

# CANCELLED – LACK OF QUORUM

JEFF LANDRY  
GOVERNOR

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

JIM CRAFT  
EXECUTIVE DIRECTOR



## 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](http://www.lcle.la.gov/cvr)

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**LOUISIANA CRIME VICTIMS REPARATIONS PROGRAM**

**MEETING AGENDA**

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

**602 North 5<sup>th</sup> 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 5<sup>th</sup> 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](mailto:Kristi.Ambacher@lcle.la.gov) or calling (225) 342-9626.

# CRIME VICTIMS REPARATIONS BOARD

Board Agenda - Claim Number Order

Board Date: 03/19/2024

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## 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	LAF24-0007	241536
24	LIVINGSTON	LIV24-001	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

# CRIME VICTIMS REPARATIONS BOARD

Board Agenda - Claim Number Order

Board Date: 03/19/2024

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## EMERGENCY

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

EMERGENCY Claims: 31

# CRIME VICTIMS REPARATIONS BOARD

Board Agenda - Claim Number Order

Board Date: 03/19/2024

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## 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

# CRIME VICTIMS REPARATIONS BOARD

Board Agenda - Claim Number Order

Board Date: 03/19/2024

## 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

# CRIME VICTIMS REPARATIONS BOARD

Board Agenda - Claim Number Order

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## 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

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## 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 -- . . .

*Healthcare 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