

M I N U T E S

MEETING DATE: **October 11, 2011**

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

MEMBERS ABSENT: Mr. Jimmy Pohlmann, Mr. Kenneth Jones

STAFF PRESENT: Robert Wertz, Jr., Carla Trahan, Margaret Watson

GUESTS PRESENT: Erich Duchmann, PhD, Tiffany Veal, Cynthia Watson, Alex
Richardson, III, Mechelle Delahoussaye

I. CALL TO ORDER

Mr. Davis called the meeting of the Crime Victims Reparations Board to order at 9:15 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

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

III. APPEALS

NONE

IV. EMERGENCY CONFIRM/DENY

Ms. Williams made a motion to confirm the emergency rulings for the previous month.

Ms. Polak seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 1. Assumption 09-003

Ms. Polak made a motion to award \$225.00 for MENTAL HEALTH, \$123.84 for MEDICAL MILEAGE. Ms. Rodi seconded the motion and the motion passed 8 to 1 with 1 abstention. The board also agreed to mark the case as "closed".

F 2. Bossier 11-026

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

F 3. Bossier 11-027

Ms. Adcock made a motion to approve the eligibility of this claimant for domestic violence victimization but did not make a decision regarding catastrophic property loss. Ms. Williams seconded the motion and the motion passed 8 to 0 with 1 abstention. The Board also requested that the entire case be sent back to them with any future claims.

F 4. Calcasieu 11-036

Ms. Polak made a motion to award \$4,636.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 5. East Baton Rouge 11-039

Ms. Stapleton made a motion to award \$150.00 for MENTAL HEALTH. Ms. Maggio seconded the motion and the motion passed unanimously.

F 6. East Baton Rouge 11-048

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

F 7. East Baton Rouge 11-049

Ms. Stapleton made a motion to award \$6,898.70 for MEDICAL. Estimate approved for: \$3,101.30 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 8. East Baton Rouge 11-052

Ms. Stapleton made a motion to award \$4,073.76 for WAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

F 9. Franklin 11-005

Ms. Polak 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 10. Franklin 11-006

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

F 11. Iberia 11-010

Ms. Stapleton made a motion to award \$78.78 for MEDICAL, \$4,700.00 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

F 12. Iberia 11-014

Ms. Stapleton made a motion to award \$3,864.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 13. Jefferson 10-019

Ms. Rodi made a motion to award \$694.00 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 14. Jefferson 10-040

Ms. Rodi made a motion to award \$975.00 for MENTAL HEALTH. Ms. Maggio seconded the motion and the motion passed unanimously.

F 15. Jefferson 11-030

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

F 16. Jefferson 11-031

Ms. Polak made a motion to award \$2,695.00 for FUNERAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 17. Jefferson 11-032

Ms. Rodi made a motion to award \$2,695.00 for FUNERAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 18. Jefferson Davis 11-001

Ms. Polak made a motion to award \$771.65 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

F 19. Jefferson Davis 11-002

Ms. Stapleton made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity). Ms. Adcock seconded the motion and the motion passed 7 to 2 with no abstentions.

F 20. Lafourche 03-037

Mr. DiBenedetto made a motion to award \$1,020.00 for MENTAL HEALTH, \$232.56 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 21. Lafourche 05-067

Mr. DiBenedetto made a motion to award \$635.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

V. ITEMS FOR FULL DISCUSSION

F 22. Lafourche 08-065

Ms. Polak made a motion to award \$225.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

F 23. Lafourche 08-074

Mr. DiBenedetto made a motion to award \$900.00 for MENTAL HEALTH, \$495.36 for MEDICAL MILEAGE. Ms. Stapleton seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 24. Lafourche 09-070

Ms. Polak made a motion to award \$673.00 for MENTAL HEALTH, \$261.12 for MEDICAL MILEAGE. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 25. Lafourche 09-086

Ms. Polak made a motion to defer claims awaiting Treatment Review and insurance information. Ms. Rodi seconded the motion and the motion passed unanimously.

F 26. Lafourche 10-050

Ms. Polak made a motion to award \$450.00 for MENTAL HEALTH, \$147.00 for MEDICAL MILEAGE. Ms. Maggio seconded the motion and the motion passed unanimously.

F 27. Lafourche 10-099

Ms. Rodi made a motion to award \$300.00 for MENTAL HEALTH, \$35.10 for MEDICAL MILEAGE. Ms. Maggio seconded the motion and the motion passed unanimously.

F 28. Lafourche 10-114

Ms. Maggio made a motion to award \$75.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

F 29. Lafourche 10-145

Ms. Polak made a motion to award \$380.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 30. Lafourche 10-159

Ms. Rodi made a motion to defer claims awaiting information regarding whether medications are related to the crime. Ms. Maggio seconded the motion and the motion passed unanimously.

F 31. Lafourche 10-168

Ms. Rodi made a motion to award \$675.00 for MENTAL HEALTH. Ms. Maggio seconded the motion and the motion passed unanimously.

F 32. Lafourche 11-017

Ms. Polak made a motion to award \$600.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

F 33. Lafourche 11-078

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

V. ITEMS FOR FULL DISCUSSION

F 34. Lafourche 11-079

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

F 35. Lafourche 11-080

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

F 36. Livingston 10-014

Ms. Rodi made a motion to defer claims awaiting information regarding dates of service. Ms. Maggio seconded the motion and the motion passed unanimously.

F 37. Orleans 10-090

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

F 38. Orleans 11-046

Ms. Rodi made a motion to award \$4,123.00 for FUNERAL. Ms. Maggio seconded the motion and the motion passed unanimously.

F 39. Orleans 11-057

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

F 40. Orleans 11-102

Ms. Rodi 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 41. Orleans 11-103

Ms. Maggio 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 42. Orleans 11-110

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

F 43. Orleans 11-111

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

F 44. Orleans 11-112

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

F 45. Orleans 11-113

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

F 46. Ouachita 11-010

Ms. Fanara made a motion to award \$450.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 47. Red River 10-001

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

F 48. Red River 10-002

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

F 49. St. Charles 11-054

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

F 50. St. Charles 11-055

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

F 51. St. Charles 11-059

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

F 52. St. Landry 11-003

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 53. St. Landry 11-006

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

F 54. St. Tammany 11-005

Ms. Polak 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 55. St. Tammany 11-006

Ms. Polak 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 56. Terrebonne 11-006

Ms. Polak made a motion to award \$375.00 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 08/01/11.

F 57. Vermilion 11-007

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Maggio seconded the motion and the motion passed unanimously. The Board also requested that insurance information accompany any future invoices.

VI. LATE ADDITIONS

L 1. Bienville 11-001

Mr. DiBenedetto made a motion to award \$880.00 for MEDICAL. Estimate approved for: \$3,287.00 for MEDICAL. Ms. Polak seconded the motion and the motion passed

VI. LATE ADDITIONS

unanimously.

L 2. Caddo 10-061

Ms. Fanara made a motion to award \$650.14 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for contribution. Ms. Stapleton seconded the motion and the motion passed 9 to 1 with no abstentions.

L 3. Caddo 11-007

Ms. Fanara made a motion to award \$353.26 for MEDICAL, \$797.50 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 10/19/11 from Ms. Danzell.

V. ITEMS FOR FULL DISCUSSION

L 4. Caddo 11-020

Ms. Adcock made a motion to award \$988.52 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

L 5. Calcasieu 10-044

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.

L 6. Calcasieu 11-027

Ms. Williams made a motion to award \$139.50 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 08/10/11.

L 7. Calcasieu 11-029

Ms. Polak made a motion to award \$1,439.42 for MENTAL HEALTH, \$29.04 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations. The board also agreed to request an Updated Mental Health Treatment Plan as of 02/24/11.

VI. LATE ADDITIONS

L 8. Concordia 11-011

Ms. Fanara made a motion to award \$261.80 for MEDICAL, \$5,000.00 for FUNERAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 9. Concordia 11-014

Ms. Fanara made a motion to award \$290.00 for MEDICAL. Estimate approved for: \$4,758.00 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

L 10. East Baton Rouge 10-088

Ms. Stapleton made a motion to award \$225.00 for MENTAL HEALTH. Ms. Maggio seconded the motion and the motion passed unanimously.

L 11. East Baton Rouge 11-031

Ms. Stapleton made a motion to award \$276.90 for MEDICAL. Ms. Maggio seconded the

VI. LATE ADDITIONS

motion and the motion passed unanimously.

L 12. East Baton Rouge 11-045

Ms. Stapleton made a motion to award \$2,470.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

L 13. East Baton Rouge 11-053

Ms. Stapleton made a motion to award \$1,400.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

L 14. East Baton Rouge 11-059

Mr. DiBenedetto made a motion to award \$43.91 for MEDICAL, \$150.00 for MENTAL HEALTH, \$37.44 for MEDICAL MILEAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

L 15. East Feliciana 11-006

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 unanimously.

L 16. Lafourche 11-038

Ms. Polak made a motion to award \$262.50 for MENTAL HEALTH, \$32.64 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

L 17. Orleans 05-098

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

L 18. Orleans 09-033

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

L 19. Orleans 11-035

Ms. Rodi made a motion to award \$651.70 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

L 20. Orleans 11-067

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 21. Orleans 11-071

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

L 22. Orleans 11-074

Ms. Rodi made a motion to approve eligibility. Ms. Polak seconded the motion but the motion failed. Ms. Rodi made a motion to defer ruling awaiting verification of date of crime. Ms. Stapleton seconded the motion and the motion passed unanimously.

L 23. Orleans 11-114

Mr. DiBenedetto made a motion to deny under authority of LAC22: XIII.301(A)(1)(a)

VI. LATE ADDITIONS

(felony convictions). Ms. Adcock seconded the motion and the motion passed unanimously.

L 24. Ouachita 11-004

Ms. Polak made a motion to award \$587.52 for MEDICAL MILEAGE, \$363.77 for WAGE. Ms. Maggio seconded the motion and the motion passed unanimously.

L 25. St. Tammany 10-004

Ms. Rodi made a motion to award \$525.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The Board also requested that the mental health provider be notified that the mental health portion of this case is reaching its maximum allowable.

L 26. St. Tammany 10-017

Ms. Rodi made a motion to award \$264.41 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

L 27. St. Tammany 11-015

Mr. DiBenedetto made a motion to award \$1,587.00 for FUNERAL, \$1,600.00 for CRIME SCENE CLEANUP. Ms. Stapleton seconded the motion and the motion passed unanimously.

L 28. Vermilion 11-008

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.

L 29. Winn 11-001

Mr. DiBenedetto made a motion to award \$4,500.00 for FUNERAL, \$4,700.00 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

VII. OTHER BUSINESS

CALC11-017 - Claimant requesting permission for Mental Health in-stay.
The Board declined to take action at this time.

EBAT09-103 - Letter from attorney requesting a lien reduction.

The Board declined to take action at this time.