



Andy Beshear
GOVERNOR

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LIEUTENANT GOVERNOR

PUBLIC PROTECTION CABINET
Kentucky Office of Claims and Appeals

Board of Claims
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Ray A. Perry
SECRETARY

DJ Wasson
DEPUTY SECRETARY

John Hardesty
EXECUTIVE DIRECTOR

NOTICE OF REGULAR MEETING

Date: April 29, 2025

Time: 10:00 AM Eastern Standard Time (EST)

Location: Microsoft Teams

- Call to order and roll call
- Executive Director's Report
- Approval of March 2025 regular session minutes and April 2025 special session minutes
- Discussion of Additional Suggestions from Legislative Research Commission in 802 KAR 2:010
- Full Board Review
- Motions
- Recommended Orders
- Agreed Orders or For Instructions
- Scheduling of May 2025 meeting
- Adjournment

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Meeting Agenda

Date: April 29, 2025

When moving into Executive Session, use the following language: [Move for the Board to enter executive session, pursuant to KRS 61.815 and KRS 61.810 (1) (c) and (j) to discuss proposed or pending litigation and deliberate on individual adjudications in “*please state the relevant case number of all cases to be discussed in closed session.*” Motion must be seconded.]

I. MARCH MONTHLY REPORT

During the month of March, the Board of Claims received **179** negligence claims filed against the Commonwealth.

The Board rendered **51** decisions in claims *under \$2,500.00* in March 2025. Of those, **39** were dismissed and **12** were awarded for a total amount awarded of **\$7,193.40**.

At its March meeting, the Board affirmed **3** claims upon Full Board Review, placed **1** claim in abeyance, dismissed **12** claims via Motions, Recommended Orders, and *sua sponte* dismissals, and awarded **4** claims through Agreed Orders of Dismissal, awarding an additional amount of **\$20,409.88**. With the claims under \$2,500.00, and those decided at the March Meeting, the Board decided **70** claims, dismissing a total of **54** claims, and awarding a total of **16** claims for a total amount awarded of **\$27,603.28**.

II. APPROVAL OF MARCH MINUTES AND APRIL 2, 2025 SPECIAL SESSION MINUTES

1st: 2nd:

III. DISCUSSION OF ADDITIONAL SUGGESTIONS FROM LEGISLATIVE RESEARCH COMMISSION IN 802 KAR 2:010

IV. FULL BOARD REVIEW

BC-24-0770

WILLIAM COPE, JR.

v.

JUSTICE & PUBLIC SAFETY CABINET
DEPARTMENT OF CORRECTIONS (DOC)

-Default Order

-Claimant's Request for Full Board Review

BC-24-0828

DAVID RUOFF

v.

UNKNOWN

-Default Order

-Claimant's Request for Full Board Review

BC-24-0867

DANNY THOMAS

v.

DOC

-Default Order

-Claimant's Request for Full Board Review

BC-24-0894

FRANK POLLOCK

v.

KYTC

-Default Order

-Claimant's Request for Full Board Review

BC-24-0903

CHRISTOPHER LUTTRELL

v.

DOC

-Findings of Fact, Order, and Opinion

-Claimant's Request for Full Board Review

V. MOTIONS

BC-24-1073

MISTY MCKNIGHT

v.

DOC

-Respondent's Motion to Dismiss

-Claimant's Response

VI. RECOMMENDED ORDERS

BC-22-0977 & 0978

SHANE AND RACHEL SMITH

v.

KYTC

-Recommended Order Adopting Agreed Order of Settlement

BC-23-0422

ANTONIO SMITH

v.

CABINET OF HEALTH AND FAMILY SERVICES (CHFS)

-Recommended Order of Dismissal

BC-24-0569

WILLIAM BRUMAGEN

v.

CHFS

-Recommended Order of Dismissal as Settled

BC-24-0672

PAMELA WILTGEN

v.

KYTC

-Recommended Order Granting Claimant's Request to Withdraw

BC-24-0922

BENJAMIN EMERSON

v.

TOURISM, ARTS & HERITAGE CABINET

DEPARTMENT OF PARKS (DOP)

-Recommended Order Granting Respondent's Motion for Summary Disposition

VII. AGREED ORDERS or FOR INSTRUCTIONS

BC-24-0969

MICHAEL HAYES, ADMINISTRATOR
OF THE ESTATE OF KRISTA HAYES

v.

UNIVERSITY OF KENTUCKY
KING'S DAUGHTERS MEDICAL CENTER

-Joint Motion to Dismiss

-Agreed Order of Dismissal and Settlement

BC-24-1158

ERIE INSURANCE EXCHANGE,
AS SUBROGEE OF JAMES HARDWICK

v.

KYTC

-Dismiss, *sua sponte*, for lack of jurisdiction over subrogation claims

VIII. SCHEDULING OF MAY MEETING

1st: 2nd:

IX. ADJOURNMENT

1st: 2nd: