

Office Of Claims And Appeals
Crime Victims Compensation Board
Minutes

July 11, 2023

Total
Claims: **67**

Executive Director Hardesty reports to the Board that for June, 2023:

Crime Victims Compensation:

37 claims were received

37 claims were set up

15 full investigations were completed

37 claims were assigned/reassigned to investigators

22 claims were awarded

Total Awarded: \$128,275.30 (including additional and emergency awards)

1 additional award was rendered

5 claims were denied

\$6,831.39 received in restitution

\$606.31 received in donations

\$0.00 received through subrogation

\$3,133.44 received through PIECP program

The Sexual Assault Examination Program:

59 claims received

59 claims were set up

26 claims were awarded

Total Awarded: \$11,521.05

48 claims were denied

107 total claims were decided by the Board for June, 2023.

Board Chair Parsons called the meeting to order at 10:06 AM and conducted roll call.

The following individuals were in attendance at this month's meeting: Board Chair Parsons, Board Members Leenerts and Roberts, Executive Director Hardesty, Staff Attorney Bevins-Sullivan, Executive Staff Advisor Shields, Investigator White, and Restitution/Collections Officer Barrie.

Beverly Dearborn, Budget Specialist III, with the PPC Office of the Secretary, advised the Board of its budget for FY 24. The Board's current budget for FY 24 totals \$3.1 million, \$1.9 million of which involves all administrative costs of the agency. This leaves \$1.2 million to use for awards for both the CVC and SAE programs. Based on the Board's recent award history, the Board may run short for FY 24. Budget Specialist Dearborn advised that the passage of Senate Bill 282 last session allows for increases in restricted funds that can be used to pay claims, but is not an unlimited source. Based on its recent award history, the Board may run short for FY 24. However, Budget Specialist Dearborn advised that pushes are being made to try to increase the general fund allotment and to get more federal monies to cover any potential shortfall.

Executive Director Hardesty provided his statistical report to the Board. Executive Director Hardesty also advised the Board that Senate Bill 283 that was filed last session proposed very broad changes to both the CVC and SAE programs that would materially expand both programs. However, it is anticipated that the General Assembly will scale the scope of the bill back in the upcoming session. As previously drafted, Senate Bill 283 would increase the Board's expenditures by an estimated \$7 to \$12 million. Even if Senate Bill 283 does not pass, additional funds will be requested to hire more staff for the CVC and SAE programs. Executive Director Hardesty also advised the Board of a newly created program called the Prison Industry Enhancement Certification Program (or PIECP) that will be an additional revenue stream for the agency and explained how the program operates. Executive Director Hardesty also reminded the Board of the upcoming trauma-informed care training on 07/25/2023 from 1:30 PM to 4:30 PM to be held in conference room 247 CE.

Restitution/Collections Officer Barrie advised the Board that mileage reimbursement for the period of 07/01/2023 through 09/30/2023 is \$0.46/mile.

For Instructions From the Board

CV-2016-00139/Miller, Lisa on behalf of Gilbert, Patrick \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to continue to intercept and deny Inmate Posey's request to have his payments lowered. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2021-00169/Ukaigwe, Justina on behalf of Ukaigwe, Quincy \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny Inmate Williams' appeal. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2021-00284/Wise, Betty on behalf of Foster, Donald \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny Inmate Stewart's appeal. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00062/Browder, Jr., Joe \$750.00

Board Action: Board awarded

Comments: Member Roberts motioned to authorize payment in the amount of \$750.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00131/Boyd, Troy on behalf of Boyd, Jr., David \$0.00

Board Action: Board held over until another meeting

Comments: After discussion with the full Board, Member Roberts motioned to have a Recommended Order issued and have the claim placed on the August docket. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00146/Watkins, Twinkle on behalf of Carter, Sharmaine \$20,265.04

Board Action: Board awarded

Comments: Member Roberts motioned to accept and adopt but modify the Recommended Order and award the Claimant \$20,265.04. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00166/Zornoza, Lisa on behalf of XXXX \$250.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$250.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

Recommended Orders - Awards

CV-2021-00256/Smith, Jaleah \$1,329.07

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,329.07. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2021-00286/Arroyo, Marlene on behalf of Figueroa, Robert \$30,000.00

Board Action: Board awarded

Comments: Member Roberts motioned to accept and adopt but modify the Recommended Order and grant an award of \$30,000.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2022-00168/Martin-Suarez, Carmen on behalf of Marti-Suarez, Emilio \$5,246.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$5,246.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2022-00262/Fiegenschuh, Crystal \$3,283.08

Board Action: Board awarded

Comments: Member Roberts motioned to award \$3,283.08. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2022-00288/Taylor, TyShea on behalf of Hendricks, Sr., Antwand \$5,000.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$5,000.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2022-00309/Tate, Randall \$18,330.13

Board Action: Board awarded

Comments: Member Roberts motioned to accept and adopt but modify the Recommended Order and award \$18,330.13. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2022-00313/XXXX \$1,955.10

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,955.10 but deny compensation for the Commonwealth Counseling Group expense as it was paid in full through insurance coverage. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2022-00315/Bolden, Allison \$523.19

Board Action: Board awarded

Comments: Member Roberts motioned to award \$523.19. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00020/Daniels, Darby on behalf of Minor Child \$30,000.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$30,000.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00027/Webb, Tina \$6,002.68

Board Action: Board awarded

Comments: Member Roberts motioned to award \$6,002.68. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00044/Kramberg, Brandy on behalf of Morman, Richard \$3,786.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$3,786.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00045/Wells, Jr., Dale on behalf of Wells, Paula \$6,356.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$6,356.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00046/Ratliff, Rushia on behalf of Hall-Pack, Myrtle \$4,926.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$4,926.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00112/Render, Marilyn on behalf of Render, Nicole \$764.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$764.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00124/Thomas, Nina on behalf of Allen, Jasmir \$4,999.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$4,999.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00128/Seeber, Christine on behalf of Hart, Corey \$2,661.85

Board Action: Board awarded

Comments: Member Roberts motioned to accept and adopt but modify the Recommended Order to reflect the Claimant as payee and award \$2,661.85. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00151/Brown-Poe, Kimberly on behalf of Hernandez, Dolores \$1,860.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,860.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

Recommended Orders - Denials

CV-2022-00114/Lopez, Norgel \$0.00

Board Action: Board held over until another meeting

Comments: Member Roberts motioned to deny the claim for damage to the Claimant's vehicle because the Board does not have the statutory authority to provide such compensation and to place the claim for medical expenses in abeyance for sixty (60) days to allow the Claimant time to perfect that portion of the claim. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2022-00152/Green, Sharee on behalf of Green, Sr., Jocko \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2022-00187/Murray, DeWayne \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim at this time but grant the Claimant leave to refile claim for LOE at a later date if he obtains counseling and submits all required paperwork to the Board. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00090/Blue, Shawntress on behalf of Taylor, Jr., John \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to accept and adopt but modify the Recommended Order to deny the claim for funeral expenses but place the request for the headstone in abeyance. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

CV-2023-00150/Collins, Ricky \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

Sexual Assault Examination Awards

SA-2022-00325/Baptist Health Hardin Hospital on behalf of XXXX \$497.42

Board Action: Board awarded

Comments: Member Roberts motioned to award \$497.42. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00314/LOTUS on behalf of XXXX \$894.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$894.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00315/LOTUS on behalf of XXXX \$894.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$894.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00316/Meadowview Regional Medical Center on behalf of XXXX \$55.98

Board Action: Board awarded

Comments: Member Roberts motioned to award \$55.98. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00317/Meadowview Regional Medical Center on behalf of XXXX \$215.23

Board Action: Board awarded

Comments: Member Roberts motioned to award \$215.23. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00318/Meadowview Regional Medical Center on behalf of XXXX \$650.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$650.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00336/Medical Center Franklin on behalf of XXXX \$650.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$650.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00337/University of Louisville on behalf of XXXX \$550.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$550.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00340/Ohio County Hospital on behalf of XXXX \$450.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$450.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00346/Baptist Health Louisville on behalf of XXXX \$1,030.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,030.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00350/Still Waters Center at Ampersand on behalf of XXXX	\$200.00
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Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00357/Cincinnati Children's Hospital Medical Center on behalf of XXXX	\$450.00
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Board Action: Board awarded

Comments: Member Roberts motioned to award \$450.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00358/Cincinnati Children's Hospital Medical Center on behalf of XXXX	\$450.00
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Board Action: Board awarded

Comments: Member Roberts motioned to award \$450.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00359/Mercy Health Lourdes - Paducah on behalf of XXXX	\$550.00
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Board Action: Board awarded

Comments: Member Roberts motioned to award \$450.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00361/Medical Center Bowling Green on behalf of XXXX	\$650.00
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Board Action: Board awarded

Comments: Member Roberts motioned to award \$650.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00365/Southeastern Emergency Physicians, Inc. on behalf of XXXX	\$200.00
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Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00367/Murray Calloway County Hospital on behalf of XXXX	\$300.41
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Board Action: Board awarded

Comments: Member Roberts motioned to award \$300.41. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00368/Murray Calloway County Hospital on behalf of XXXX	\$46.88
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Board Action: Board awarded

Comments: Member Roberts motioned to award \$46.88. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00369/Murray Calloway County Hospital on behalf of XXXX	\$153.89
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Board Action: Board awarded

Comments: Member Roberts motioned to award \$153.89. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00370/Cincinnati Children's Hospital Medical Center on behalf of XXXX \$450.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$450.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00371/University of Louisville on behalf of XXXX \$650.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$650.00. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00373/University of Louisville on behalf of XXXX \$197.21

Board Action: Board awarded

Comments: Member Roberts motioned to award \$197.21. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

Sexual Assault Examination Denials

SA-2023-00051/Owensboro Health Regional Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00176/Frankfort Regional Medical Center on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00183/Baptist Health Paducah on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00184/Harlan ARH on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00218/Baptist Health Deaconess Madisonville on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion. With all voting in favor of the motion, the motion carried.

SA-2023-00257/Clark Regional Medical Center on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.

SA-2023-00258/Baptist Health Louisville on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.

SA-2023-00269/Baptist Health Richmond on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.

SA-2023-00305/Medical Center Bowling Green on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.

SA-2023-00320/Meadowview Regional Medical Center on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.

SA-2023-00321/Meadowview Regional Medical Center on behalf of XXXX \$114.36

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.

SA-2023-00339/Baptist Health Hardin Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.

SA-2023-00342/Jackson Purchase Medical Center on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.

SA-2023-00360/Mercy Health Lourdes - Paducah on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.

SA-2023-00364/Still Waters Center at Ampersand on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.

SA-2023-00372/University of Louisville on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim. Member Leenerts seconded the motion.
With all voting in favor of the motion, the motion carried.
