

# **M I N U T E S**

**MEETING DATE:** November 8, 2011

**MEMBERS PRESENT:** Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Ms. Mary L. Fanara, Ms. Debbie Maggio, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Carolyn Stapleton,

**MEMBERS ABSENT:** Ms. Nancy Adcock, Mr. Kenneth Jones, Mr. Jimmy Pohlmann, Ms. Lucille Williams,

**STAFF PRESENT:** Robert Wertz, Carla Trahan, Margaret Watson

**GUESTS PRESENT:** Erich Duchmann, Kent Wolkart, Mechelle Delahoussaye, Tiffany Veal, Katherine Green, Latina Jolivett, Chris Ferrand, Jr.

## **I. CALL TO ORDER**

The meeting of the Crime Victims Reparations Board for the date of November 8, 2011 was called to order at 9:15 a.m. by Mr. Davis.

## **II. APPROVAL OF MINUTES OF PREVIOUS MEETING**

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

### III. APPEALS

#### A 1. Jefferson Davis 11-002

Ms. Polak made a motion to uphold the appeal and to award \$3,207.50 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously.

#### A 2. St. Tammany 11-005

Ms. Polak made a motion to uphold the appeal and to approve mental health payment to the claimant only (not to the provider) and medical mileage for the first six months of treatment and to award \$1,200.00 for MENTAL HEALTH, \$161.28 for MEDICAL MILEAGE. Ms. Polak also made a motion to defer the remainder of the mental health charges and the medical mileage pending the receipt of the appropriate mental health treatment updates from the mental health provider for each six month period. Ms. Rodi seconded the motion and the motion passed 4 to 2 and one abstention. The board also agreed to request an Updated Mental Health Treatment Plan as of 07/11/10.

#### A 3. St. Tammany 11-006

Ms. Polak made a motion to uphold the appeal and to approve mental health payment to the claimant only (not to the provider) and medical mileage for the first six months of treatment and to award \$450.00 for MENTAL HEALTH, \$355.78 for MEDICAL MILEAGE, \$263.58 for MEDICAL. Ms. Polak also made a motion to defer the remainder of the mental health charges and the medical mileage pending the receipt of the appropriate mental health treatment updates from the mental health provider for each six month period. Ms. Rodi seconded the motion and the motion passed 4 to 2 and one abstention. The board also agreed to request an Updated Mental Health Treatment Plan as of 03/15/11.

#### A 4. St. Tammany 98-040

Ms. Polak made a motion to defer claims awaiting correct mileage charges and information on optometry charge. Ms. Rodi seconded the motion and the motion passed unanimously.

### IV. EMERGENCY CONFIRM/DENY

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

### V. ITEMS FOR FULL DISCUSSION

#### F 1. Allen 11-002

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 2. Bossier 09-038

Ms. Polak made a motion to award \$875.00 for MENTAL HEALTH, \$62.40 for MEDICAL MILEAGE. Ms. Stapleton seconded the motion and the motion passed unanimously.

#### F 3. Bossier 11-007

Ms. Polak made a motion to award \$134.40 for WAGE, \$616.40 for MEDICAL but to defer the mental health claim awaiting a mental health treatment plan from the provider. Ms. Rodi seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 4. Bossier 11-009**

Ms. Polak made a motion to award \$9,106.62 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 5. Bossier 11-022**

Mr. DiBenedetto made a motion to award \$70.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 6. Caddo 07-059**

Ms. Polak made a motion to award \$149.12 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 7. Caddo 11-033**

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

**F 8. Caddo 11-038**

Ms. Polak made a motion to award \$2,000.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 9. Caddo 11-047**

Ms. Polak made a motion to award \$3,500.00 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 10. Caddo 11-048**

Ms. Fanara made a motion to award \$3,623.12 for MEDICAL, \$364.00 for WAGE. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 11. Caddo 11-049**

Ms. Polak made a motion to award \$2,705.78 for MEDICAL, \$7,294.22 for WAGE. Ms. Maggio seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

**F 12. Caddo 11-051**

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

**F 13. Calcasieu 09-060**

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

**F 14. Calcasieu 10-022**

Ms. Polak made a motion to award \$300.00 for MENTAL HEALTH and to make the mental health provider aware of the number of sessions remaining until the mental health portion of this case reaches its maximum allowability. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 15. Calcasieu 11-043**

Ms. Polak made a motion to award \$1,354.16 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 16. Concordia 11-017**

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

**F 17. Desoto 10-008**

Ms. Polak made a motion to award \$49.85 for MEDICAL, \$2,832.88 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 18. Desoto 10-011**

Ms. Fanara made a motion to award \$1,429.54 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 19. Desoto 10-012**

Ms. Polak made a motion to award \$6,510.17 for MEDICAL. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 20. Desoto 11-001**

Ms. Rodi made a motion to award \$2,500.00 for FUNERAL. The claim amounts were reduced by 50 % for contribution. Ms. Polak seconded the motion and the motion passed 5 to 2 with no abstentions.

**F 21. East Baton Rouge 10-032**

Ms. Stapleton made a motion to award \$415.92 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 22. East Baton Rouge 11-063**

Ms. Stapleton made a motion to award \$545.79 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 23. East Baton Rouge 11-070**

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

**F 24. East Baton Rouge 11-076**

Ms. Stapleton made a motion to award \$4,613.70 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 25. East Feliciana 11-005**

Ms. Maggio made a motion to award \$2,500.00 for FUNERAL. The claim amounts were reduced by 50 % for contribution. Mr. DiBenedetto seconded the motion and the motion passed 5 to 2 with no abstentions.

**F 26. Iberia 08-017**

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(1) (crime definition). Ms. Rodi seconded the motion and the motion passed 6 to 1 with no abstentions.

**F 27. Iberia 11-012**

Ms. Fanara made a motion to award \$4,024.30 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 28. Jefferson 11-010**

Ms. Rodi made a motion to award \$707.00 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 29. Jefferson 11-022**

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

**F 30. Jefferson 11-024**

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

**F 31. Jefferson 11-026**

Ms. Rodi made a motion to deny due to juvenile probation record. Mr. DiBenedetto seconded the motion and the motion passed 6 to 0 with 1 abstention.

**F 32. Jefferson 11-029**

Ms. Rodi made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$424.21 for MEDICAL, \$3,200.00 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 33. Lafayette 09-036**

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

**F 34. Lafayette 11-014**

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 35. Lafayette 11-015**

Mr. DiBenedetto made a motion to deny but withdrew his motion. Ms. Maggio made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$914.93 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 36. Lafayette 11-021**

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.

**F 37. Lafourche 10-111**

Ms. Polak made a motion to award \$600.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**F 38. Lafourche 10-165**

Ms. Polak made a motion to award \$1,200.00 for MENTAL HEALTH, \$111.30 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 39. Lafourche 10-166**

Ms. Polak made a motion to award \$1,200.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 40. Lafourche 11-017**

Ms. Rodi made a motion to award \$176.64 for MEDICAL MILEAGE. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 41. Lafourche 11-027**

Ms. Polak made a motion to award \$367.14 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the motion and the motion passed unanimously.

**F 42. Lafourche 11-086**

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

**F 43. Lafourche 11-087**

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed 6 to 1 with no abstentions.

**F 44. Livingston 10-014**

Ms. Fanara made a motion to award \$1,563.02 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 45. Madison 11-003**

Ms. Polak made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution) and R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Maggio seconded the motion and the motion passed unanimously.

**F 46. Orleans 10-185**

Ms. Rodi made a motion to award \$210.00 for MEDICAL. Estimate approved for: \$8,548.00 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 47. Orleans 11-013**

Ms. Rodi made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$372.40 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 48. Orleans 11-026**

Ms. Rodi made a motion to award \$1,200.00 for WAGE. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 49. Orleans 11-036**

Ms. Polak made a motion to award \$1,151.63 for MEDICAL. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 50. Orleans 11-056**

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

**V. ITEMS FOR FULL DISCUSSION**

unanimously.

**F 51. Orleans 11-060**

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

**F 52. St. Charles 10-060**

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

**F 53. St. Charles 11-011**

Ms. Maggio made a motion to award \$4,333.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 54. St. Charles 11-026**

Mr. DiBenedetto made a motion to award \$280.80 for WAGE, \$5,493.60 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Maggio seconded the motion and the motion passed unanimously.

**F 55. St. Charles 11-063**

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

**F 56. St. Charles 11-064**

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

**F 57. St. Landry 11-001**

Ms. Fanara made a motion to award \$10,000.00 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 58. St. Martin 11-011**

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

**F 59. St. Tammany 07-008**

Ms. Stapleton made a motion to award \$390.00 for MENTAL HEALTH. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 60. Terrebonne 08-009**

Ms. Polak made a motion to award \$3,505.18 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 61. Vernon 11-001**

Ms. Maggio made a motion to defer ruling awaiting Claim Form for Medical, Mental Health and Funeral Expenses and supplemental report police report. Ms. Polak seconded the motion and the motion passed unanimously.

## VI. LATE ADDITIONS

### L 1. Beauregard 11-008

Ms. Polak made a motion to award \$3,381.91 for MEDICAL. Ms. Fanara seconded the motion and the motion passed 5 to 1 with 1 abstention.

### L 2. Caddo 11-035

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

### L 3. Jefferson 11-027

Mr. DiBenedetto made a motion to award \$400.00 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously.

### L 4. Jefferson 11-028

Ms. Polak made a motion to waive the 72-hour reporting period and to award \$1,273.92 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

## V. ITEMS FOR FULL DISCUSSION

### L 5. Lafourche 10-017

Ms. Maggio made a motion to award \$150.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

## VI. LATE ADDITIONS

### L 6. Lafourche 10-113

Ms. Polak made a motion to award \$2,287.50 for MENTAL HEALTH, \$348.48 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

### L 7. Lafourche 11-081

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

### L 8. Lafourche 11-082

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

### L 9. Lafourche 11-083

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

### L 10. Orleans 11-084

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

### L 11. Orleans 11-096

Ms. Fanara made a motion to award \$322.58 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Maggio seconded the motion and the motion passed unanimously.

**VI. LATE ADDITIONS**

**L 12. Orleans 11-400**

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

**L 13. St. Charles 11-043**

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

**L 14. St. Charles 11-057**

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

**L 15. St. Tammany 10-003**

Ms. Fanara made a motion to defer claims awaiting treatment plan as of 4/21/11. Ms. Maggio seconded the motion and the motion passed unanimously.

**L 16. Vermilion 11-006**

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

**L 17. Caddo 11-040**

Mr. DiBenedetto made a motion to award \$3,532.93 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

## **VII. OTHER BUSINESS**

Mr. Dibenedetto made a motion to adjourn the meeting. Ms. Maggio seconded the motion. Mr. Davis adjourned the meeting at 11:27 a.m.