



# State of Louisiana Crime Victims Reparations Board MINUTES

**MEETING DATE:** December 9, 2014

**MEMBERS PRESENT:** Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Mr. Tyler Downing, Ms. Ann Polak. Ms. Lucille Williams and Ms. Sharon Rodi participated through teleconference.

**MEMBERS ABSENT:** Ms. Nancy Adcock, Ms. Mary L. Fanara, Ms. Sharon Rodi, Ms. Lucille Williams,

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

**GUESTS PRESENT:** Erich Duchmann, Jeddie Smith, Kent Wolkart, Stephanie Minto-Gibson, Alice Davis

## **I. CALL TO ORDER**

Mr. Davis called the monthly meeting of the Crime Victims Reparations Board for the date of December 9, 2014 to order at 9:10 a.m.

## **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

#### A 1. Jefferson 14-028

Mr. DiBenedetto made a motion to deny your appeal under authority of LAC22:8.301(A)(1)(a)(ii) (felony convictions). Mr. Downing 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. Bossier 14-009

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

#### F 2. Caddo 12-054

Ms. Polak made a motion to award \$9,087.53 for WAGE. Ms. Williams seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

#### F 3. Caddo 14-030

Ms. Polak made a motion to award \$5,000.00 for SUPPORT. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

#### F 4. Caddo 14-031

Ms. Polak made a motion to award \$2,200.00 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

#### F 4. Caddo 14-031

Ms. Polak made a motion to award \$1,146.00 for FUNERAL. Ms. Williams seconded the motion and the motion passed unanimously.

#### F 5. Caddo 14-063

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

#### F 6. Caddo 14-064

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

#### F 7. Caddo 14-065

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

#### F 8. Caddo 14-066

Ms. Polak made a motion to approve the eligibility of this claimant. Ms. Rodi seconded the motion and the motion passed unanimously. The Board also requested that the entire case be resubmitted with any future claims.

**V. ITEMS FOR FULL DISCUSSION**

**F 9. East Baton Rouge 13-040**

Mr. DiBenedetto made a motion to award \$360.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously. The Board also requested staff to remind the mental health provider, by way of a copy of the award letter, about the one-year submission guideline (from the date of service to filing a claim with CVR).

**F 10. East Baton Rouge 14-123**

Mr. DiBenedetto made a motion to award \$375.00 for MENTAL HEALTH. Ms. Polak seconded the motion and the motion passed unanimously. The Board also requested staff to remind the mental health provider, by way of a copy of the award letter, about the one-year submission guideline (from the date of service to filing a claim with CVR).

**F 11. Iberia 14-017**

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

**F 12. Jefferson 14-021**

Ms. Polak made a motion to defer ruling awaiting correct medical claim documentation. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 13. Jefferson 14-031**

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

**F 14. Lafayette 14-026**

Ms. Polak made a motion to award \$4,176.46 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the motion and the motion passed unanimously.

**F 15. Lafourche 14-024**

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

**F 16. Lafourche 14-036**

Ms. Polak made a motion to defer ruling awaiting information from law enforcement relating to criminal charges of the suspect. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 17. Lafourche 14-047**

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

**F 18. Lafourche 14-048**

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

**F 19. Lafourche 14-049**

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

**V. ITEMS FOR FULL DISCUSSION**

**F 20. Livingston 14-009**

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

**F 21. Orleans 14-021**

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

**F 22. Orleans 14-046**

Ms. Rodi made a motion to award \$2,916.00 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 23. Orleans 14-057**

Ms. Rodi made a motion to award \$170.00 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 24. Orleans 14-062**

Ms. Rodi made a motion to award \$979.33 for WAGE, \$660.00 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 01/09/15.

**F 25. Orleans 14-101**

Ms. Rodi made a motion to award \$28.64 for MEDICAL. Ms. Polak seconded the motion and the motion passed unanimously.

**F 26. Orleans 14-112**

Ms. Polak made a motion to award \$100.00 for MEDICAL. Mr. Downing seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**F 27. Orleans 14-113**

Ms. Polak 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.

**F 28. St. Charles 14-046**

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

**F 29. St. Charles 14-047**

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

**F 30. St. Charles 14-048**

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

**F 31. St. Martin 14-008**

Mr. Downing 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 32. St. Tammany 14-001**

Mr. DiBenedetto made a motion to award \$5,000.00 for WAGE. Ms. Polak seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**F 33. Terrebonne 14-009**

Ms. Polak made a motion to award \$3,750.00 for SUPPORT - SA. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**VI. LATE ADDITIONS**

**L 1. Beauregard 14-005**

Ms. Polak made a motion to award \$3,392.95 for FUNERAL. Mr. Downing seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

**L 2. Beauregard 14-007**

Ms. Polak made a motion to award \$5,000.00 for FUNERAL. Mr. Downing seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

**L 3. Beauregard 14-006**

Ms. Polak made a motion to award \$2,792.12 for FUNERAL. Mr. Downing seconded the motion and the motion passed unanimously.

**L 4. Caddo 14-001**

Ms. Polak made a motion to award \$82.50 for MEDICAL, \$100.00 for AMBULANCE TRANSPORT (MEDICAL), \$786.24 for WAGE, \$306.00 for OTHER. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**L 5. St. Mary 14-001**

Ms. Polak made a motion to award \$10,000.00 for WAGE. Mr. Downing 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 mark the case as "closed".

**L 6. St. Tammany 14-013**

Ms. Polak made a motion to award \$647.43 for MEDICAL, \$98.95 for OTHER, \$68.34 for MEDICAL MILEAGE. Mr. Downing seconded the motion and the motion passed unanimously.

## **VII. OTHER BUSINESS**

The Board discussed Sexual Assault cases and the need for protocols especially pertaining to getting billed directly by the hospital and having the victim sign paperwork allowing the hospital to apply directly for them. The Board discussed having a teleconference next week. HIV medicines and parishes' responsibility for paying for rape kits. Ambulance charges will be paid at the normal rate for the time being.

Mr. Downing made a motion to adjourn the meeting. Mr. DiBenedetto seconded the motion. Mr. Davis adjourned the meeting at 10:22 a.m.