

M I N U T E S

MEETING DATE: August 11, 2009

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

MEMBERS ABSENT: None

STAFF PRESENT: Robert Wertz, Linda Gautier, Carla Domingue

GUESTS PRESENT: Erich Duchmann, PhD., Kent Wolkart, Brian Brocato, Mechelle Delahoussaye, Latina Jolivett, Denise Obst, Gwendolyn Jennings

I. CALL TO ORDER

Mr. Davis called the meeting to order at 9:32 a.m.

II. APPROVAL OF MINUTES OF PREVIOUS MEETING

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

III. APPEALS

NONE

IV. EMERGENCY CONFIRM/DENY

Mr. Garris 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. Beauregard 08-009

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

F 2. Bossier 08-021

Ms. Adcock made a motion to defer claims awaiting awaiting updated mental health treatment plan. Ms. Williams seconded the motion and the motion passed unanimously.

F 3. Bossier 09-022

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

F 4. Bossier 09-023

Ms. Adcock made a motion to award \$2,278.40 for WAGE contingent upon receipt of proper documentation regarding disability insurance payments or other necessary documents associated with verifying your WAGE claim. The proper documentation needed to verify these WAGES were not available; therefore, the WAGE claim could not be processed. Ms. Williams seconded the motion and the motion passed unanimously.

F 5. Bossier 09-024

Ms. Adcock made a motion to award \$290.48 for MEDICAL. Mr. Jones seconded the motion and the motion passed unanimously.

F 6. Bossier 09-025

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

F 7. Caddo 04-059

Mr. DiBenedetto made a motion to award. Estimate approved for: \$1,750.00 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 8. Caddo 05-078

Ms. Adcock made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$19.60 for MEDICAL. Mr. Jones seconded the motion and the motion passed unanimously.

F 9. Caddo 08-066

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

V. ITEMS FOR FULL DISCUSSION

F 10. Caddo 09-023

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

F 11. Caddo 09-027

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

F 12. Calcasieu 07-017

Ms. Polak made a motion to award \$153.00 for MEDICAL. Estimate approved for: \$1,001.00 for MEDICAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 13. Calcasieu 07-031

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

F 14. Calcasieu 08-009

Mr. Jones made a motion to award \$60.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously.

F 15. Calcasieu 08-022

Ms. Polak made a motion to award \$420.00 for MENTAL HEALTH and to take no action on the claimant's request for an increase in eligibility. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 16. Calcasieu 08-047

Mr. Jones made a motion to award \$75.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously.

F 17. Calcasieu 08-069

Mr. Jones made a motion to award \$60.00 for MENTAL HEALTH. Ms. Polak 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 04/15/09.

F 18. Calcasieu 08-072

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

F 19. Calcasieu 09-005

Ms. Polak made a motion to award \$435.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 03/20/09.

F 20. Calcasieu 09-017

Mr. Jones made a motion to award \$540.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 08/22/09.

V. ITEMS FOR FULL DISCUSSION

F 21. Calcasieu 09-026

Ms. Polak made a motion to award \$660.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 08/23/09.

F 22. Calcasieu 09-029

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

F 23. Calcasieu 09-031

Ms. Polak made a motion to award. Estimate approved for: \$10,000.00 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

F 24. Calcasieu 09-033

Ms. Polak made a motion to award \$160.26 for MEDICAL, \$5,701.70 for WAGE. Mr. Jones seconded the motion and the motion passed unanimously.

F 25. Calcasieu 09-034

Jim Pohlmann made a motion to award \$300.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 08/17/09.

F 26. Calcasieu 09-037

Mr. Jones made a motion to award \$300.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

F 27. Calcasieu 09-038

Mr. Jones made a motion to award \$300.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

F 28. Calcasieu 09-041

Ms. Polak made a motion to award \$360.00 for MENTAL HEALTH. Mr. Garris 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 11/07/08.

F 29. Calcasieu 09-042

Mr. Jones made a motion to award \$300.00 for MENTAL HEALTH. Ms. Rodi 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 11/08/08.

F 30. Calcasieu 09-044

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed 9 to 1 with 1 abstention.

F 31. Calcasieu 09-045

Ms. Polak made a motion to award \$6,436.46 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

F 32. Claiborne 08-008

Ms. Williams made a motion to award \$841.61 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 33. Concordia 09-008

Ms. Fanara made a motion to award \$8,898.50 for MEDICAL. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 34. Concordia 09-009

Ms. Fanara made a motion to award \$1,846.31 for MEDICAL, \$9.36 for MEDICAL MILEAGE. Mr. Jones seconded the motion and the motion passed unanimously.

F 35. East Baton Rouge 07-053

Mr. Jones made a motion to defer ruling awaiting more information regarding mental health counseling. Mr. DiBenedetto seconded the motion and the motion passed 10 to 0 with 1 abstention.

F 36. East Baton Rouge 09-004

Ms. Polak made a motion to award \$2,860.25 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. Jones seconded the motion and the motion passed 10 to 0 with 1 abstention.

F 37. East Baton Rouge 09-058

Ms. Adcock made a motion to award \$579.63 for MEDICAL. Mr. Jones seconded the motion and the motion passed 10 to 0 with 1 abstention.

F 38. East Carroll 09-002

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

F 39. Iberville 09-002

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

F 40. Lafayette 07-009

Mr. Jones made a motion to award \$187.20 for MEDICAL MILEAGE. Ms. Williams seconded the motion and the motion passed unanimously.

F 41. Lafourche 08-001

Mr. Jones made a motion to award \$525.00 for MENTAL HEALTH, \$36.40 for MEDICAL MILEAGE. Ms. Fanara seconded the motion and the motion passed unanimously.

F 42. Lafourche 08-039

Ms. Polak made a motion to award \$450.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously. Dr. Duchmann will send a treatment review to the mental health provider.

F 43. Lafourche 08-055

Mr. Jones made a motion to award \$21.84 for MEDICAL MILEAGE. Jim Pohlmann

V. ITEMS FOR FULL DISCUSSION

seconded the motion and the motion passed unanimously.

F 44. Lafourche 08-065

Ms. Polak made a motion to award \$145.60 for MEDICAL MILEAGE. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 45. Lafourche 08-067

Ms. Adcock made a motion to award \$474.45 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 46. Lafourche 08-068

Mr. Jones made a motion to award \$750.00 for MENTAL HEALTH, \$416.00 for MEDICAL MILEAGE. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 47. Lafourche 09-011

Mr. Jones made a motion to award \$5,000.00 for FUNERAL. Mr. Garris seconded the motion and the motion passed unanimously.

F 48. Lafourche 09-019

Ms. Polak made a motion to defer claims awaiting no money owed to the provider at this time. Mr. Garris seconded the motion and the motion passed unanimously.

F 49. Lafourche 09-028

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

F 50. Lafourche 09-030

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

F 51. Lafourche 09-034

Ms. Adcock made a motion to award \$166.17 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 52. Lafourche 09-035

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

F 53. Lafourche 09-036

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

F 54. Lafourche 09-037

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

F 55. Lafourche 09-039

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

V. ITEMS FOR FULL DISCUSSION

F 56. Lafourche 09-040

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

F 57. Lafourche 09-041

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

F 58. Lafourche 09-042

Ms. Polak made a motion to award \$1,755.60 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

F 59. Lafourche 09-043

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

F 60. Morehouse 07-005

Ms. Polak made a motion to award \$4,986.00 for FUNERAL. Mr. Garris seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F 61. Orleans 08-133

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 A (claimant had no losses). Mr. Garris seconded the motion and the motion passed unanimously.

F 62. Orleans 08-145

Ms. Stapleton made a motion to deny under authority of R.S. 46:1809 A (claimant had no losses). Mr. Jones seconded the motion and the motion passed unanimously.

F 63. Orleans 08-148

Ms. Polak made a motion to award \$340.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 06/18/09.

F 64. Orleans 09-031

Mr. Jones made a motion to defer claims awaiting proper documentation. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 65. Orleans 09-052

Mr. Jones made a motion to defer claims awaiting proper documentation. Ms. Stapleton seconded the motion and the motion passed unanimously.

F 66. Orleans 09-059

Mr. Jones made a motion to deny under authority of R.S. 46:1809 B (3) e (filed late). Ms. Williams seconded the motion and the motion passed unanimously.

F 67. Orleans 09-070

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.

V. ITEMS FOR FULL DISCUSSION

F 68. Orleans 09-071

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

F 69. Orleans 09-077

Mr. Jones made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Fanara seconded the motion and the motion passed unanimously.

F 70. Orleans 09-083

Mr. Jones made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Williams seconded the motion and the motion passed 10 to 1 with no abstentions.

F 71. Orleans 09-086

Mr. Jones made a motion to defer ruling awaiting supplemental police report. Mr. Garris seconded the motion and the motion passed unanimously.

F 72. Orleans 09-087

Mr. Jones made a motion to deny under authority of R.S. 46:1809 A (claimant had no losses). Ms. Stapleton seconded the motion and the motion passed unanimously.

F 73. Orleans 09-103

Mr. Jones made a motion to defer ruling awaiting supplemental police report. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 74. Orleans 09-106

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

F 75. Orleans 09-109

Ms. Polak made a motion to award \$5,000.00 for FUNERAL. Mr. Jones seconded the motion and the motion passed 10 to 1 with no abstentions.

F 76. Orleans 09-118

Mr. Jones made a motion to deny under authority of R.S. 46:1809 A (claimant had no losses). Ms. Polak seconded the motion and the motion passed 8 to 3 with no abstentions.

F 77. Orleans 09-120

Mr. Jones made a motion to deny under authority of R.S. 46:1809 B(3)(b) (failed or refused cooperation). Ms. Fanara seconded the motion and the motion passed unanimously.

F 78. Orleans 09-127

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

F 79. Orleans 09-128

Mr. Jones made a motion to award \$1,000.16 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). The claim amounts were reduced by 50 % for

V. ITEMS FOR FULL DISCUSSION

contribution. Mr. Garris seconded the motion and the motion passed 9 to 2 with no abstentions.

F 80. Orleans 09-147

Mr. Jones made a motion to award \$2,538.95 for FUNERAL. Ms. Polak seconded the motion and the motion passed 10 to 1 with no abstentions. The board agreed to waive the one year deadline for applying for reparations.

F 81. Orleans 09-149

Mr. Jones made a motion to award \$3,254.50 for FUNERAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 82. Rapides 07-017

Ms. Stapleton made a motion to award \$631.62 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F 83. Rapides 08-013

Ms. Stapleton made a motion to award \$653.40 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

F 84. Rapides 09-001

Ms. Fanara made a motion to award \$300.00 for MENTAL HEALTH, \$1,500.00 for CHILD CARE. Mr. Jones seconded the motion and the motion passed unanimously.

F 85. Rapides 09-008

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

F 86. Richland 09-003

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

F 87. St. Bernard 09-004

Jim Pohlmann made a motion to award \$646.70 for MEDICAL. Mr. Jones seconded the motion and the motion passed 10 to 0 with 1 abstention.

F 88. St. Bernard 09-007

Jim Pohlmann made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Mr. Jones seconded the motion and the motion passed 10 to 0 with 1 abstention.

F 89. St. Charles 09-006

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

F 90. St. Charles 09-009

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

V. ITEMS FOR FULL DISCUSSION

F 91. St. Landry 09-004

Mr. Jones made a motion to award \$120.00 for MENTAL HEALTH, \$520.00 for MEDICAL MILEAGE. Ms. Polak seconded the motion and the motion passed unanimously.

F 92. St. Landry 09-010

Ms. Stapleton made a motion to award \$1,523.27 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

F 93. St. Landry 09-011

Mr. Garris made a motion to defer ruling awaiting supplemental police report. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F 94. St. Landry 09-012

Ms. Rodi made a motion to award \$240.00 for MENTAL HEALTH. Mr. Jones seconded the motion and the motion passed unanimously.

F 95. St. Martin 09-010

Mr. Garris made a motion to award \$101.75 for MEDICAL, \$150.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Polak seconded the motion and the motion passed unanimously.

F 96. St. Martin 09-013

Ms. Stapleton made a motion to award \$480.00 for WAGE. Jim Pohlmann seconded the motion and the motion passed unanimously.

F 97. St. Martin 09-018

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

F 98. St. Martin 09-020

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

F 99. St. Mary 09-006

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

F100. St. Mary 09-008

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

F101. St. Tammany 07-016

Mr. Jones made a motion to award \$750.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously.

F102. St. Tammany 08-029

Ms. Rodi made a motion to award \$55.05 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F103. St. Tammany 08-032

Mr. Jones made a motion to award \$525.00 for MENTAL HEALTH. Ms. Polak seconded

V. ITEMS FOR FULL DISCUSSION

the motion and the motion passed unanimously.

F104. St. Tammany 09-005

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

F105. Tangipahoa 09-017

Ms. Polak made a motion to award \$2,012.50 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

F106. Terrebonne 03-002

Ms. Stapleton made a motion to award \$276.28 for MEDICAL. Ms. Williams seconded the motion and the motion passed unanimously.

F107. Terrebonne 09-018

Mr. DiBenedetto made a motion to award \$9,700.00 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Stapleton seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

F108. Terrebonne 09-019

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

F109. Terrebonne 09-020

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(4)(a) (career criminal). Ms. Fanara seconded the motion and the motion passed 10 to 1 with no abstentions.

F110. Vermilion 09-010

Ms. Stapleton made a motion to award \$7,156.10 for MEDICAL. Mr. Jones seconded the motion and the motion passed unanimously.

F111. Vermilion 09-015

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

VII. OTHER BUSINESS

Attorney for Ms. Laura Steele, EBAT08-052, is requesting a reduction of reimbursement to the CVR Board.