



**State of Louisiana**  
**Crime Victims Reparations Board**  
**MINUTES**

**MEETING DATE:** February 11, 2014

**MEMBERS PRESENT:** Mr. Lamarr Davis, Mr. Carroll DiBenedetto, Sr., Ms. Mary L. Fanara, Mr. Rustin Legendre, Ms. Sharon Rodi, Ms. Carolyn Stapleton,

**MEMBERS ABSENT:** , , Ms. Nancy Adcock, Ms. Ann Polak, Ms. Lucille Williams,

**STAFF PRESENT:** Robert Wertz, Carla Trahan, Haley Plauche

**GUESTS PRESENT:** Erich Duchmann, Jessica Thornhill, Vickie Johnson, Gwendolyn Jennings, Stephanie Minto-Gibson, Morgan Lamandre, Felicia Fortune

**I. CALL TO ORDER**

The monthly meeting of the Crime Victims Reparations Board for the date of 2/11/14 was called to order by Mr. Davis at 9:20 a.m.

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

Ms. Stapleton made a motion to approve the minutes of the previous meeting. Mr. Legendre seconded the motion and the motion was approved unanimously.

**III. APPEALS**

**NONE**

**IV. EMERGENCY CONFIRM/DENY**

Mr. DiBenedetto made a motion to confirm the emergency rulings for the previous month. Ms. Stapleton seconded the motion and the motion passed unanimously.

**V. ITEMS FOR FULL DISCUSSION**

**F 1. Bossier 13-007**

Ms. Rodi made a motion to award \$72.91 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 2. Bossier 13-008**

Ms. Rodi made a motion to approve. The motion died. Mr. DiBenedetto made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime). Ms. Fanara seconded the motion and the motion passed 5 to 1 with no abstentions.

**F 3. Bossier 13-019**

Ms. Stapleton made a motion to approve. Ms. Fanara seconded the motion. The motion failed. Mr. DiBenedetto made a motion to award \$23.20 for WAGE. The claim amounts were reduced by 50 % for contribution. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 4. Caddo 13-002**

Ms. Fanara made a motion to award \$410.76 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 5. Caddo 13-035**

Ms. Stapleton made a motion to award \$3,174.62 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 6. Caddo 13-036**

Ms. Stapleton made a motion to award \$92.40 for AMBULANCE TRANSPORT (MEDICAL), \$1,017.79 for MEDICAL, \$2,000.00 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 7. Caddo 13-038**

Ms. Stapleton made a motion to award \$477.81 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**F 8. Caddo 13-044**

Ms. Rodi made a motion to defer claims awaiting worker's compensation information. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 9. Caddo 13-047**

Ms. Rodi made a motion to defer claims awaiting worker's compensation information. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

**F 10. Caddo 13-052**

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

**F 11. Caddo 13-066**

Ms. Rodi 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 12. Caddo 13-067**

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

**F 13. Caddo 13-068**

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

**F 14. Caddo 13-069**

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

**F 15. Caddo 13-070**

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

**F 16. Calcasieu 11-020**

Ms. Stapleton made a motion to defer claims awaiting insurance information and Mental Health Treatment Update as of 9/13/13. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 17. Calcasieu 12-029**

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

**F 18. Calcasieu 12-032**

Ms. Stapleton made a motion to award \$1,402.50 for MENTAL HEALTH. Ms. Fanara seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 01/22/14.

**F 19. Calcasieu 12-044**

Ms. Stapleton made a motion to award \$37.50 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 20. Calcasieu 13-010**

Ms. Stapleton made a motion to conditionally approve raising the mental health maximum on this case from \$2,500 to \$5,000 and to award \$975.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The Board also requested that the mental health provider be made aware that 2-hr. sessions must have prior approval.

**V. ITEMS FOR FULL DISCUSSION**

**F 21. Calcasieu 13-028**

Mr. DiBenedetto made a motion to award \$5,218.40 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 22. Calcasieu 13-033**

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

**F 23. Calcasieu 13-055**

Ms. Stapleton made a motion to award \$1,954.40 for MEDICAL, \$600.00 for AMBULANCE TRANSPORT (MEDICAL). Ms. Fanara seconded the motion and the motion passed unanimously.

**F 24. Calcasieu 13-058**

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

**F 25. Calcasieu 13-060**

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

**F 26. Calcasieu 13-069**

Ms. Stapleton made a motion to award \$4,209.85 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 27. Catahoula 13-001**

Ms. Fanara made a motion to defer ruling awaiting supplemental police report giving details of the crime. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

Ms. Fanara had to leave the Board meeting.

**F 28. East Baton Rouge 10-073**

Ms. Fanara made a motion to award \$25,000.00 for WAGE. Mr. DiBenedetto seconded the motion and the motion passed 4 to 0 with 1 abstention. The board agreed to increase the case maximum to \$25,000. Ms. Stapleton recused herself from voting.

**F 29. East Baton Rouge 13-027**

Ms. Stapleton 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 30. East Baton Rouge 13-034**

Ms. Rodi 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 4 to 0 with 1 abstention. The board also agreed to mark the case as "closed".

**F 31. East Baton Rouge 13-063**

Ms. Rodi 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. East Baton Rouge 13-072**

Ms. Stapleton made a motion to award \$5,000.00 for FUNERAL, \$5,000.00 for SUPPORT. Ms. Rodi seconded the motion and the motion passed unanimously. The board also agreed to mark the case as "closed".

**F 33. East Baton Rouge 13-076**

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

**F 34. East Baton Rouge 13-078**

Ms. Stapleton made a motion to award \$3,847.31 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 35. East Feliciana 13-001**

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

**F 36. East Feliciana 13-002**

Mr. DiBenedetto made a motion to award \$120.00 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed 5 to 1 with no abstentions. The board also agreed to request an Updated Mental Health Treatment Plan as of 01/05/14.

**F 37. Iberia 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 38. Iberville 13-003**

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

**F 39. Iberville 13-004**

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

**F 40. Jefferson 13-031**

Ms. Rodi made a motion to award \$4,599.18 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 41. Lafayette 13-007**

Ms. Rodi made a motion to award \$2,000.00 for WAGE, \$311.55 for MEDICAL but to defer payment to Lafayette General Surgical Hospital awaiting insurance information. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 42. Lafourche 13-038**

Ms. Stapleton made a motion to award \$300.00 for AMBULANCE TRANSPORT (MEDICAL), \$213.75 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

**F 43. Lafourche 13-050**

Ms. Rodi made a motion to award \$252.81 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 44. Lafourche 13-053**

Ms. Stapleton made a motion to award \$98.54 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 45. Lafourche 13-054**

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

**F 46. Lafourche 13-056**

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

**F 47. Lafourche 13-060**

Mr. DiBenedetto made a motion to award \$75.00 for MENTAL HEALTH and to check insurance information. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 48. Lafourche 13-061**

Ms. Stapleton made a motion to approve the eligibility of this claimant and to check on worker's compensation. Mr. Legendre seconded the motion and the motion passed unanimously.

**F 49. Livingston 10-010**

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

**F 50. Orleans 13-026**

Ms. Stapleton made a motion to award \$3,625.00 for FUNERAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 51. Orleans 13-060**

Ms. Stapleton made a motion to deny under authority of LAC22:8.301(A)(1)(a)(i) (illegal activity). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 52. Orleans 13-082**

Ms. Rodi made a motion to deny under authority of R.S. 46:1809 B(1) (no evidence of crime) and under authority of LAC22:8.301(A)(1)(a)(i) (victim contribution / illegal activity). Mr. Legendre seconded the motion and the motion passed unanimously.

**F 53. Orleans 13-085**

Mr. DiBenedetto made a motion to award \$2,240.01 for FUNERAL. The claim amounts were reduced by 50 % for contribution. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 54. Orleans 13-109**

Ms. Rodi made a motion to deny under authority of LAC22:8.301(A)(1)(a)(ii) (felony

**V. ITEMS FOR FULL DISCUSSION**

convictions). Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 55. Orleans 13-112**

Ms. Rodi 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 56. Ouachita 13-017**

Ms. Stapleton made a motion to award \$4,938.00 for FUNERAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 57. Pointe Coupee 13-009**

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

**F 58. Rapides 12-016**

Mr. DiBenedetto made a motion to award \$875.00 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 59. St. Charles 13-003**

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

**F 60. St. Charles 13-026**

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

**F 61. St. Charles 13-028**

Ms. Rodi made a motion to award \$183.26 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 62. St. Charles 13-041**

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

**F 63. St. Charles 13-042**

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

**F 64. St. Charles 13-043**

Mr. DiBenedetto made a motion to award \$384.00 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 65. St. Charles 13-045**

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

**F 66. St. Helena 13-001**

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

V. ITEMS FOR FULL DISCUSSION

**F 67. St. John The Baptist 13-009**

Ms. Rodi made a motion to award \$800.00 for AMBULANCE TRANSPORT (MEDICAL), \$962.50 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 68. St. Landry 13-004**

Mr. DiBenedetto made a motion to deny under authority of LAC22:8.301(A)(1)(a)(iii) (victim contribution). Ms. Stapleton seconded the motion and the motion passed unanimously.

**F 69. St. Martin 12-009**

Ms. Stapleton made a motion to award \$475.20 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**F 70. St. Mary 13-008**

Ms. Stapleton made a motion to award \$3,705.76 for MEDICAL. Mr. DiBenedetto seconded the motion and the motion passed unanimously.

**F 71. St. Mary 13-012**

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

**F 72. St. Tammany 13-001**

Ms. Stapleton made a motion to award \$255.00 for MENTAL HEALTH. Mr. DiBenedetto seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 09/29/13.

**F 73. St. Tammany 14-001**

Ms. Rodi made a motion to award \$1,760.00 for WAGE. Mr. Legendre seconded the motion and the motion passed unanimously.

**F 74. Vermilion 13-009**

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

**F 75. Washington 13-018**

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

VI. LATE ADDITIONS

**L 1. Ascension 13-004**

Ms. Stapleton made a motion to award \$6,796.61 for MEDICAL, \$333.75 for WAGE. Ms. Rodi seconded the motion and the motion passed unanimously.

**L 2. Ascension 13-009**

Ms. Stapleton made a motion to award \$137.15 for MEDICAL, defer payment of the mental health reimbursement awaiting insurance information, and to request a Mental



VI. LATE ADDITIONS

Health Initial Treatment Plan from provider Patricia Godfrey. Ms. Rodi seconded the motion and the motion passed unanimously. The board agreed to waive the one year deadline for applying for reparations.

**L 3. Caddo 13-057**

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

**L 4. Calcasieu 11-031**

Ms. Stapleton made a motion to award \$37.50 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously.

**L 5. Calcasieu 12-042**

Ms. Stapleton made a motion to award \$116.50 for MENTAL HEALTH. Ms. Rodi seconded the motion and the motion passed unanimously. The board also agreed to request an Updated Mental Health Treatment Plan as of 12/10/13.

**L 6. Calcasieu 13-021**

Ms. Rodi made a motion to award \$750.00 for MENTAL HEALTH and to increase the mental health maximum allowable on this case from \$2,500 to \$5,000. Ms. Stapleton seconded the motion and the motion passed unanimously.

**L 7. Calcasieu 13-021**

Ms. Rodi made a motion to award \$262.50 for MENTAL HEALTH. Mr. Legendre seconded the motion and the motion passed unanimously.

**L 8. Orleans 09-061**

Ms. Rodi made a motion to award \$583.59 for MEDICAL. Ms. Stapleton seconded the motion and the motion passed unanimously. The board made no decision on increasing the maximum allowable for total and permanent disability.

**L 9. Orleans 12-129**

Ms. Rodi made a motion to defer claims awaiting Mental Health Initial Treatment Plan and revised invoice that lists the claimant as the guarantor. Ms. Stapleton seconded the motion and the motion passed unanimously.

**L 10. Orleans 13-097**

Mr. DiBenedetto made a motion to award \$1,700.00 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

V. ITEMS FOR FULL DISCUSSION

**L 11. St. Charles 13-032**

Ms. Stapleton made a motion to award \$50.94 for MEDICAL, \$42.51 for MENTAL HEALTH. Mr. Legendre seconded the motion and the motion passed unanimously.

**L 12. St. Mary 13-007**

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

**V. ITEMS FOR FULL DISCUSSION**

**VI. LATE ADDITIONS**

**L 13. Vermilion 12-007**

Ms. Stapleton made a motion to award \$1,150.00 for MENTAL HEALTH, \$1,983.24 for MEDICAL. Ms. Rodi seconded the motion and the motion passed unanimously.

**L 14. East Baton Rouge 13-064**

Ms. Rodi made a motion to award \$1,800.00 for MEDICAL. Ms. Fanara seconded the motion and the motion passed unanimously.

**L 15. East Baton Rouge 13-066**

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

**L 16. Orleans 13-026**

Ms. Rodi made a motion to award \$875.00 for FUNERAL. Ms. Stapleton seconded the motion and the motion passed unanimously.

**L 17. Avoyelles 14-001**

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

## VII. OTHER BUSINESS

The Board further discussed undocumented persons regarding their eligibility in the CVR program.

When a victim is injured at his/her place of employment, Lost Wages Reimbursement must be claimed through Worker's Compensation insurance (if available) before the Board will consider the Lost Wages claim.

The Board requested staff to put together a form for mental health providers to fill out regarding Medicaid.

Board requested that claims investigators and staff not accept invoices that list CVR or the sheriff's office as the guarantor.

The Board requested that claims investigators be asked to be more diligent with obtaining emergency application information.

Jessica Thornhill of the Attorney General's office reviewed information about Davis Funeral Home in Texas. They still have not reimbursed the Board the \$5,000 that they were erroneously paid.

Mr. Legendre made a motion to adjourn the meeting. Mr. DiBenedetto seconded the motion. Mr. Davis adjourned the meeting at 12:00 p.m.