BOBBY JINDAL
GOVERNOR

JOEY WATSON
EXECUTIVE DIRECTOR

State of Louisiana
Crime Victims Reparations Board
MINUTES

MEETING DATE: **October 13, 2015**

MEMBERS PRESENT: Ms. Nancy Adcock, Mr. Carroll DiBenedetto, Sr., Mr. Tyler Downing, Ms. Ann Polak, Ms. Sharon Rodi, Ms. Keva Sims, Ms. Amanda Tonkovich, Ms. Lucille Williams

MEMBERS ABSENT: Mr. Lamarr Davis

STAFF PRESENT: Robert Wertz, Carla Trahan, Margaret Watson

GUESTS PRESENT: Erich Duchmann, Jeddy Smith, Colleen Scherer, Chad Risey, Jane, Wood, Rikee Ruffin, Stephanie Minto, Daphne Buras, Bryn Stole

I. CALL TO ORDER

Ms. Polak called the October 13, 2015 meeting of the Crime Victims Reparations Board to order at 9:08 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

Mr. DiBenedetto made a motion to approve the minutes of the previous meeting. Mr. Downing seconded the motion and the motion passed unanimously.

III. APPEALS

A 1. Calcasieu 15-037

Ms. Adcock made a uphold its previous decision and to deny the appeal under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions). Ms. Williams seconded the motion and the motion passed unanimously.

A 1. Calcasieu 15-037

Ms. Adcock made a uphold its previous decision and to deny the appeal under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions). Ms. Williams seconded the motion and the motion passed unanimously.

A 1. Calcasieu 15-037

Ms. Adcock made a uphold its previous decision and to deny the appeal under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions). Ms. Williams seconded the motion and the motion passed unanimously.

IV. EMERGENCY CONFIRM/DENY

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

V. ITEMS FOR FULL DISCUSSION

F 1. Ascension 05-001

Ms. Rodi made a motion to award $3,158.52 for WAGE. Mr. Downing seconded the motion and the motion passed unanimously.

F 2. Ascension 15-003

Mr. Downing made a motion to award $5,000.00 for WAGE. Ms. Sims seconded the motion and the motion passed unanimously.

F 3. Bossier 14-011

Ms. Adcock made a motion to award $2,500.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 4. Caddo 14-056

Ms. Adcock made a motion to defer claims awaiting information on whether or not the victim is going to mental health counseling, whether or not the of. Ms. Rodi seconded the motion and the motion passed unanimously.

F 5. Caddo 14-057

Ms. Adcock made a motion to defer claims awaiting information on whether or not the victim is going to mental health counseling, whether or not the of. Ms. Rodi seconded the motion and the motion passed unanimously.

F 6. Caddo 14-074

Ms. Adcock made a motion to award $1,012.50 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 7. Caddo 14-076

Ms. Adcock made a motion to award $1,515.55 for WAGE, $2,572.00 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 8. Caddo 15-004

Ms. Adcock made a motion to award $262.50 for MENTAL HEALTH, $29.36 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 9. Caddo 15-006

Ms. Adcock made a motion to award $348.75 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 06/20/15.

F 9. Caddo 15-006

Ms. Adcock made a motion to award $2,500.00 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 10. Caddo 15-029

Ms. Adcock made a motion to award $300.00 for MENTAL HEALTH. Ms. Williams seconded the motion and the motion passed unanimously.

F 11. Calcasieu 08-022

Ms. Sims made a motion to award $750.00 for MENTAL HEALTH. Ms. Tonkovich seconded the motion and the motion passed unanimously. The Board also requested that the mental health provider be made aware that the mental health maximum allowable is approaching.

F 12. Calcasieu 14-048

Ms. Tonkovich made a motion to award $225.00 for MENTAL HEALTH. Ms. Sims seconded the motion and the motion passed unanimously.

F 13. Calcasieu 15-004

Mr. Downing made a motion to award $150.00 for MENTAL HEALTH. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 14. Calcasieu 15-026

Mr. DiBenedetto made a motion to defer ruling awaiting proper documentation (Disability Verification Form). Ms. Sims seconded the motion and the motion passed unanimously.

F 15. Calcasieu 15-029

Mr. DiBenedetto made a motion to take no action on this case since the emergency award paid for the dates of service submitted. Ms. Sims seconded the motion and the motion passed unanimously.

F 16. Calcasieu 15-065

Ms. Williams made a motion to defer ruling awaiting a letter from the dentist stating which charges in the estimate resulting from the victimization. Ms. Sims seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 17. Calcasieu 15-082

Mr. DiBenedetto made a motion to deny under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions) and under authority of LAC22:8.301(A)(1)(a)(iii) (victim contribution). Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 18. Claiborne 13-004

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

F 19. East Baton Rouge 10-078

Ms. Sims made a motion to award $1,497.93 for MEDICAL, $75.00 for MENTAL HEALTH. Mr. Downing seconded the motion and the motion passed unanimously.

F 20. East Baton Rouge 12-018

Mr. Downing made a motion to award $255.00 for MENTAL HEALTH. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 21. East Baton Rouge 12-089

Ms. Sims made a motion to award $85.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The Board also requested that the mental health provider be made aware that only dates of service through 12/31/15 will be considered for payment.

F 22. East Baton Rouge 14-093

Mr. DiBenedetto made a motion to award $195.20 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 23. East Baton Rouge 14-105

Ms. Sims made a motion to award $167.50 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 05/13/15.

F 24. East Baton Rouge 14-111

Ms. Sims made a motion to award $3,634.11 for WAGE, $200.00 for MEDICAL. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 25. East Baton Rouge 14-113

Ms. Sims made a motion to award $5,000.00 for FUNERAL. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 26. East Baton Rouge 14-121

Mr. Downing made a motion to award $9,500.00 for WAGE. Ms. Sims seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 27. East Baton Rouge 15-052

Ms. Sims made a motion to award $9,500.00 for WAGE. 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 28. East Baton Rouge 15-995

Ms. Sims made a motion to award $2,081.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

F 29. Iberia 15-007

Ms. Sims made a motion to award $46.62 for WAGE. Mr. Downing seconded the motion and the motion passed unanimously.

F 30. Iberville 13-004

Ms. Williams made a motion to defer claims awaiting an Initial Treatment Plan from the mental health provider. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 31. Jefferson 15-005

Ms. Rodi made a motion to award $2,435.63 for WAGE. Ms. Sims seconded the motion and the motion passed unanimously.

F 32. Jefferson 15-010

Mr. Downing made a motion to award $3,157.00 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 33. Lafayette 12-035

Mr. Downing made a motion to award $3,363.05 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 34. Lafayette 13-010

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

F 35. Lafayette 15-702

Ms. Sims made a motion to award $5,000.00 for FUNERAL. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 36. Lafourche 13-068

Ms. Williams made a motion to award $3,299.91 for MEDICAL. Mr. Downing seconded the motion and the motion passed unanimously.

F 37. Lafourche 15-016

Mr. Downing made a motion to award $177.18 for WAGE. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 38. Livingston 15-005

Mr. Downing made a motion to award $10,000.00 for WAGE. Ms. Sims seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 39. Orleans 11-073

Mr. Downing made a motion to deny the victim''s request for total and permanent disability because no documentation has been received from the victim's doctor stating specifically that the victim is Totally AND Permanently Disabled. Ms. Sims seconded the

V. ITEMS FOR FULL DISCUSSION

motion and the motion passed unanimously.

F 40. Orleans 13-061

Ms. Tonkovich made a motion to award $145.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 41. Orleans 14-070

Mr. Downing made a motion to award $1,054.30 for FUNERAL. Ms. Sims seconded the motion and the motion passed unanimously.

F 41. Orleans 14-070

Mr. Downing made a motion to award $1,009.00 for FUNERAL. Ms. Sims seconded the motion and the motion passed unanimously.

F 42. Orleans 14-157

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

F 43. Orleans 15-005

Mr. Downing made a motion to award $10,000.00 for WAGE. Ms. Sims seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 44. Orleans 15-057

Ms. Rodi made a motion to defer ruling awaiting a supplemental police report, a Lost Wages Claim Form, and all Benefit or Denial letters from Social Security. Ms. Williams seconded the motion and the motion passed unanimously.

F 45. Orleans 15-058

Ms. Tonkovich made a motion to award $1,661.86 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 46. Orleans 15-059

Ms. Tonkovich made a motion to award $9,500.00 for WAGE. Ms. Sims seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 47. Orleans 15-060

Mr. Downing made a motion to award $9,500.00 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 48. Ouachita 15-004

Ms. Adcock made a motion to approve a MEDICAL estimate for $3,750.00. Ms. Williams seconded the motion and the motion passed unanimously.

F 49. Ouachita 15-012

Ms. Adcock made a motion to deny under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 50. Plaquemines 15-002

Mr. Downing made a motion to award $120.00 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 51. St. Charles 14-004

Ms. Tonkovich made a motion to award $150.00 for MENTAL HEALTH. Mr. Downing seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 06/13/15.

F 52. St. Charles 14-053

Ms. Williams made a motion to award $525.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

F 53. St. Charles 15-041

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

F 54. St. Helena 12-002

Ms. Williams made a motion to award $6,003.50 for CATASTROPHIC PROPERTY. Ms. Rodi seconded the motion and the motion passed unanimously.

F 55. St. James 14-003

Mr. Downing made a motion to award $6,143.85 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 56. St. Mary 13-014

Ms. Tonkovich made a motion to award $4,128.85 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 57. St. Tammany 14-013

Mr. Downing made a motion to defer claims awaiting Mental Health Initial Treatment Plan from mental health provider Beverley A. Connor, MSW, LCSW, and. Ms. Sims seconded the motion and the motion passed unanimously.

F 58. St. Tammany 15-008

Ms. Williams made a motion to award $992.00 for WAGE. Ms. Tonkovich seconded the motion and the motion passed unanimously.

F 59. St. Tammany 15-011

Ms. Tonkovich made a motion to award $2,112.00 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 60. Terrebonne 15-002

Mr. DiBenedetto made a motion to award $10,000.00 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 61. Webster 15-002

Ms. Adcock made a motion to award $2,723.20 for WAGE. Mr. Downing seconded the motion and the motion passed unanimously.

VI. LATE ADDITIONS

L 1. Caddo 15-001

Ms. Williams made a motion to award $5,000.00 for FUNERAL and $119.67 for MEDICAL but to defer the EMS invoice and the hospital invoice until insurance payment/denial information is received. Ms. Rodi seconded the motion and the motion passed unanimously.

L 2. Caddo 15-002

Ms. Williams made a motion to award $5,000.00 for FUNERAL, $1,205.32 for MEDICAL. Mr. Downing seconded the motion and the motion passed unanimously.

L 3. Caddo 15-034

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

L 4. East Baton Rouge 15-047

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

L 5. Jefferson 15-003

Ms. Rodi made a motion to award $3,868.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

L 6. Vermilion 15-002

Mr. Downing made a motion to deny under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions) and under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Sims seconded the motion and the motion passed unanimously.

L 7. Washington 13-018

Mr. Downing made a motion to award $10,000.00 for CATASTROPHIC PROPERTY. Ms. Tonkovich seconded the motion and the motion passed unanimously.

L 8. East Baton Rouge 12-038

Ms. Sims made a motion to award $595.00 for MENTAL HEALTH. Mr. Downing seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

L 9. East Baton Rouge 14-008

Mr. Downing made a motion to award $180.00 for MENTAL HEALTH. Ms. Tonkovich seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 02/13/15.

VII. OTHER BUSINESS

The Board discussed the eligibility of undocumented persons and decided to conduct research before making any decisions. Mr. Wertz discussed Sexual Assault cases.

Ms. Rodi made a motion to adjourn the meeting. Mr. Downing seconded the motion. Ms. Polak adjourned the meeting at 11:28 a.m.