

Office Of Claims And Appeals
Crime Victims Compensation Board
Minutes

April 9, 2024

Total
Claims: **82**

Executive Staff Advisor Shields, on Executive Director Hardesty's behalf, reported to the Board that for March 2024:

Crime Victims Compensation:

- 54 claims were received
- 54 claims were set up
- 24 full investigations were completed
- 55 claims were assigned/reassigned to investigators
- 22 claims were awarded
- Total Awarded: \$131,452.64 (including additional and emergency awards)
- 3 additional awards were rendered
- 9 claims were denied

Restitution and Collections:

- \$10,552.61 received in restitution
- \$252.50 received in donations
- \$0.00 received through subrogation
- \$2,007.63 received through PIECP program
- Total Received: \$12,812.74

The Sexual Assault Examination Program:

- 45 claims were received
- 45 claims were set up
- 21 claims were awarded
- Total Awarded: \$13,426.96
- 9 claims were denied

61 total claims were decided by the Board for March 2024 (does not include inmate appeals that were denied).

Board Chair Parsons called the meeting to order at 10:13 AM and conducted roll call.

The following individuals were in attendance at this month's meeting: Board Chair Parsons, Member Roberts, Executive Director Hardesty, Staff Attorneys Bevins-Sullivan and Horsman, Executive Staff Advisor Shields, Investigators Hubbard and White, and Restitution/Collections Officer Barrie. Claimants JR and ZE were also in attendance. Member Leenerts was absent.

Board Chair Parsons motioned to accept the March 2024 minutes. Member Roberts seconded the motion. The motion carried.

Executive Staff Advisor Shields provided the Executive Director's Report on Executive Director Hardesty's behalf. Executive Staff Advisor Shields advised the Board that Governor Beshear signed SB 319 into law on 4/4/2024, which will be effective on 7/15/2024. Executive Director Hardesty, Staff Attorneys Bevins-Sullivan and Horsman, and Executive Staff Advisor Shields are currently working with the PPC IT team on the tech requirements set forth in SB 319. There is cautious optimism that sufficient appropriations will be received to pay for the increase in claim awards that are being predicted.

Executive Staff Advisor Shields advised that all OCA Board member confirmations, including Member Leenerts, are on track. No issues with confirmations are anticipated, but if any arise, notifications will be made.

Executive Staff Advisor Shields advised that interviews for the victim advocate position have been conducted and a candidate has been selected. The next step will be to contact the candidate's references and to gauge interest in the position.

Executive Staff Advisor Shields advised that claim filings continue to increase. For Q1 2024, 124 crime victims compensation claims were filed. This is an increase of approximately 14.8% from Q1 2023 and approximately 65.3% from Q1 2022.

Restitution/Collections Officer Barrie advised the Board that mileage reimbursement for the period of 4/1/2024 through 6/30/2024 is \$0.45/mile.

Board Member Roberts motioned to go into executive session, pursuant to KRS 61.810(1)(c) and (j) and KRS 61.818, at 10:31 AM to discuss the following claims: CV-2023-00073, CV-2023-00237, CV-2021-00140, CV-2022-00171, CV-2022-00226, CV-2023-00005, CV-2023-00071, V-2023-00085, CV-2023-00114, CV-2023-00115, CV-2023-00177, CV-2023-00223, CV-2023-00248, CV-2023-00273, CV-2023-00284, CV-2023-00301, CV-2023-00311, CV-2023-00037, CV-2024-00054, CV-2020-00020, CV-2021-00100, CV-2021-00114, CV-2023-00038, CV-2023-00039, CV-2023-00040, CV-2023-00056, CV-2023-00148, CV-2023-00221, CV-2023-00236, and CV-2024-00030. Board Chair Parsons seconded the motion. The motion carried. The Board officially entered executive session at 10:31 AM.

Member Roberts motioned to exit executive session at 11:53 AM and return to open session. Board Chair Parsons seconded the motion. The motion carried. The Board officially exited executive session and returned to open session at 11:53 AM.

For Instructions From the Board

CV-2023-00073 [REDACTED] on behalf of [REDACTED] \$7,500.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$7,500.00. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00237/ [REDACTED] on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to order the claim withdrawn at the Claimant's request. Board Chair Parsons seconded the motion. The motion carried.

Recommended Orders - Awards

CV-2021-00140/ [REDACTED] on behalf of [REDACTED] \$7,500.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$7,500.00 for F/B buy deny LOE because Claimant did not meet eligibility criteria for such compensation, pursuant to KRS 49.310(1). Board Chair Parsons seconded the motion. The motion carried.

CV-2022-00171/ [REDACTED] \$10,500.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$10,500.00. Board Chair Parsons seconded the motion. The motion carried.

CV-2022-00226/ [REDACTED] on behalf of [REDACTED] \$3,854.51

Board Action: Board awarded

Comments: Member Roberts motioned to award \$3,854.51. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00005/ [REDACTED] \$2,354.76

Board Action: Board awarded

Comments: Member Roberts motioned to award \$2,354.76 for M/D but deny LOE because Claimant used accrued PTO to fully pay her for the earnings she lost due to the crime. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00071/ [REDACTED] \$14,900.25

Board Action: Board awarded

Comments: Member Roberts motioned to award \$14,900.25. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00085/ [REDACTED] \$23,797.91

Board Action: Board awarded

Comments: Member Roberts motioned to award \$23,797.91. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00114/ [REDACTED] \$3,782.80

Board Action: Board awarded

Comments: Member Roberts motioned to award an additional \$3,782.80. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00115/ [REDACTED] on behalf of [REDACTED] \$4,311.45

Board Action: Board awarded

Comments: Member Roberts motioned to award \$4,311.45. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00177/ [REDACTED] \$10,200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$10,200.00 for LOE but deny M/D because they were paid in full by Claimant's Medicaid coverage. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00223/ [REDACTED] on behalf of [REDACTED] \$3,975.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$3,975.00. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00248/ [REDACTED] \$2,021.10

Board Action: Board awarded

Comments: Member Roberts motioned to award \$2,021.10. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00273/ [REDACTED] on behalf of [REDACTED] \$4,857.00

Board Action: Board awarded

Comments: Member Roberts motioned to accept but modify the Recommended Order and award \$8,910.26 for F/B and LOE. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00284/ [REDACTED] on behalf of [REDACTED] \$5,080.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$5,080.00 for F/B but deny expense from Posh Affairs because it cannot be determined necessary as a direct result of the crime with leave to refile. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00301/ [REDACTED] on behalf of Minor Child \$1,583.16

Board Action: Board awarded

Comments: Member Roberts motioned to accept but modify the Recommended Order and award \$1,583.16 with payments going to UK Hospital (\$641.58) and to the Claimant (\$941.28). Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00311/ [REDACTED] \$10,200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$10,200.00. Board Chair Parsons seconded the motion. The motion carried.

CV-2024-00037/ [REDACTED] on behalf of [REDACTED] \$1,317.50

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,317.50. Board Chair Parsons seconded the motion. The motion carried.

CV-2024-00054/ [REDACTED] on behalf of [REDACTED] \$1,996.38

Board Action: Board awarded

Comments: Member Roberts motioned to award an additional \$1,996.38. Board Chair Parsons seconded the motion. The motion carried.

Recommended Orders - Denials

CV-2020-00020/ [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts to deny the claim with leave to refile. Board Chair Parsons seconded the motion. The motion carried.

CV-2021-00100/ [REDACTED] on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim with leave to refile if the Claimant obtains an updated dental estimate and submits it to the Board. Board Chair Parsons seconded the motion. The motion carried.

CV-2021-00114/ [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim with leave to refile if the Claimant is able to provide proper documentation. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00038/ [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim with leave to refile if the Claimant decides to provide the claims investigator contact information for her attorney or submits documentation outlining the automobile insurance settlement. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00039/ [REDACTED] on behalf of Minor Child \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim with leave to refile if the Claimant decides to provide the claims investigator contact information for her attorney or submits documentation outlining the automobile insurance settlement. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00040/ [REDACTED] on behalf of Minor Child \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim with leave to refile if the Claimant decides to provide the claims investigator contact information for her attorney or submits documentation outlining the automobile insurance settlement. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00056/ [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny LOS due to the Claimant's failure to perfect her claim and to deny the hotel and storage charges because the Board does not have authority to provide such compensation pursuant to KRS 49.370(3). Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00148/ [REDACTED] on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: After reviewing the Claimant's exceptions, Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00221/ [REDACTED] on behalf of [REDACTED] \$0.00

Board Action:

Comments:

CV-2023-00221/ [REDACTED] on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

CV-2023-00236/ [REDACTED] on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

CV-2024-00030/ [REDACTED] on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

Sexual Assault Examination Awards

SA-2023-00675/Baptist Health Hardin Hospital on behalf of [REDACTED] \$249.83

Board Action: Board awarded

Comments: Member Roberts motioned to award \$249.83. Board Chair Parsons seconded the motion. The motion carried.

SA-2023-00755/Baptist Health Hardin Hospital on behalf of [REDACTED] \$650.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$650.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2023-00760/Baptist Health Hardin Hospital on behalf of [REDACTED] \$327.83

Board Action: Board awarded

Comments: Member Roberts motioned to award \$327.83. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00013/Baptist Health Paducah on behalf of [REDACTED] \$421.46

Board Action: Board awarded

Comments: Member Roberts motioned to award \$421.46. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00019/Georgetown Community on behalf of [REDACTED] \$522.39

Board Action: Board awarded

Comments: Member Roberts motioned to award \$522.39. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00024/Baptist Health Hardin Hospital on behalf of [REDACTED] \$650.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$650.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00034/Baptist Health Hardin Hospital on behalf of [REDACTED] \$154.07

Board Action: Board awarded

Comments: Member Roberts motioned to award \$154.07. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00044/Baptist Health Hardin Hospital on behalf of [REDACTED] \$183.33

Board Action: Board awarded

Comments: Member Roberts motioned to award \$183.33. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00045/Mercy Health Lourdes - Paducah on behalf of [REDACTED] \$650.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$650.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00053/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00054/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00055/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00056/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00057/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00058/The Center for Women & Families, Inc. on behalf of [REDACTED] \$250.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$250.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00059/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00060/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00061/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00062/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00063/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00064/Mercy Health Lourdes - Paducah on behalf of [REDACTED] \$450.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$450.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00066/Lexington SANE Program on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00067/Lexington SANE Program on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00068/Lexington SANE Program on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00069/Lexington SANE Program on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00070/Lexington SANE Program on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00071/Lexington SANE Program on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00072/Lexington SANE Program on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00075/Baptist Health Hardin Hospital on behalf of [REDACTED] \$311.52

Board Action: Board awarded

Comments: Member Roberts motioned to award \$311.52. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00077/Baptist Health Louisville on behalf of [REDACTED] \$72.95

Board Action: Board awarded

Comments: Member Roberts motioned to award \$72.95. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00078/Baptist Health Hardin Hospital on behalf of [REDACTED] \$581.50

Board Action: Board awarded

Comments: Member Roberts motioned to award \$581.50. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00082/Still Waters Center at Ampersand on behalf of [REDACTED] \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00083/St. Elizabeth Healthcare on behalf of [REDACTED] \$650.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$650.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00087/LOTUS on behalf of [REDACTED] \$894.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$894.00. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00088/TJ Samson Community Hospital on behalf of [REDACTED] \$550.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$550.00. Board Chair Parsons seconded the motion. The motion carried.

Sexual Assault Examination Denials

SA-2023-00680/Jennie Stuart Medical Center on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2023-00708/Baptist Health Hardin Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2023-00732/Baptist Health Louisville on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2023-00749/Jennie Stuart Medical Center on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00001/St. Joseph Hospital East on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00003/Owensboro Health Regional Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00009/Owensboro Health Regional Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00010/Medical Center Bowling Green on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00014/Mercy Health Lourdes - Paducah on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00015/Mercy Health Lourdes - Paducah on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00016/Owensboro Health Regional Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00025/Baptist Health Hardin Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00026/Springview Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00043/Kentucky Clinic Pharmacy on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00065/University of Louisville on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

SA-2024-00073/Lexington SANE Program on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Board Chair Parsons seconded the motion. The motion carried.

The Board scheduled its next meeting for May 14, 2024 at 10:00 AM to be held at the Board's office located at 500 Mero Street, Frankfort, KY. A Microsoft Teams option will also be provided.

Board Chair Parsons motioned to adjourn this month's meeting at 12:20 PM. Member Roberts seconded the motion. The motion carried. The April 2024 meeting of the Crime Victims Compensation Board was officially adjourned at 12:20 PM.