



Andy Beshear
GOVERNOR

Jacqueline Coleman
LIEUTENANT GOVERNOR

PUBLIC PROTECTION CABINET
Kentucky Office of Claims and Appeals

Board of Claims
500 Mero Street, 2SC1
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Ray A. Perry
SECRETARY

DJ Wasson
DEPUTY SECRETARY

John Hardesty
EXECUTIVE DIRECTOR

NOTICE OF REGULAR MEETING

Date: May 20, 2024

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

Location: Microsoft Teams

- Call to Order and Roll Call
- Executive Director's Report
- Approval of April 2024 Minutes
- Full Board Review
- Motions
- Recommended Orders
- Agreed Orders or For Instructions
- Scheduling of June 2024 meeting
- Adjournment

Microsoft Teams Link: https://teams.microsoft.com/l/meetup-join/19%3ameeting_NGNkZWE2NzctNzJjMS00MTMwLTgzNDgtMDFlYzNkZWl0ODUz%40thread.v2/0?context=%7b%22id%22%3a%22d77c7f4d-d767-461f-b625-0628792e9e2a%22%2c%22oid%22%3a%22636ef07a-f33f-4378-b8ae-79c6f05a1438%22%7d

Meeting ID: 212 926 482 606

Passcode: F4cmdz



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Meeting Agenda

Date: May 20, 2024

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. APRIL MONTHLY REPORT

During the month of April 2024, the Board of Claims received **112** negligence claims filed against the Commonwealth.

The Board rendered **91** decisions in claims *under \$2,500.00* in April 2024. Of those, **51** were dismissed and **40** were awarded for a total amount awarded of **\$24,408.05**.

At its April meeting, the Board affirmed **1** claim, vacated **1** claim, and passed **1** claim upon Full Board Review, dismissed **5** claims upon Motions, Recommended Orders, and *sua sponte* dismissals, and granted **2** Agreed Orders of Dismissal, awarding an additional amount of **\$5,448.15** With the claims under \$2,500.00, and those decided at the March Meeting, the Board decided **100** claims, dismissing a total of **57** claims, and awarding a total of **43** claims for a total amount awarded of **\$29,856.20**.

II. APPROVAL OF APRIL MINUTES

1st: 2nd:

III. FULL BOARD REVIEW

BC-24-0134

ERIN BOWMAN

v.

TRANSPORTATION CABINET

DEPARTMENT OF HIGHWAYS (KYTC)

-Order Awarding (\$250.00)

-Claimant’s Request for Full Board Review

IV. MOTIONS

BC-23-0755

JESSICA ROBINSON

v.

CABINET FOR HEALTH AND FAMILY SERVICES
WESTERN STATE HOSPITAL

-Respondent's Motion to Dismiss (holdover from April meeting)

BC-23-0940

SAVANNAH JACKSON

v.

CABINET FOR HEALTH AND FAMILY SERVICES and
DEPARTMENT OF EDUCATION

-Respondents' Motion to Dismiss or alternatively Motion for Summary Disposition

-Claimant's Response

-Claimant's Motion to File Amended Complaint

V. RECOMMENDED ORDERS

BC-23-0378 & 0386

STEPHEN AND REBEKAH COLLINS

and

KELLY NEWTON AS LEGALLY APPOINTED GUARDIAN OF
LONNIE NEWTON

v.

KYTC

-Recommended Order of Dismissal

BC-23-0700

EDWARD PHILPOT

v.

CABINET OF HEALTH AND FAMILY SERVICES

-Recommended Order Granting Respondent's Motion to Dismiss

BC-23-0709

WILTON AND SHEILA POWELL

BY AND THROUGH THEIR ATTORNEY-IN-FACT

REX BEAVERS

v.

KYTC

-Recommended Order Granting Respondent's Motion for Summary Disposition

VI. AGREED ORDERS OR FOR INSTRUCTIONS

BC-23-0102

TERESA WOODS

v.

KYTC

-Agreed Order of Dismissal

BC-23-0842

JOHN HARRIGAN

v.

KYTC

-Agreed Order of Dismissal

VII. SCHEDULING OF JUNE MEETING

VIII. ADJOURNMENT

1st:

2nd: