



# State of Louisiana Crime Victims Reparations Board M I N U T E S

**MEETING DATE:** May 14, 2013

**MEMBERS PRESENT:** Ms. Nancy Adcock, Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr.,  
Mr. Rustin Legendre, Ms. Sharon Rodi, Ms. Carolyn Stapleton,

**MEMBERS ABSENT:** Ms. Mary L. Fanara, Mr. Kenneth Jones, Mr. Jimmy Pohlmann, Ms.  
Ann Polak, Ms. Lucille Williams,

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

**GUESTS PRESENT:** Erich Duchmann, Kent Wolkart, Katherine Green, Brenda Williams

## **I. CALL TO ORDER**

Mr. Davis called the CVR Board monthly meeting for the date of May 14, 2013 to order at 9:10 a.m.

## **II. APPROVAL OF MINUTES OF PREVIOUS MEETING**

Ms. Adcock made a motion to approve the minutes of the previous meeting. Ms. Rodi seconded the minutes and the motion passed unanimously.

**III. APPEALS**

**A 1. Calcasieu 12-092**

Mr. Legendre made a motion to award \$2,500.00 for FUNERAL. The claim amounts were reduced by 50 % for contribution. Ms. Stapleton seconded the motion and the motion passed unanimously.

**A 2. Lafourche 12-083**

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

**A 3. Orleans 11-073**

Ms. Rodi made a motion to award \$3,132.00 for WAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

**A 4. St. Tammany 12-013**

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

**V. ITEMS FOR FULL DISCUSSION**

**F 1. Assumption 13-001**

Ms. Stapleton made a motion to award \$984.00 for WAGE, \$306.00 for MEDICAL MILEAGE, \$1,387.10 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 2. Caddo 12-043**

Ms. Adcock made a motion to award \$1,943.98 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Rodi seconded the motion and the motion passed unanimously.

**F 3. Caddo 12-064**

Ms. Adcock made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$1,200.00 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 4. Caddo 12-066**

Ms. Adcock made a motion to award \$212.40 for MENTAL HEALTH. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 5. Caddo 13-004**

Ms. Adcock made a motion to award. Estimate approved for: \$445.00 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 6. Caddo 13-008**

Mr. DiBenedetto made a motion to defer claims awaiting insurance information. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 7. Caddo 13-011**

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

**F 8. Caddo 13-013**

Ms. Adcock made a motion to award \$4,078.44 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 9. Caddo 13-021**

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

**F 10. Caddo 13-022**

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

**F 11. Caddo 13-023**

Ms. Adcock made a motion to approve the eligibility of this claimant but with future payments only to providers. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 12. Caddo 13-024**

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

**F 13. Caddo 13-025**

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

**F 14. Calcasieu 10-018**

Mr. DiBenedetto made a motion to defer claims awaiting an updated mental health treatment plan as of 9/28/12 (2nd request). Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 15. Calcasieu 11-016**

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

**F 16. Calcasieu 11-031**

Ms. Stapleton made a motion to award \$150.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously. The Board also requested that the mental health provider be notified that there is a one-year filing deadline for dates of service.



**V. ITEMS FOR FULL DISCUSSION**

**F 17. Calcasieu 12-012**

Ms. Stapleton made a motion to award \$116.61 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 18. Calcasieu 13-010**

Ms. Adcock made a motion to award \$262.50 for MENTAL HEALTH. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 19. Calcasieu 13-014**

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

**F 20. Calcasieu 13-018**

Ms. Rodi made a motion to award \$578.08 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 21. East Baton Rouge 10-088**

Ms. Stapleton made a motion to award \$525.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The Board also wanted to make the mental health provider aware that they would consider payment for dates of service only through August 31, 2013.

**F 22. East Baton Rouge 12-021**

Ms. Stapleton made a motion to award \$15,000.00 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously. The board agreed to increase the case maximum to \$25,000.

**F 23. East Baton Rouge 12-031**

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

**F 24. East Baton Rouge 12-036**

Ms. Stapleton made a motion to award \$165.00 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 25. East Baton Rouge 12-089**

Ms. Stapleton made a motion to defer claims awaiting insurance information. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 26. East Baton Rouge 13-005**

Ms. Stapleton made a motion to award \$5,687.44 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 27. East Baton Rouge 13-007**

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity (drugs)). Ms. Adcock seconded the motion and the motion passed 5 to 1 with no abstentions.

**V. ITEMS FOR FULL DISCUSSION**

**F 28. East Baton Rouge 13-014**

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

**F 29. East Baton Rouge 13-015**

Ms. Stapleton made a motion to award \$602.00 for CATASTROPHIC PROPERTY. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 30. East Baton Rouge 13-018**

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

**F 31. East Baton Rouge 13-019**

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

**F 32. Evangeline 13-001**

Ms. Stapleton made a motion to award \$4,059.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 33. Grant 13-001**

Ms. Adcock made a motion to deny under authority of R.S. 46:1809 B (3) (crime reported late). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 34. Iberia 12-008**

Ms. Stapleton made a motion to award. Estimate approved for: \$4,022.94 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 35. Iberia 12-026**

Ms. Stapleton made a motion to award \$1,713.25 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 36. Iberia 13-009**

Ms. Stapleton made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$3,235.35 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 37. Iberville 12-010**

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

**F 38. Jefferson 12-026**

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



**V. ITEMS FOR FULL DISCUSSION**

**F 39. Jefferson Davis 12-004**

Ms. Stapleton made a motion to award \$3,236.61 for MEDICAL, \$1,589.16 for MEDICAL MILEAGE. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 40. Jefferson Davis 13-002**

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

**F 41. Jefferson Davis 13-003**

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

**F 42. Jefferson Davis 13-004**

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

**F 43. Lafayette 12-035**

Ms. Stapleton made a motion to award \$2,723.80 for MEDICAL, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 44. Lafayette 13-002**

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

**F 45. Lafourche 11-083**

Ms. Stapleton made a motion to award \$150.00 for MENTAL HEALTH, \$40.80 for MEDICAL MILEAGE. Ms. Adcock seconded the motion and the motion passed unanimously. The Board also wanted the mental health provider to know that they would consider for payment dates of service only through July 31, 2013.

**F 46. Lafourche 12-038**

Ms. Stapleton made a motion to award \$75.00 for MENTAL HEALTH. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 47. Lafourche 12-071**

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

**F 48. Orleans 12-069**

Mr. DiBenedetto made a motion to award eligibility but to defer claims awaiting letter from doctor(s) verifying medication. Mr. Legendre seconded the motion and the motion passed unanimously.

**F 49. Orleans 12-128**

Ms. Stapleton made a motion to approve eligibility but to defer payment of claim awaiting letter from accupuncturist verifying relationship of treatment to crime. Ms. Rodi seconded the motion and the motion passed unanimously. The board agreed to waive the one year

V. ITEMS FOR FULL DISCUSSION

deadline for applying for reparations.

**F 50. Orleans 12-130**

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

**F 51. Orleans 13-011**

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

**F 52. Orleans 13-015**

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

**F 52. Orleans 13-015**

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

**F 52. Orleans 13-015**

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

**F 53. Orleans 13-022**

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

**F 54. Orleans 13-029**

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

**F 55. Ouachita 13-005**

Ms. Stapleton made a motion to award \$4,984.50 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 56. Rapides 12-016**

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

**F 57. Rapides 13-003**

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

**F 58. Sabine 13-006**

Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(4)(a) (victim contribution / illegal activity) and under authority of LAC22: XIII.301(A)(1)(a) (felony convictions). Ms. Adcock seconded the motion and the motion passed unanimously.



V. ITEMS FOR FULL DISCUSSION

**F 59. St. Bernard 13-002**

Ms. Stapleton made a motion to approve the eligibility of this claimant. Ms. Adcock seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

**F 60. St. Charles 12-021**

Ms. Stapleton made a motion to defer claims awaiting completed last page of treatment update. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 61. St. Charles 13-006**

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

**F 62. St. Charles 13-008**

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

**F 63. St. Charles 13-012**

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

**F 64. St. Charles 13-013**

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

**F 65. St. Landry 11-012**

Ms. Adcock made a motion to award \$450.00 for MENTAL HEALTH. Ms. Stapleton seconded the motion and the motion passed unanimously. The Board also wanted the mental health provider to be aware that the maximum eligibility for mental health expenses is approaching.

**F 66. St. Martin 12-009**

Ms. Adcock made a motion to award \$88.20 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 67. St. Martin 13-003**

Mr. DiBenedetto made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$347.90 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 68. St. Mary 13-001**

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

**F 69. St. Mary 13-002**

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



**V. ITEMS FOR FULL DISCUSSION**

**F 70. St. Mary 13-004**

Ms. Rodi made a motion to award \$4,995.10 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 71. St. Mary 13-005**

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

**F 72. St. Tammany 12-015**

Mr. DiBenedetto made a motion to award \$505.00 for MEDICAL. The claim amounts were reduced by 50 % for contribution. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 73. Tangipahoa 12-002**

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

**F 73. Tangipahoa 12-002**

Mr. DiBenedetto made a motion to award \$4,099.30 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 74. Tangipahoa 12-010**

Ms. Stapleton made a motion to award \$9,500.00 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously. The board agreed to increase the case maximum to \$25,000.

**F 75. Terrebonne 13-001**

Ms. Rodi made a motion to award \$600.00 for AMBULANCE TRANSPORT (MEDICAL), \$456.50 for MEDICAL. Ms. Adcock seconded the motion and the motion passed unanimously.

**F 76. Terrebonne 13-004**

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

**F 77. Vermilion 13-003**

Ms. Rodi made a motion to approve the eligibility of this claimant. Ms. Adcock seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

**VI. LATE ADDITIONS**

**L 1. East Baton Rouge 12-074**

Ms. Rodi made a motion to award \$49.64 for MEDICAL, \$87.50 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**L 2. Orleans 12-043**

Ms. Adcock made a motion to award \$1,049.03 for MEDICAL, \$312.89 for MEDICAL MILEAGE, \$320.00 for WAGE, \$300.00 for AMBULANCE TRANSPORT (MEDICAL). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**L 3. Orleans 12-091**

Ms. Rodi made a motion to award \$1,572.91 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**VI. LATE ADDITIONS**

**L 4. Vermillion 12-008**

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

**VII. OTHER BUSINESS**

The Board discussed changing the percentage that CVR pays to medical providers (excluding dentists) from 70% to 55%. Mr. DiBenedetto made a motion to approve that change. Ms. Rodi seconded the motion and the motion passed unanimously.

The Board discussed requiring emergency awards to be submitted within 72 hours of the crime. This is to be done on a case-by-case basis, with exceptions made for sexual assault victims. Ms. Rodi made a motion to approve that change. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

Mental health dates of service submitted more than one year after the date of service may be denied.

TAMM10-017 -- Claimant was approved for total and permanent disability at a previous meeting and paid the maximum amount of \$25,000. Claimant is requested that the Board pay her medical expense for the second opinion required by the Board. The Board voted that was not allowed and was included in the \$25,000.

Ms. Stapleton made a motion to adjourn the meeting. Mr. DiBenedetto seconded the motion. Mr. Davis adjourned the meeting at 12:00 p.m.  
Discussion with Board members regarding mental health dates of service being more than one year old; 55% medical payments.