

M I N U T E S

MEETING DATE: September 8, 2009

MEMBERS PRESENT: Ms. Nancy Adcock, Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Ms. Mary L. Fanara, Mr. Ben Garris, Mr. Kenneth Jones, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Lucille Williams,

MEMBERS ABSENT: Jimmy Pohlmann, Ms. Carolyn Stapleton,

STAFF PRESENT: Robert Wertz, Linda Gautier, Carla Domingue

GUESTS PRESENT: Erich Duchmann, PhD, Kent Wolkart, Linda Roussel

I. CALL TO ORDER

Mr. Davis called the meeting to order at 9:30 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Mr. Garris 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. Livingston 09-003

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

IV. EMERGENCY CONFIRM/DENY

Mr. Garris 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 09-018

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

F 2. Caddo 08-016

Mr. DiBenedetto made a motion to award \$850.00 for MENTAL HEALTH. Ms. Fanara 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 05/07/09.

F 3. Caddo 08-064

Ms. Adcock made a motion to award \$240.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 10/27/09.

F 4. Caddo 08-078

Ms. Adcock made a motion to award \$5,360.00 for WAGE, \$3,840.00 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Williams seconded the motion and the motion passed unanimously.

F 5. Caddo 09-002

Ms. Adcock made a motion to award \$520.00 for MENTAL HEALTH, \$116.89 for MEDICAL MILEAGE. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 07/13/09.

F 6. Caddo 09-003

Ms. Rodi made a motion to award \$520.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 07/13/09.

F 7. Caddo 09-018

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

F 8. Caddo 09-028

Mr. DiBenedetto made a motion to award \$4,600.58 for FUNERAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 9. Caddo 09-029

Ms. Adcock made a motion to award \$5,000.00 for FUNERAL. Ms. Rodi seconded the

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motion and the motion passed unanimously.

F 10. Caddo 09-030

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

F 11. Caddo 09-031

Ms. Adcock made a motion to award \$4,800.00 for WAGE, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Williams seconded the motion and the motion passed unanimously.

F 12. Caddo 09-032

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

F 13. Caddo 09-034

Ms. Adcock made a motion to award \$6,283.94 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 14. Calcasieu 06-037

Ms. Polak made a motion to award \$120.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously. Dr. Duchmann also requested that the mental health provider be reminded that mental health claims will only be considered through September 30, 2009.

F 15. Calcasieu 06-038

Ms. Polak made a motion to award \$120.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously. Dr. Duchmann also requested that the mental health provider be reminded that mental health claims will only be considered through September 30, 2009.

F 16. Calcasieu 09-024

Ms. Polak made a motion to award \$120.00 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 07/25/09.

F 17. Calcasieu 09-027

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 unanimously.

F 18. Calcasieu 09-028

Ms. Polak made a motion to award \$2,223.62 for MEDICAL. Mr. Jones seconded the motion and the motion passed unanimously.

F 19. Calcasieu 09-039

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

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F 20. Calcasieu 09-040

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

F 21. Calcasieu 09-044

Mr. Jones made a motion to award \$5,000.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed 8 to 1 with no abstentions.

F 22. Calcasieu 09-046

Ms. Polak made a motion to award \$480.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously.

F 23. Calcasieu 09-047

Ms. Polak made a motion to award \$180.00 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 08/23/09.

F 24. Claiborne 08-015

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

F 25. Concordia 94-002

Ms. Rodi made a motion to deny under authority of R.S. 46:1807 (C) (1) (exceeds policy limit that were in place at the time the original application was processed). Mr. Jones seconded the motion and the motion passed unanimously.

F 26. East Baton Rouge 08-059

Ms. Polak made a motion to award \$2,569.33 for MEDICAL. Mr. Jones seconded the motion and the motion passed unanimously.

F 27. East Baton Rouge 08-063

Ms. Fanara made a motion to award \$420.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 04/22/09.

F 28. East Baton Rouge 09-012

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

F 29. East Baton Rouge 09-015

Mr. Jones made a motion to award \$360.00 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 30. East Baton Rouge 09-037

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

F 31. East Baton Rouge 09-054

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

V. ITEMS FOR FULL DISCUSSION

F 32. East Baton Rouge 09-055

Mr. DiBenedetto made a motion to award \$217.00 for CRIME EVIDENCE, \$1,514.00 for FUNERAL. Mr. Jones seconded the motion and the motion passed unanimously.

F 33. East Baton Rouge 09-056

Mr. DiBenedetto made a motion to award \$400.81 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 34. East Baton Rouge 09-074

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

F 35. East Carroll 09-003

Ms. Fanara made a motion to award \$3,250.00 for FUNERAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 36. East Carroll 09-004

Ms. Fanara made a motion to award \$3,250.00 for FUNERAL. Mr. Jones seconded the motion and the motion passed unanimously.

F 37. Iberia 08-037

Mr. DiBenedetto made a motion to award \$1,259.12 for FUNERAL. Mr. Jones seconded the motion and the motion passed unanimously.

F 38. Iberia 08-066

Mr. Jones made a motion to award \$2,180.80 for WAGE. Mr. Garris seconded the motion and the motion passed unanimously.

F 39. Lafayette 08-011

Mr. Jones made a motion to award \$1,440.00 for WAGE, \$1,254.44 for MEDICAL. The claim amounts were reduced by 50 % for contribution. Ms. Fanara seconded the motion and the motion passed unanimously.

F 40. Lafayette 08-034

Ms. Polak made a motion to award \$188.79 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 41. Lafayette 08-042

Mr. Jones made a motion to award \$120.00 for MENTAL HEALTH, \$70.00 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 42. Lafayette 08-044

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

F 43. Lafourche 05-067

Ms. Polak made a motion to award \$160.00 for MENTAL HEALTH. Mr. Garris seconded the motion and the motion passed unanimously.

F 44. Lafourche 06-048

Ms. Polak made a motion to award \$300.00 for MENTAL HEALTH, \$49.92 for

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MEDICAL MILEAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

F 45. Lafourche 07-001

Ms. Polak made a motion to award \$375.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously.

F 46. Lafourche 07-068

Ms. Polak made a motion to award \$70.85 for MEDICAL but to defer the mental health claim in order to obtain insurance information. Mr. Garris seconded the motion and the motion passed unanimously.

F 47. Lafourche 09-003

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

F 48. Lafourche 09-017

Mr. DiBenedetto made a motion to award \$5,796.70 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 49. Lafourche 09-021

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

F 50. Lafourche 09-022

Ms. Fanara made a motion to award \$370.00 for MEDICAL. Ms. Polak seconded the motion and the motion passed 7 to 2 with no abstentions.

F 51. Lafourche 09-026

Mr. Jones made a motion to only pay providers to award \$833.90 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the motion and the motion passed unanimously.

F 52. Lafourche 09-045

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

F 53. Lafourche 09-047

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

F 54. Lafourche 09-048

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

F 55. Lafourche 09-052

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

F 56. Lafourche 09-053

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

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the motion and the motion passed unanimously.

F 57. Lafourche 09-054

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

F 58. Lafourche 09-055

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

F 59. Livingston 09-006

Mr. Jones made a motion to award \$420.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

F 60. Morehouse 09-001

Ms. Rodi made a motion to award \$3,956.97 for FUNERAL. Mr. Jones seconded the motion and the motion passed unanimously.

F 61. Orleans 09-002

Mr. Jones made a motion to award \$2,250.00 for FUNERAL. 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 62. Orleans 09-017

Mr. Jones made a motion to award \$844.85 for WAGE, \$412.26 for MEDICAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 63. Orleans 09-075

Mr. Jones made a motion to award \$4,500.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed 8 to 1 with no abstentions.

F 64. Orleans 09-098

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

F 65. Orleans 09-102

Mr. Jones made a motion to award \$3,457.15 for FUNERAL. Ms. Polak seconded the motion and the motion passed 8 to 1 with no abstentions.

F 66. Orleans 09-108

Mr. Jones made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed 7 to 2 with no abstentions.

F 67. Orleans 09-110

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

F 68. Orleans 09-121

Mr. Jones made a motion to defer ruling awaiting more information on case. Mr. Garris seconded the motion and the motion passed unanimously.

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F 69. Orleans 09-122

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(1) (not a compensable expense). Mr. Jones seconded the motion and the motion passed 8 to 1 with no abstentions.

F 70. Orleans 09-124

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

F 71. Orleans 09-125

Mr. Jones 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 72. Orleans 09-130

Mr. Jones made a motion to defer ruling awaiting more information on the case. Ms. Polak seconded the motion and the motion passed unanimously.

F 73. Orleans 09-131

Mr. Jones made a motion to defer ruling awaiting more information on the case. Ms. Rodi seconded the motion and the motion passed 8 to 1 with no abstentions.

F 74. Orleans 09-132

Mr. Jones made a motion to defer ruling awaiting more information on the case. Ms. Adcock seconded the motion and the motion passed unanimously.

F 75. Orleans 09-134

Mr. Jones made a motion to deny the case. Mr. DiBenedetto seconded the motion but the motion passed.

Ms. Rodi made a motion to defer ruling awaiting more information. Mr. Garris seconded the motion and the motion passed 8 to 1 with no abstentions.

F 76. Orleans 09-135

Mr. Jones 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 77. Orleans 09-136

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

F 78. Orleans 09-138

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

F 79. Orleans 09-139

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B (3) (crime reported late). Ms. Williams seconded the motion and the motion passed 8 to 1 with no abstentions.

F 80. Orleans 09-166

Mr. Jones made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or

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refused cooperation). Mr. Garris seconded the motion and the motion passed 8 to 1 with no abstentions.

F 81. Rapides 09-011

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.

F 82. St. Bernard 09-005

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

F 83. St. Bernard 09-009

Ms. Polak made a motion to award \$325.50 for MEDICAL, \$105.52 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the motion and the motion passed unanimously.

F 84. St. Charles 09-011

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

F 85. St. Charles 09-012

Mr. Jones made a motion to defer for more information. Mr. Jones withdrew his motion. Mr. Jones made a motion to approve the eligibility of this claimant. Ms. Williams seconded the motion and the motion passed unanimously.

F 85. St. Charles 09-012

Mr. DiBenedetto made a motion to deny the eligibility of this claimant. The motion died for lack of a second. Mr. Jones made a motion to approve the eligibility of this claimant. Ms. Williams seconded the motion and the motion passed unanimously.

F 86. St. Charles 09-013

Ms. Williams 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 87. St. Charles 09-015

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

F 88. St. Charles 09-016

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

F 89. St. Charles 09-017

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

F 90. St. Martin 09-008

Ms. Adcock made a motion to award \$1,100.73 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Jones seconded the motion and the

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motion passed unanimously.

F 91. St. Martin 09-019

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

F 92. St. Mary 09-009

Mr. Jones made a motion to approve with 50% contribution reduction. Mr. Garris seconded the motion. Motion was withdrawn. Ms. Rodi made a motion to deny under authority of R.S. 46:1809 B(1) (crime definition). Ms. Williams seconded the motion and the motion passed unanimously.

F 93. St. Tammany 08-034

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

F 94. Tangipahoa 09-023

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

F 95. Tangipahoa 09-026

Ms. Polak made a motion to approve the eligibility of this claimant. Mr. Garris seconded the motion and the motion passed unanimously. The Board also requested that Staff obtain the death certificate.

F 96. Terrebonne 08-009

Mr. Jones made a motion to award \$264.45 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 97. Terrebonne 09-021

Ms. Adcock 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 unanimously.

F 98. West Baton Rouge 09-003

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

VII. OTHER BUSINESS

Mr. Jones made a motion to adjourn the meeting. Mr. Garris seconded the motion. Mr. Davis adjourned the meeting at 11:45 a.m.