

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

**MEETING DATE:** June 12, 2012

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

**MEMBERS ABSENT:** Mr. Kenneth Jones, Mr. Jimmy Pohlmann, Ms. Sharon Rodi,

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

**GUESTS PRESENT:** Tiffany Veal, Ken Wolkart, Stephanie Minto, Erich Duchmann, Latina Jolivett, Tracie Savala, Katherine Green

## **I. CALL TO ORDER**

The June 12, 2012 monthly Crime Victims Reparations Board meeting was called to order at 9:10 a.m. by Mr. Lamarr 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

NONE

### IV. EMERGENCY CONFIRM/DENY

Ms. Stapleton 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. Acadia 07-003

Mr. DiBenedetto made a motion to defer claims awaiting letter from Drs. McNally and Lopez verifying that the painkillers and antibiotics are still being p. Ms. Adcock seconded the motion and the motion passed unanimously.

#### F 2. Assumption 12-002

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

#### F 3. Bossier 09-038

Ms. Stapleton made a motion to award \$615.00 for MENTAL HEALTH, \$81.60 for MEDICAL MILEAGE and to close the mental health portion of the case. Ms. Fanara seconded the motion and the motion passed 7 to 1 with no abstentions.

#### F 4. Calcasieu 10-041

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

#### F 5. Calcasieu 10-042

Ms. Williams made a motion to defer claims awaiting mental health treatment plan update as of 1/26/11. Ms. Polak seconded the motion and the motion passed unanimously.

#### F 6. Calcasieu 11-064

Ms. Polak made a motion to award \$75.00 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 05/07/12.

#### F 6. Calcasieu 11-064

Ms. Polak made a motion to award \$75.00 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 05/07/12.

#### F 7. Calcasieu 11-071

Mr. DiBenedetto made a motion to award \$30.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously. The Board also requested a mental health Initial Treatment Plan from the mental health provider.

#### F 8. Calcasieu 12-006

Mr. DiBenedetto made a motion to defer ruling awaiting supplemental report from law enforcement. Ms. Polak seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 9. Calcasieu 12-018**

Ms. Polak made a motion to award \$196.40 for AMBULANCE TRANSPORT (MEDICAL). Ms. Williams seconded the motion and the motion passed unanimously.

**F 10. Calcasieu 12-021**

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 11. Calcasieu 12-028**

Ms. Polak made a motion to award \$10,000.00 for MEDICAL. Ms. Maggio seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**F 12. Calcasieu 12-036**

Ms. Polak made a motion to award \$463.50 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 13. East Baton Rouge 10-088**

Ms. Stapleton made a motion to award \$91.50 for MENTAL HEALTH but to defer medical expenses until a letter is received from the claimant's physician verifying that the submitted prescription medication is related to the crime. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The Board also deferred the request for mileage reimbursement until the mileage charges could be verified.

**F 14. East Baton Rouge 11-037**

Ms. Stapleton made a motion to award \$641.00 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 15. East Baton Rouge 11-083**

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

**F 16. East Baton Rouge 12-006**

Ms. Stapleton made a motion to award \$5,450.43 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 17. East Baton Rouge 12-007**

Ms. Stapleton made a motion to award \$3,892.75 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 18. East Baton Rouge 12-013**

Ms. Stapleton 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 12-024**

Ms. Williams made a motion to award \$10,000.00 for CATASTROPHIC PROPERTY. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 20. East Feliciana 11-007**

Ms. Maggio 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.

**F 21. Iberia 11-028**

Ms. Maggio made a motion to award \$2,113.70 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously.

**F 22. Lafayette 12-003**

Ms. Polak made a motion to award \$552.86 for MEDICAL. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 23. Lafourche 10-094**

Mr. DiBenedetto made a motion to award \$33.81 for MEDICAL, \$139.69 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for contribution. Ms. Fanara seconded the motion and the motion passed 6 to 2 with no abstentions.

**F 24. Lafourche 10-173**

Ms. Fanara made a motion to award \$600.00 for AMBULANCE TRANSPORT (MEDICAL), \$2,891.90 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

**F 25. Lafourche 11-014**

Ms. Polak made a motion to defer claims awaiting mental health treatment update for 9/29/11. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 26. Lafourche 11-058**

Ms. Polak made a motion to defer claims awaiting mental health treatment update for 12/30/11. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 27. Lafourche 11-093**

Ms. Polak made a motion to award \$1,878.72 for MEDICAL, \$150.96 for MEDICAL MILEAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 28. Lafourche 11-111**

Mr. DiBenedetto made a motion to award \$5,000.00 for MEDICAL. The claim amounts were reduced by 50 % for contribution. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 29. Lafourche 12-019**

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

**F 30. Lafourche 12-020**

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

**F 31. Lafourche 12-021**

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

**V. ITEMS FOR FULL DISCUSSION**

**F 32. Lafourche 12-028**

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

**F 33. Lafourche 12-029**

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

**F 34. Lafourche 12-039**

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

**F 35. Lafourche 12-041**

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

**F 36. Orleans 10-090**

Ms. Maggio made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$3,993.73 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 37. Orleans 11-008**

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 38. Orleans 11-026**

Ms. Polak made a motion to award \$558.42 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

**F 39. Orleans 11-147**

Ms. Maggio made a motion to award \$5,592.22 for MEDICAL, \$400.00 for WAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 40. Orleans 11-157**

Mr. DiBenedetto made a motion to award \$4,496.80 for MEDICAL. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 41. Orleans 11-165**

Ms. Williams made a motion to defer claims awaiting supplemental report from law enforcement. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 42. Orleans 11-166**

Ms. Adcock made a motion to defer ruling awaiting supplemental report from law enforcement. Ms. Polak seconded the motion and the motion passed unanimously.

**F 43. Orleans 11-178**

Ms. Williams made a motion to defer claims awaiting itemized invoice from funeral home. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 44. Orleans 11-181**

Ms. Polak made a motion to award \$4,476.25 for FUNERAL. Ms. Maggio seconded the

**V. ITEMS FOR FULL DISCUSSION**

motion and the motion passed unanimously.

**F 45. Orleans 11-185**

Ms. Polak made a motion to defer ruling awaiting supplemental report from law enforcement and criminal history information. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 46. Orleans 11-187**

Ms. Williams made a motion to defer ruling awaiting supplemental report from law enforcement. Ms. Maggio seconded the motion and the motion passed unanimously.

**F 47. Orleans 11-189**

Ms. Stapleton made a motion to defer ruling awaiting supplemental report. Ms. Williams seconded the motion and the motion passed unanimously.

**F 48. Orleans 12-016**

Mr. DiBenedetto made a motion to award \$1,348.25 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

**F 49. Orleans 12-017**

Ms. Williams 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 50. Orleans 12-025**

Ms. Polak made a motion to defer claims awaiting supplemental report from law enforcement. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 51. Orleans 12-026**

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

**F 52. Orleans 12-031**

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

**F 53. Orleans 12-034**

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

**F 54. Orleans 12-037**

Ms. Williams made a motion to defer ruling awaiting supplemental report from law enforcement. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 55. Orleans 12-038**

Mr. DiBenedetto 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.

**V. ITEMS FOR FULL DISCUSSION**

**F 56. Orleans 12-042**

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

**F 57. Orleans 12-044**

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

**F 58. Orleans 12-050**

Ms. Polak made a motion to award \$5,000.00 for FUNERAL. Ms. Maggio seconded the motion and the motion passed 5 to 1 with 2 abstentions.

**F 59. Orleans 12-052**

Ms. Polak made a motion to award \$136.80 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 60. Orleans 12-054**

Ms. Polak made a motion to approve eligibility but to defer payment of the claim awaiting a completed Claim Form for Medical, Mental Health and Funeral Expenses. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 61. Orleans 12-058**

Ms. Fanara 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 0 with 1 abstention.

**F 62. Ouachita 12-001**

Mr. DiBenedetto made a motion to award \$2,011.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

**F 63. Rapides 11-004**

Ms. Polak made a motion to award \$597.44 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 64. Sabine 12-001**

Ms. Williams 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 65. St. Charles 11-044**

Ms. Polak made a motion to defer claims awaiting amount of insurance payments or denial letter from insurance. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 66. St. Landry 11-004**

Ms. Williams made a motion to defer claims awaiting completed Claim Form for Medical, Mental Health and Funeral Expenses. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 67. St. Martin 11-004**

Ms. Polak made a motion to award \$175.00 for MEDICAL. Ms. Williams seconded the

## V. ITEMS FOR FULL DISCUSSION

motion and the motion passed unanimously.

### F 68. Tangipahoa 10-019

Ms. Polak made a motion to award \$180.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The Board also requested that a letter be sent to the mental health provider to make them aware that the victim/patient is nearing her mental health maximum.

### F 69. Tangipahoa 12-003

Ms. Williams 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 70. Vermilion 12-004

Ms. Polak made a motion to award \$285.95 for WAGE payable as an emergency award. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

### F 71. Vernon 11-003

Ms. Polak made a motion to award \$373.00 for FUNERAL. Ms. Fanara seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

## VI. LATE ADDITIONS

### L 1. Bossier 12-009

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

### L 2. Caddo 11-045

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

## V. ITEMS FOR FULL DISCUSSION

### L 3. Caddo 12-002

Ms. Adcock made a motion to award \$1,325.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 04/18/12.

## VI. LATE ADDITIONS

### L 4. Calcasieu 11-065

Ms. Polak made a motion to award \$9,700.00 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Maggio seconded the motion and the motion passed unanimously.

## V. ITEMS FOR FULL DISCUSSION

### L 5. Calcasieu 11-078

Mr. DiBenedetto made a motion to award \$336.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to

## V. ITEMS FOR FULL DISCUSSION

mark the case as "closed".

## VI. LATE ADDITIONS

### L 6. Calcasieu 11-092

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.

### L 7. Calcasieu 12-003

Ms. Polak made a motion to award \$2,790.00 for FUNERAL. Ms. Maggio seconded the motion and the motion passed unanimously.

### L 8. Calcasieu 12-030

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

### L 9. Calcasieu 12-038

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.

## V. ITEMS FOR FULL DISCUSSION

### L 10. East Baton Rouge 12-016

Mr. DiBenedetto made a motion to award \$4,972.80 for WAGE, \$1,653.26 for MEDICAL, \$652.08 for OTHER. Ms. Stapleton seconded the motion and the motion passed unanimously.

### L 11. East Carroll 12-001

Ms. Stapleton made a motion to approve eligibility but to defer reimbursement of the funeral claim pending receipt of an itemized invoice from the funeral home. Ms. Adcock seconded the motion and the motion passed unanimously.

### L 12. Iberia 12-003

Ms. Maggio made a motion to deny under authority of R.S. 46:1809 B(3)(g) (chapter date). Ms. Williams seconded the motion and the motion passed unanimously.

### L 13. Jefferson 12-008

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

### L 14. Jefferson 12-009

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

### L 15. Lafourche 11-113

Ms. Polak made a motion to award \$3,654.80 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$3,200.00 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

## VI. LATE ADDITIONS

### L 16. Lafourche 12-043

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

## V. ITEMS FOR FULL DISCUSSION

### L 17. Orleans 11-118

Ms. Polak made a motion to award \$4,275.55 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

### L 18. Orleans 11-119

Mr. DiBenedetto made a motion to award \$4,182.32 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

### L 19. Orleans 11-188

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

### L 20. Orleans 12-002

Ms. Stapleton made a motion to defer ruling awaiting supplemental report from law enforcement. Ms. Williams seconded the motion and the motion passed unanimously.

## VI. LATE ADDITIONS

### L 21. Orleans 12-014

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

### L 22. Orleans 12-022

Ms. Williams 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.

## V. ITEMS FOR FULL DISCUSSION

### L 23. Orleans 12-027

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

## VI. LATE ADDITIONS

### L 24. Orleans 12-029

Ms. Polak made a motion to award \$3,923.89 for MEDICAL, \$232.56 for MEDICAL MILEAGE. Ms. Williams seconded the motion and the motion passed unanimously.

### L 25. Orleans 12-051

Ms. Stapleton made a motion to defer ruling awaiting supplemental report from law enforcement and a completed Claim Form for Medical, Mental Health and Funeral Expenses. Ms. Williams seconded the motion and the motion passed unanimously.

## VI. LATE ADDITIONS

### L 26. Orleans 12-053

Ms. Stapleton made a motion to deny under authority of R.S. 46:1809 B(1) (crime definition). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

### L 27. Orleans 12-057

Ms. Maggio made a motion to award \$483.10 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

## V. ITEMS FOR FULL DISCUSSION

### L 28. Rapides 12-007

Ms. Maggio made a motion to defer ruling awaiting supplemental report from law enforcement. Ms. Stapleton seconded the motion and the motion passed unanimously.

## VI. LATE ADDITIONS

### L 29. Rapides 12-009

Ms. Maggio made a motion to approve eligibility but to defer the claims awaiting information from the mental health provider regarding dates of service and procedure codes; also awaiting insurance explanation of benefits or denial letter; also need a Disability Verification Form from a physician who was seeing the victim during the time that she is claiming Lost Wage Reimbursement.. Ms. Stapleton seconded the motion and the motion passed unanimously.

### L 30. St. Charles 12-019

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

## V. ITEMS FOR FULL DISCUSSION

### L 31. St. Mary 12-004

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

## VI. LATE ADDITIONS

### L 32. St. Tammany 11-005

Ms. Polak made a motion to defer claims awaiting insurance explanation of benefits or denial letters. Ms. Stapleton seconded the motion and the motion passed unanimously.

### L 33. St. Tammany 11-006

Ms. Polak made a motion to defer claims awaiting insurance explanation of benefits or denial letters. Ms. Stapleton seconded the motion and the motion passed unanimously.

## **VII. OTHER BUSINESS**

The Board discussed setting a policy regarding claimant's death before cashing CVR check. The Board stated that if the claimant had appointed someone as their Power-of-Attorney, then that person could cash the claimant's check.

The Board also Staff to inquire about filling the vacant spots (on the Board).

Ms. Adcock made a motion to adjourn the meeting. Ms. Polak seconded the motion. Mr. Davis adjourned the meeting at 11:35 a.m.