State of Louisiana
Office of the Governor
Louisiana Commission on Law Enforcement
and Administration of Criminal Justice
Crime Victims Reparations Board

JEFF LANDRY
GOVERNOR

JIM CRAFT
EXECUTIVE DIRECTOR

**LOUISIANA CRIME VICTIMS REPARATIONS PROGRAM**

**MEETING AGENDA**

**Tuesday, March 19, 2024**
**9:00 A.M.**

**602 North 5th Street – Pensacola Room**
**Baton Rouge, LA 70802**

I. Call to Order
II. Roll Call
III. Public Comments
IV. Review and Approval of February 20, 2024 Board Meeting Minutes
V. New Business
  A. New Applications
    I. Mental Health
      1. Agenda Items #35, #39, #57
    II. Emergency Awards
      1. Agenda Items #1-31
    III. Standard
      1. Agenda Items #32-34, 36-38, 40-56, 58-83
    IV. Void/Reissue
      1. Agenda Items #84-85
    V. Late Additions
      1. Agenda Items #86-88
  B. Other Business
    I. Legislative Updates
    II. Notice of Intent
VI. Date and Place of Next Meeting – April 16, 2024 at 9:00 A.M., 602 North 5th Street – Pensacola Room, Baton Rouge, LA 70802
VII. Adjourn

Please Note: The Louisiana Crime Victims Reparations Board Meeting is conducted in accordance with the Rules of Decorum adopted on October 11, 2022.

The public is invited to attend. Assistance will be provided to those who need special accommodations in order to attend the meeting. Members of the public may submit public comments on an agenda item by sending an email to Kristi.Ambacher@lcle.la.gov or calling (225) 342-9626.

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# AGENDA FOR BOARD MEETING

*for Publication*

## Tuesday, March 19, 2024

**Louisiana Commission on Law Enforcement**

**Pensacola Room**
**602 N. 5th Street**
**Baton Rouge, LA**

# 09:00 AM

**www.lcle.la.gov/cvr**

# CRIME VICTIMS REPARATIONS BOARD

**Board Agenda - Claim Number Order**



**Board Date: 03/19/2024**

Printed: 3/15/2024 8:11:00 AM

**EMERGENCY**

| Item | Parish | CVR # | Claim # |
|---|---|---|---|
| 1 | ACADIA | ACAD24-001 | 241476 |
| 2 | CADDO | CADD24-0004 | 241297 |
| 3 | CADDO | CADD24-0006 | 241510 |
| 4 | CALCASIEU | CALC23-0033 | 241608 |
| 5 | CALCASIEU | CALC23-0312 | 241590 |
| 6 | EAST BATON ROUGE | EBAT24-0017 | 241303 |
| 7 | EAST BATON ROUGE | EBAT24-0020 | 241378 |
| 8 | EAST BATON ROUGE | EBAT24-0021 | 241398 |
| 9 | EAST BATON ROUGE | EBAT24-0022 | 241392 |
| 10 | EAST BATON ROUGE | EBAT24-0023 | 241416 |
| 11 | EAST BATON ROUGE | EBAT24-0024 | 241417 |
| 12 | EAST BATON ROUGE | EBAT24-0025 | 241511 |
| 13 | EAST BATON ROUGE | EBAT24-0027 | 241549 |
| 14 | EAST BATON ROUGE | EBAT24-0028 | 241569 |
| 15 | EAST BATON ROUGE | EBAT24-0029 | 241572 |
| 16 | EAST BATON ROUGE | EBAT24-0030 | 241581 |
| 17 | EAST BATON ROUGE | EBAT24-0031 | 241596 |
| 18 | EAST BATON ROUGE | EBAT24-0032 | 241615 |
| 19 | EAST BATON ROUGE | EBAT24-0033 | 241616 |
| 20 | EAST BATON ROUGE | EBAT24-0034 | 241623 |
| 21 | IBERIA | IBER24-003 | 241550 |
| 22 | JEFFERSON | JEFF24-004 | 241513 |
| 23 | LAFAYETTE | LAFA24-0007 | 241536 |
| 24 | LIVINGSTON | LIVI24-001 | 241589 |
| 25 | ORLEANS | ORLE24-017 | 241418 |
| 26 | ORLEANS | ORLE24-031 | 241570 |
| 27 | ORLEANS | ORLE24-032 | 241606 |
| 28 | ORLEANS | ORLE24-033 | 241607 |
| 29 | ST. MARTIN | MART22-5004 | 241260 |

## EMERGENCY

| Item | Parish | CVR # | Claim # |
|---|---|---|---|
| 30 | ST. MARTIN | MART22-5004 | 241509 |
| 31 | ST. MARTIN | MART24-001 | 241537 |

EMERGENCY Claims: 31

**STANDARD**

| Item | Parish | CVR # | Claim # |
|---|---|---|---|
| 32 | ACADIA | ACAD23-002 | 241146 |
| 33 | BOSSIER | BOSS23-016 | 240899 |
| 34 | CADDO | CADD23-025 | 240515 |
| 35 | CALCASIEU | CALC21-602 | 220864 |
| 36 | CALCASIEU | CALC23-0041 | 240759 |
| 37 | CALCASIEU | CALC23-0048 | 240782 |
| 38 | CALCASIEU | CALC24-0002 | 241336 |
| 39 | EAST BATON ROUGE | EBAT20-027 | 231666 |
| 40 | EAST BATON ROUGE | EBAT23-0076 | 232071 |
| 41 | EAST BATON ROUGE | EBAT23-0078 | 232086 |
| 42 | EAST BATON ROUGE | EBAT23-0078 | 241622 |
| 43 | EAST BATON ROUGE | EBAT23-0138 | 240512 |
| 44 | EAST BATON ROUGE | EBAT23-0141 | 240631 |
| 45 | EAST BATON ROUGE | EBAT23-0152 | 241619 |
| 46 | EAST BATON ROUGE | EBAT24-0007 | 241017 |
| 47 | EAST BATON ROUGE | EBAT24-0008 | 241019 |
| 48 | EAST BATON ROUGE | EBAT24-0022 | 241392 |
| 49 | EAST BATON ROUGE | EBAT24-0023 | 241416 |
| 50 | EAST BATON ROUGE | EBAT24-0026 | 241614 |
| 51 | IBERIA | IBER23-014 | 241598 |
| 52 | IBERIA | IBER23-021 | 241597 |
| 53 | LAFAYETTE | LAFA24-0002 | 241114 |
| 54 | LAFAYETTE | LAFA24-0003 | 241173 |
| 55 | ORLEANS | ORLE22-018 | 241533 |
| 56 | ORLEANS | ORLE23-0300 | 241407 |
| 57 | ORLEANS | ORLE23-0600 | 241246 |
| 58 | ORLEANS | ORLE23-100 | 232031 |
| 59 | ORLEANS | ORLE23-102 | 232035 |
| 60 | ORLEANS | ORLE23-104 | 232037 |

**STANDARD**

| Item | Parish | CVR # | Claim # |
|---|---|---|---|
| 61 | ORLEANS | ORLE23-1354 | 241446 |
| 62 | ORLEANS | ORLE23-222 | 232757 |
| 63 | ORLEANS | ORLE23-261 | 240065 |
| 64 | ORLEANS | ORLE23-299 | 241406 |
| 65 | ORLEANS | ORLE23-615 | 241405 |
| 66 | ORLEANS | ORLE24-012 | 241483 |
| 67 | ORLEANS | ORLE24-014 | 241484 |
| 68 | ORLEANS | ORLE24-015 | 241482 |
| 69 | ORLEANS | ORLE24-018 | 241481 |
| 70 | ORLEANS | ORLE24-019 | 241485 |
| 71 | ORLEANS | ORLE24-020 | 241486 |
| 72 | ORLEANS | ORLE24-021 | 241478 |
| 73 | ORLEANS | ORLE24-022 | 241479 |
| 74 | ORLEANS | ORLE24-023 | 241480 |
| 75 | ORLEANS | ORLE24-025 | 241492 |
| 76 | ORLEANS | ORLE24-026 | 241487 |
| 77 | ORLEANS | ORLE24-027 | 241489 |
| 78 | ORLEANS | ORLE24-3032 | 241493 |
| 79 | POINTE COUPEE | POIN23-002 | 240341 |
| 80 | ST. CHARLES | CHAR24-0003 | 241169 |
| 81 | ST. TAMMANY | TAMM24-003 | 241490 |
| 82 | TERREBONNE | TERR24-001 | 241380 |
| 83 | TERREBONNE | TERR24-001 | 241397 |

STANDARD Claims: 52

## VOID/REISSUE

| Item | Parish | CVR # | Claim # |
|---|---|---|---|
| 84 | ORLEANS | ORLE22-192 | 232481 |
| 85 | VERNON | VERN23-0002 | 240974 |

VOID/REISSUE Claims: 2

# CRIME VICTIMS REPARATIONS BOARD

**Board Agenda - Claim Number Order**

**Board Date: 03/19/2024**


Printed: 3/15/2024 8:11:00 AM

**LATE ADDITION**

| Item | Parish | CVR # | Claim # |
|---|---|---|---|
| 86 | EAST BATON ROUGE | EBAT23-0148 | 240761 |
| 87 | ORLEANS | ORLE23-1367 | 241694 |
| 88 | ORLEANS | ORLE24-034 | 241662 |

LATE ADDITION Claims: 3

Total Claims: 88

NOTICE OF INTENT

Office of the Governor
Crime Victims Reparations Board

Compensation to Victims (LAC 22:XIII. 301)

In accordance with the provisions of R.S. 49:950 et seq., which is the Administrative Procedure Act, and R.S. 46:1801 et seq., which is the Crime Victims Reparations Act, the Crime Victims Reparations Board hereby gives notice of its intent to promulgate rules and regulations regarding the awarding of compensation to applicants. There will be no impact on family earnings or the family budget as set forth in R.S. 49:972.

**Title 22**
**CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT**
**Part XIII. Crime Victims Reparations Board**

**Chapter 1. Authority and Definitions**

**§ 103. Definitions**

**A. – g.**

Dependent -- . . .

*Heathcare facility* --means a facility or institution providing healthcare services, including but not limited to a hospital or other licensed inpatient center; ambulatory surgical or treatment center; skilled nursing facility; inpatient hospice facility; residential treatment center; diagnostic, laboratory, or imaging center; or rehabilitation or other therapeutic health setting.

*Healthcare provider* -- means a physician or other healthcare practitioner licensed, certified, registered, or otherwise authorized to perform specified healthcare services consistent with state law.

A. – *Healthcare Services* . . .

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1801 et seq.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Crime Victims Reparations Board, LR 20:538 (May 1994), amended LR 22:709 (August 1996), LR 23:861 (July 1997), LR 24:327 (February 1998), LR 37:1605 (June 2011), LR 42:569 (April 2016), LR

**Chapter 3 Eligibility and Application Process**

**§ 301. Eligibility**

A. – 2.b. Insurance

i. The victim/claimant must process any potential insurance before applying for reimbursement of mental health claims, ~~except for victims of sexually oriented criminal offenses.~~

ii. ~~For claims that pertain to victims of sexually oriented criminal offenses, the victim has the discretion to choose whether or not to file for private insurance or Medicaid coverage~~.

3.a. – g.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1801 et seq.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Crime Victims Reparations Board, LR 20:538 (May 1994), amended LR 22:709 (August 1996), LR 31:2009 (August 2005), LR 35:65 (January 2009), LR 36:2278 (October 2010), LR 37:1605 (June 2011), LR 41:1487 (August 2015), amended LR 44:2143 (December 2018), LR 47:364 (March 2021), LR 49:922 (May 2023), LR

## § 303. Application Process

A. Claimant Responsibility

1. – 2a. . . .

A.b. (Repealed) ~~b. Victims of sexual assault may assign their right to collect medical expenses associated with the sexual assault to a hospital/health care facility. The hospital/health care facility may then apply for reparations.~~

A.c. – 4.

5. All invoices, bills, etc. must indicate the victim/claimant as the guarantor and indicate balances owed. ~~Except for victims of a sexually-oriented criminal offense. Victims of a sexually-oriented criminal offense cannot be billed for costs associated with a forensic medical exam.~~ For claims that pertain to victims of sexually oriented criminal offenses, the victim has the discretion to choose whether or not to file for private insurance or Medicaid coverage.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1801 et seq.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Commission on Law Enforcement and Administration of Criminal Justice, Crime Victims Reparations Board, LR 20:539 (May 1994), amended LR 22:710 (August 1996), amended by the Office of the Governor, Crime Victims Reparations Board, LR 41:1668 (September 2015), LR 42:570 (April 2016), LR 42:743 (May 2016), LR 49:922 (May 2023), LR

# Chapter 5. Awards

## § 501. Payments of Awards

A. – C. Claimant Responsibility

D. (Repealed) ~~All checks to providers when paid at less than the full balance owing are marked "paid in full."~~

E. – F.4.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1801 et seq.
HISTORICAL NOTE: Promulgated by the Office of the Governor, Commission on Law Enforcement and Administration of Criminal Justice, Crime Victims Reparations Board, LR 20:539 (May 1994), repromulgated LR 22:710 (August 1996), amended LR 24:328 (February 1998), LR

* * *

## §503. Limits on Awards

A. – D. 8.f.

g. Nurse practitioner or physician assistant (under supervision of licensed physician)

D. 9.8. – G.5.

G. 6. Rates for Reimbursement

a. ~~Only~~ Physicians, psychiatrists, state-certified or state-licensed psychologists,

licensed professional counselors, and board-certified social workers are eligible for reimbursement. In addition, a provisionally licensed mental health provider, who is under the supervision of a licensed mental health provider, is eligible for reimbursement. The session notes submitted to the board for review must be signed by the supervising mental health provider.

6.b. – i – ii . . .

G.6.b.— iii_____… All in-patient mental health service charges are reimbursed at the same session rate as out-patient mental health services, that is:

(a) Doctoral Level Providers (e.g. M.D. PhD., PsyD.), $ 110/~~hr~~/session).

(b) Master's Level Providers (e.g., L.P.C., L.C.S.W., L.M.F.T., P.L.P.C, P.L.C.S.W, P.L.M.F.T., D.S.W. ) $ 90/~~hr~~/session.

(c) Group Therapy rates ( 90 minutes)($ 50/~~hr~~/ session).

6.c. – H. . . .

I. – 1.6.b. The rates for reimbursement shall be the same as authorized in §503. Limits on Awards G.6.b.

~~i. doctoral level providers (e.g. M.D., PhD. PsyD) $ 110/hr/session)~~ . . .

~~ii. Master's Level Providers (e.g., L.P.C., L.C.S.W., L.M.F.T.) $ 90/hr session~~.

~~iii. Group Therapy rates: ( 90 minutes)($ 50/hr session).~~

7. – 8. . . .

J. – N.4. . . .

O. Crime Scene Cleanup

1. – . . .

2. Expenses submitted for cleaning the residential crime scene ~~cleanup~~ of the victim may not exceed $ 2500.00.

3. – . . .

4. Expenses for crime scene cleanup cannot be used for:

a. ~~property~~ repair of property damaged in the crime

b – c. . . .

P. Loss of Support for Victim in Sexual Crimes

1. – 3. ...

Q. Payment for relocation expenses is for those claimants who must ~~have to~~ relocate from their residence as a result of the crime for reasons of imminent danger, personal safety, or threat of injury.

1. "Threat of injury" is :

a. Where a victim/claimant is directly threatened and there is a reasonable probability that physical and/or emotional injury would result if the threat were carried out, and/or

b. A victim was within sight and range of proximity of a person brandishing a weapon or other dangerous instrument and who felt reasonably threatened for their own safety.

2. Reimbursement for relocation expenses is limited up to $ 5,000 per household of the claimant.

3. A police/incident report must be submitted with the application to verify the basis for relocation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 46:1801 et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Crime Victims Reparations Board, LR 20:539 (May 1994), amended LR 22:710 (August 1996), LR 24:328 (February 1998), LR 25:26 (January 1999), LR 26:1019 (May 2000), LR

29:577 (April 2003), LR 31:1330 (June 2005), LR 32:242 (February 2006), LR 35:65 (January 2009), LR:37:1605 (June 2011), LR 39:1042 (April 2013), LR 41:1668 (September 2015), LR 42:570 (April 2016), LR 42:743 (May 2016), LR 44:270 (February 2018), LR 48:40 (January 2022), LR: 49:922(May 2023), LR:

**Family Impact Statement**

In compliance with Act 1183 of the 1999 Regular Session of the Louisiana Legislature, the impact of this proposed rule has been considered. This proposed rule will have no impact on family functioning, stability, or autonomy as described in R.S. 49:972 since it only clarifies the procedures for applying for reparations.

**Poverty Impact Statement**

The proposed Rule should not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973.B. In particular, there should be no known or foreseeable effect on: (1) the effect on household income, assets, and financial security; (2) the effect on early childhood development and preschool through post-secondary education development; (3) the effect on employment and workforce development; (4) the effect on taxes and tax credits; (5) the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

**Small Business Analysis**

In compliance with Act 820 of the 2008 Regular Session of the Louisiana Legislature, the economic impact of this proposed Rule on small businesses has been considered. It is anticipated that this proposed Rule will have no impact on small businesses, as described in R.S. 49:978.1 et seq.

**Provider Impact Statement**

The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on: (1) the effect of the staffing level requirement or qualifications required to provide the same level of service; (2) the total direct and indirect effect on the cost to the providers to provide the same level of service; or (3) the overall effect on the ability of the provider to provide the same level of service.

**Public Comments**

Interested persons may submit written comments on this proposed rule no later than May 20th, 2024, at 5 p.m. to Bob Wertz, Louisiana Commission on Law Enforcement, P.O. Box 3133, Baton Rouge, LA 70821.

Judy Dupuy
Chair