

M I N U T E S

MEETING DATE: December 9, 2008

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: Ms. Carolyn Stapleton

STAFF PRESENT: Robert Wertz, Linda Gautier, Carla Domingue

GUESTS PRESENT: Cpt. Mechelle Delahoussaye

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

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

III. APPEALS

A 1. Calcasieu 08-065

Ms. Polak made a motion to uphold the appeal, reverse the Board's previous decision, and award \$2,575.73 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

A 2. Orleans 08-065

Mr. DiBenedetto made a motion to uphold the appeal, reverse the Board's previous decision, and award \$4,500.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

A 3. St. Martin 08-013

Mr. DiBenedetto made a motion to uphold the appeal, reverse the Board's previous decision, and award \$429.23 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Jones seconded the motion and the motion passed unanimously.

IV. EMERGENCY CONFIRM/DENY

Ms. Polak 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. Beauregard 08-009

Ms. Adcock made a motion to award \$3,181.25 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 2. Bossier 08-022

Ms. Adcock made a motion to award \$160.00 for WAGE, \$25.89 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 3. Caddo 06-054

Ms. Adcock made a motion to award \$265.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

F 4. Caddo 08-058

Ms. Adcock made a motion to award \$4,849.99 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for contribution. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 5. Caddo 08-066

Ms. Adcock made a motion to award \$125.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously.

F 6. Caddo 08-069

Ms. Adcock made a motion to award \$3,234.70 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 7. Calcasieu 08-019

Ms. Polak made a motion to award \$521.71 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 8. Calcasieu 08-029

Ms. Polak made a motion to award \$22.10 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 9. Calcasieu 08-060

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

F 10. Calcasieu 08-063

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

F 11. Calcasieu 08-064

Ms. Polak made a motion to award \$280.00 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 12. Calcasieu 08-067

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

F 13. Claiborne 08-009

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

F 14. Claiborne 08-010

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

F 15. Concordia 08-013

Ms. Polak made a motion to award \$465.00 for MENTAL HEALTH, \$146.02 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

F 16. Concordia 08-017

Ms. Fanara made a motion to award \$4,500.00 for FUNERAL, \$5,500.00 for SUPPORT. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 17. East Baton Rouge 08-037

Mr. DiBenedetto made a motion to award \$3,823.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 18. East Baton Rouge 08-053

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

F 19. East Baton Rouge 08-056

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

V. ITEMS FOR FULL DISCUSSION

F 20. East Baton Rouge 08-058

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

F 21. East Baton Rouge 08-068

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(4)(a) (career criminal). Mr. Jones seconded the motion and the motion passed unanimously.

F 22. Franklin 08-002

Mr. DiBenedetto made a motion to award \$4,201.64 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 23. Iberia 08-052

Ms. Polak made a motion to award \$965.65 for MEDICAL. The claim amounts were reduced by 50 % for contribution. Mr. DiBenedetto seconded the motion and the motion passed 8 to 1 with no abstentions.

F 24. Iberia 08-053

Ms. Fanara made a motion to award \$442.08 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 25. Iberville 08-005

Ms. Polak made a motion to award \$294.15 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Jones seconded the motion and the motion passed unanimously.

F 26. Jefferson 08-015

Mr. Jones made a motion to award \$9,500.00 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

F 27. Jefferson 08-020

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

F 28. Lafourche 08-007

Ms. Polak made a motion to award \$177.58 for AMBULANCE TRANSPORT (MEDICAL). Mr. Jones seconded the motion and the motion passed unanimously.

F 29. Lafourche 08-051

Mr. Jones made a motion to award \$50.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously.

F 30. Lafourche 08-077

Ms. Polak made a motion to award \$2,282.92 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Fanara seconded the motion and the motion passed unanimously.

F 31. Lincoln 08-007

Mr. DiBenedetto 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.

V. ITEMS FOR FULL DISCUSSION

F 32. Ouachita 08-021

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

F 33. Ouachita 08-022

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

F 34. Ouachita 08-023

Ms. Fanara made a motion to award \$4,439.17 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 35. St. Landry 05-035

Ms. Polak made a motion to award \$300.00 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously.

F 36. St. Landry 08-018

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

F 37. St. Mary 08-006

Ms. Fanara made a motion to award \$2,260.30 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Williams seconded the motion and the motion passed unanimously.

F 38. St. Mary 08-008

Mr. DiBenedetto made a motion to award \$5,155.30 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Fanara seconded the motion and the motion passed unanimously.

F 39. St. Mary 08-009

Ms. Polak made a motion to defer ruling awaiting more information regarding cooperation of victim. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 40. St. Tammany 08-029

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

F 41. Tangipahoa 08-020

Mr. Jones made a motion to defer this case. Ms. Williams seconded the motion. After discussion, Mr. Jones and Ms. Williams rescinded their motions. Ms. Rodi made a motion to award \$1,559.59 for MEDICAL, \$387.40 for WAGE. Mr. Jones seconded the motion and the motion passed unanimously.

F 42. Tangipahoa 08-024

Mr. Jones made a motion to award \$4,524.99 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for contribution. Ms. Fanara seconded the motion and the motion passed unanimously.

F 43. West Baton Rouge 08-006

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim

V. ITEMS FOR FULL DISCUSSION

contribution / illegal activity). Ms. Fanara seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 1. Orleans 08-072

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

L 2. Ascension 07-005

Mr. Jones made a motion to award \$7,221.99 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

L 3. Assumption 08-005

Mr. Jones made a motion to award \$675.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 4. Caddo 08-072

Ms. Adcock made a motion to award \$4,481.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

L 5. Caddo 08-074

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

VI. LATE ADDITIONS

L 6. Calcasieu 06-038

Mr. Jones made a motion to award \$120.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

L 7. Calcasieu 08-006

Mr. Jones made a motion to award \$660.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

L 8. Calcasieu 08-034

Ms. Polak made a motion to award \$510.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

L 9. Calcasieu 08-057

Mr. Jones made a motion to award \$10,000.00 for WAGE. Mr. Garris seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 10. Concordia 07-007

Ms. Polak made a motion to award \$3,068.48 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

L 11. Concordia 08-018

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

L 12. Concordia 08-018

Ms. Fanara made a motion to award \$325.00 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

L 13. Iberia 08-059

Mr. Jones made a motion to award \$70.20 for WAGE, \$150.00 for AMBULANCE TRANSPORT (MEDICAL), \$3,939.69 for MEDICAL. The claim amounts were reduced by 50 % for contribution. Mr. Garris seconded the motion and the motion passed unanimously.

L 14. Orleans 08-106

Ms. Rodi made a motion to award \$4,424.00 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

L 15. Orleans 08-108

Mr. Jones made a motion to award \$4,398.60 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

L 16. Orleans 08-110

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 7 to 2 with no abstentions.

L 17. Ouachita 08-002

Mr. Jones made a motion to award \$103.62 for MEDICAL MILEAGE, \$692.15 for MEDICAL, \$25.00 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for contribution. Ms. Williams seconded the motion and the motion passed 8 to 1 with no abstentions.

L 18. St. John The Baptist 08-007

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

L 19. St. John The Baptist 08-008

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B(4)(c) (no auto insurance). Mr. Jones seconded the motion and the motion passed unanimously.

L 20. St. John The Baptist 08-009

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

L 21. St. John The Baptist 08-011

Ms. Williams made a motion to deny under authority of LAC22: XIII.301(A)(1)(a)i

VI. LATE ADDITIONS

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

L 22. St. Mary 07-006

Ms. Polak made a motion to award \$180.00 for FUNERAL, \$479.76 for MEDICAL, \$66.00 for MEDICAL MILEAGE. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

L 23. St. Tammany 08-018

Ms. Fanara made a motion to award \$40.00 for MEDICAL, \$310.00 for MENTAL HEALTH, \$599.04 for MEDICAL MILEAGE. Ms. Polak seconded the motion and the motion passed unanimously.

L 24. Tangipahoa 08-026

Ms. Polak made a motion to award \$4,209.99 for MEDICAL, \$222.74 for AMBULANCE TRANSPORT (MEDICAL). Mr. Garris seconded the motion and the motion passed unanimously.

L 25. Terrebonne 08-009

Mr. Garris made a motion to award \$2,117.70 for MEDICAL, \$600.00 for AMBULANCE TRANSPORT (MEDICAL) and to raise the eligibility of this case to \$25,000 due to total and permanent disability. Ms. Polak seconded the motion and the motion passed unanimously.

L 26. Webster 08-004

Ms. Adcock made a motion to award \$3,344.43 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

L 27. East Baton Rouge 08-052

Ms. Fanara made a motion to award \$4,800.00 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

VII. OTHER BUSINESS

Mr. Garris made a motion to adjourn the meeting. Mr. Jones seconded the motion. Mr. Davis adjourned the meeting at 11:00 a.m.