

M I N U T E S

MEETING DATE: August 14, 2007

MEMBERS PRESENT: Mr. Fernest J. Benoit, Mr. Lamarr Davis, Ms. Mickey DeLaup, Mr. Ben Garris, Dr. Glenn Green, Sr., Mr. Ed Hardin, Ms. Rose G. Montgomery, Ms. Ann Polak,

MEMBERS ABSENT: Ms. Elizabeth Harvey, Ms. Audrey Thibodeaux, Mr. Bill Willis,

STAFF PRESENT: Linda Gautier, Carla Domingue

GUESTS PRESENT: Erich Duchmann, PhD., Charles Dale Benoit, Cpt. Mechelle Delahoussaye

I. CALL TO ORDER

The meeting was called to order by Mr. Lamarr Davis at 9:30 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

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

III. APPEALS

A 1. Avoyelles 07-001

Mr. Hardin 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.

A 2. Jefferson 07-012

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

A 3. St. Mary 07-001

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

IV. EMERGENCY CONFIRM/DENY

Mr. Hardin made a motion to confirm the emergency rulings for the previous month. Mr. Benoit seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 1. Allen 07-002

Mr. Benoit made a motion to award \$840.00 for MENTAL HEALTH and to only consider mental health counseling sessions through 8/31/07. Ms. DeLaup seconded the motion and the motion passed unanimously.

F 2. Allen 07-003

Mr. Benoit made a motion to award \$265.00 for MEDICAL. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 3. Ascension 07-001

Mr. Garris made a motion to award \$4,000.00 for FUNERAL. Dr. Green seconded the motion and the motion passed unanimously.

F 4. Assumption 05-003

Mr. Benoit made a motion to award \$3,000.00 for CATASTROPHIC PROPERTY. Mr. Garris seconded the motion and the motion passed unanimously.

F 5. Assumption 07-003

Mr. Benoit made a motion to award \$357.20 for FUNERAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 6. Assumption 07-006

Ms. DeLaup 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 7. Beauregard 06-002

Dr. Green made a motion to award \$540.00 for MENTAL HEALTH. Mr. Hardin seconded the motion and the motion passed unanimously.

F 8. Beauregard 06-009

Mr. Benoit made a motion to award \$706.56 for WAGE. Ms. Montgomery seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 9. Bossier 06-024

Mr. Benoit made a motion to award \$360.00 for MENTAL HEALTH and to request an updated mental health treatment plan as of 8/18/07. Dr. Green seconded the motion and the motion passed unanimously.

F 10. Bossier 06-025

Mr. Benoit made a motion to award \$360.00 for MENTAL HEALTH and to request an updated mental health treatment plan as of 8/18/07. Mr. Garris seconded the motion and the motion passed unanimously.

F 11. Bossier 07-011

Ms. DeLaup made a motion to award \$420.00 for MENTAL HEALTH. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 12. Caddo 07-006

Mr. Hardin made a motion to award \$621.31 for WAGE. Mr. Benoit seconded the motion and the motion passed unanimously.

F 13. Caddo 07-013

Mr. Hardin made a motion to award \$3,003.52 for WAGE, \$280.00 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

F 14. Caddo 07-047

Mr. Hardin made a motion to award \$376.89 for WAGE. Mr. Benoit seconded the motion and the motion passed unanimously.

F 15. Calcasieu 07-015

Mr. Hardin made a motion to award \$60.00 for MENTAL HEALTH and to request an updated mental health treatment plan as of 8/9/07. Ms. DeLaup seconded the motion and the motion passed unanimously.

F 16. Calcasieu 07-020

Ms. DeLaup made a motion to award \$180.00 for MENTAL HEALTH. Dr. Green seconded the motion and the motion passed unanimously.

F 17. Calcasieu 07-023

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

F 18. Calcasieu 07-024

Ms. Polak made a motion to award \$382.26 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

F 19. Calcasieu 07-027

Ms. Polak 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 20. Calcasieu 07-029

Ms. Polak made a motion to award \$529.69 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 21. Calcasieu 07-031

Ms. Polak made a motion to award \$420.00 for MENTAL HEALTH. Ms. DeLaup seconded the motion and the motion passed unanimously.

F 22. Calcasieu 07-032

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

F 23. Claiborne 06-002

Ms. Polak made a motion to award \$140.00 for MENTAL HEALTH and to request an updated mental health treatment plan as of 9/11/07. Ms. DeLaup seconded the motion and the motion passed unanimously.

F 24. Concordia 07-005

Ms. DeLaup made a motion to deny under authority of R.S. 46:1809 B(1) (not a compensable expense). Mr. Garris seconded the motion and the motion passed 7 to 1 with no abstentions.

F 25. Concordia 07-008

Mr. Benoit made a motion to award \$170.87 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 26. Concordia 07-009

Mr. Benoit made a motion to award \$302.40 for MEDICAL. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 27. East Baton Rouge 07-002

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

F 28. East Baton Rouge 07-008

Mr. Hardin made a motion to award \$720.00 for WAGE, \$98.88 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

F 29. East Baton Rouge 07-020

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

F 30. East Baton Rouge 07-038

Ms. DeLaup made a motion to defer ruling awaiting more information. Dr. Green seconded the motion and the motion passed unanimously.

F 31. East Baton Rouge 07-039

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

F 32. East Baton Rouge 07-040

Mr. Hardin 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.

V. ITEMS FOR FULL DISCUSSION

F 33. East Baton Rouge 07-041

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

F 34. East Baton Rouge 07-042

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

F 35. East Baton Rouge 07-043

Mr. Hardin made a motion to award \$79.23 for WAGE, \$34.50 for MEDICAL, \$8.80 for MEDICAL MILEAGE. Mr. Benoit seconded the motion and the motion passed unanimously.

F 36. East Feliciana 07-002

Mr. Hardin made a motion to award \$1,197.44 for FUNERAL. Mr. Benoit seconded the motion and the motion passed unanimously.

F 37. Iberville 07-006

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

F 38. Jackson 07-001

Mr. Benoit made a motion to award \$700.00 for MEDICAL. Ms. DeLaup seconded the motion and the motion passed unanimously.

F 39. Jefferson 07-009

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

F 40. Jefferson 07-017

Ms. DeLaup made a motion to award \$660.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed 7 to 1 with no abstentions.

F 41. Lafayette 07-016

Mr. Benoit made a motion to award \$1,300.00 for FUNERAL. Dr. Green seconded the motion and the motion passed unanimously.

F 42. Lafourche 05-065

Mr. Benoit made a motion to award \$240.00 for MENTAL HEALTH and to send a letter to the mental health provider that no claims after 8/31/07 will be considered for payment. Ms. Polak seconded the motion and the motion passed unanimously.

F 43. Lafourche 05-066

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

F 44. Lafourche 06-021

Mr. Benoit made a motion to award \$360.00 for MENTAL HEALTH, \$153.60 for MEDICAL MILEAGE and to request an updated mental health treatment plan as of 9/25/07. Ms. Polak seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 45. Lafourche 06-036

Mr. Hardin made a motion to award \$360.00 for MENTAL HEALTH. Mr. Benoit seconded the motion and the motion passed unanimously.

F 46. Lafourche 07-008

Mr. Hardin made a motion to award \$3,200.00 for WAGE, \$94.59 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 47. Lafourche 07-012

Mr. Hardin made a motion to award \$1,080.00 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

F 48. Lafourche 07-015

Mr. Hardin made a motion to award \$694.05 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Benoit seconded the motion and the motion passed unanimously.

F 49. Lafourche 07-020

Ms. Polak made a motion to award \$240.00 for MENTAL HEALTH, \$57.60 for MEDICAL MILEAGE. Mr. Garris seconded the motion and the motion passed unanimously.

F 50. Lafourche 07-023

Ms. Polak made a motion to award \$180.00 for MENTAL HEALTH, \$50.40 for MEDICAL MILEAGE. Mr. Benoit seconded the motion and the motion passed unanimously.

F 51. Lafourche 07-033

Ms. Polak made a motion to award \$455.13 for MEDICAL. Mr. Hardin seconded the motion and the motion passed unanimously.

F 52. Lafourche 07-035

Mr. Benoit made a motion to award \$1,875.17 for WAGE. Dr. Green seconded the motion and the motion passed unanimously.

F 53. Lafourche 07-039

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

F 54. Lafourche 07-040

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

F 55. Lafourche 07-041

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

F 56. Lafourche 07-042

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

V. ITEMS FOR FULL DISCUSSION

F 57. Lafourche 07-043

Mr. Benoit 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 7 to 1 with no abstentions.

F 58. Lincoln 07-012

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

F 59. Morehouse 06-001

Ms. DeLaup made a motion to award \$1,460.00 for WAGE. The claim amounts were reduced by 50 % for contribution. Ms. Polak seconded the motion and the motion passed unanimously.

F 60. Orleans 06-063

Dr. Green made a motion to award \$1,374.70 for WAGE, \$122.44 for MEDICAL. Ms. DeLaup seconded the motion and the motion passed unanimously.

F 61. Orleans 07-033

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

F 62. Ouachita 06-013

Mr. Hardin made a motion to award \$6,061.44 for WAGE, \$411.92 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 63. Pointe Coupee 07-003

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

F 64. Rapides 07-010

Mr. Garris made a motion to award \$3,247.80 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

F 65. Rapides 07-011

Mr. Hardin made a motion to award \$3,569.30 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

F 66. St. Bernard 07-002

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

F 67. St. Landry 07-008

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

F 68. St. Landry 07-010

Dr. Green made a motion to defer ruling awaiting more information. Ms. Polak seconded the motion and the motion passed 7 to 1 with no abstentions.

V. ITEMS FOR FULL DISCUSSION

F 69. St. Landry 07-014

Mr. Benoit 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 70. St. Landry 07-601

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

F 71. St. Martin 07-003

Mr. Benoit made a motion to award \$870.00 for MENTAL HEALTH and to request an updated mental health treatment plan as of 9/26/07. Ms. Polak seconded the motion and the motion passed unanimously.

F 72. St. Martin 07-019

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

F 73. St. Martin 07-022

Ms. DeLaup made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Polak requested that the staff refer the victim to a local women's shelter. Dr. Green seconded the motion and the motion passed 7 to 1 with no abstentions.

F 74. St. Martin 07-023

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

F 75. St. Martin 07-024

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

F 76. St. Mary 07-002

Mr. Benoit made a motion to award \$78.64 for MEDICAL. Ms. DeLaup seconded the motion and the motion passed unanimously.

F 77. St. Mary 07-004

Mr. Benoit made a motion to award \$4,852.53 for MEDICAL. Mr. Hardin seconded the motion and the motion passed unanimously.

F 78. St. Tammany 07-002

Ms. Polak made a motion to award \$720.00 for MENTAL HEALTH and \$250.00 for MEDICAL, and to request an updated mental health treatment plan as of 9/23/06. Mr. Benoit seconded the motion and the motion passed unanimously.

F 79. St. Tammany 07-009

Mr. Hardin made a motion to award \$7,200.00 for MEDICAL. Estimate approved for: \$2,800.00 for MEDICAL. Mr. Benoit seconded the motion and the motion passed unanimously.

F 80. St. Tammany 07-010

Dr. Green made a motion to award \$48.00 for FUNERAL. Ms. Montgomery seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 80. St. Tammany 07-010

Dr. Green made a motion to award \$1,069.50 for FUNERAL. Ms. Montgomery seconded the motion and the motion passed unanimously.

F 81. Tangipahoa 07-004

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

F 82. Tangipahoa 07-005

Mr. Hardin made a motion to award \$1,087.25 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 83. Tangipahoa 07-006

Mr. Hardin made a motion to award \$1,187.25 for FUNERAL. Mr. Benoit seconded the motion and the motion passed unanimously.

F 84. Tangipahoa 07-032

Mr. Hardin made a motion to award \$2,779.06 for WAGE. Mr. Benoit seconded the motion and the motion passed unanimously.

F 85. Terrebonne 03-002

Ms. DeLaup made a motion to defer claims awaiting more information. Dr. Green seconded the motion and the motion passed unanimously.

F 86. Vermilion 06-003

Mr. Benoit made a motion to award \$5,699.20 for WAGE, \$4,000.80 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously.

F 87. Vermilion 07-001

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 88. Webster 07-008

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

F 89. West Baton Rouge 07-005

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

F 90. West Feliciana 07-005

Ms. Polak made a motion to approve the eligibility of this claimant and to waive the 1-yr filing deadline. Mr. Garris seconded the motion and the motion passed unanimously.

VII. OTHER BUSINESS

Mr. Benoit made a motion to adjourn the meeting. Dr. Green seconded the motion. Mr. Davis adjourned the meeting at 11:00 a.m.