton Rouge 10-041

Mr. DiBenedetto made a motion to award \$925.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

L 9. East Baton Rouge 10-075

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

L 10. East Baton Rouge 10-088

Ms. Polak made a motion to award \$525.00 for MENTAL HEALTH but to defer \$387.50 in MENTAL HEALTH claims awaiting insurance information. Ms. Stapleton seconded the

V. ITEMS FOR FULL DISCUSSION

motion and the motion passed unanimously.

L 11. East Baton Rouge 11-012

Ms. Polak made a motion to award \$112.13 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

L 12. East Baton Rouge 11-039

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

L 13. Lafayette 11-006

Ms. Stapleton made a motion to award \$1,980.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

L 14. East Baton Rouge 11-041

Mr. DiBenedetto made a motion to approve the eligibility of this claimant. Ms. Maggio seconded the motion and the motion passed unanimously. The board agreed to increase the case maximum to \$25,000.

VI. LATE ADDITIONS

L 15. Jefferson 11-016

Ms. Polak made a motion to award \$781.90 for MEDICAL, \$6,000.00 for WAGE. Mr. Pohlmann seconded the motion and the motion passed unanimously.

L 16. Jefferson 11-018

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

VII. OTHER BUSINESS

Discussed topics that need to be addressed:

Pardons, diversion programs, etc. where eligibility is concerned.

Total and Permanent Disability - create form for doctors to fill out.

Revisit contribution.

Joey Watson, Executive Director, spoke out using electronic means of processing claims and sending them to Board members to cut down on paperwork.

Ms. Williams made a motion to adjourn the meeting. Mr. Pohlmann seconded the motion. Mr. Davis adjourned the meeting at 11:30 a.m.