

Office Of Claims And Appeals
Crime Victims Compensation Board
Minutes

June 11, 2024

Total
Claims: **75**

Executive Director Hardesty reported to the Board that for May 2024:

Crime Victims Compensation:

- 54 claims were received
- 54 claims were set up
- 26 full investigations were completed
- 52 claims were assigned/reassigned to investigators
- 15 claims were awarded
- Total Awarded: \$104,005.44 (includes additional and emergency awards)
- 1 additional award was rendered
- 7 claims were denied
- 1 claim was ordered withdrawn

Restitution and Collections:

- \$4,588.88 received in restitution
- \$639.05 received in donations
- \$0.00 received through subrogation
- \$2,615.55 received through PIECP program
- \$7,842.48 total received

The Sexual Assault Examination Program:

- 71 claims were received
- 71 claims were set up
- 34 claims were awarded
- Total Awarded: \$18,875.17
- 6 claims were denied

64 total claims were decided by the Board for May 2024.

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, Members Leenerts and Roberts, Executive Director Hardesty, Staff Attorneys Bevins-Sullivan and Horsman, Executive Staff Advisor Shields, Investigators Hubbard and White, and Restitution/Collections Officer Barrie. The Hon. Cate Caperton and Kortney Smith attended as guests.

Member Roberts motioned to adopt the May 2024 minutes. Member Leenerts seconded the motion. Having all in favor, the motion carried.

Executive Director Hardesty provided the Executive Director's report to the Board.

Executive Director Hardesty advised the Board that a candidate for the victim advocate position has been identified and a request for approval has been sent up to the Personnel Cabinet. The candidate will hopefully be hired within the next couple of weeks.

Executive Director Hardesty outlined the agency's efforts to ensure that its IT needs are in

compliance with the requirements set forth by SB 319 and outlined the changes forthcoming to the Board's administrative regulations.

Staff Attorney Horsman updated the Board on the subpoena form. The Board determined that all three (3) members will be capable of issuing subpoenas and should be sent certified. Member Roberts motioned to approve the subpoena once the seal is modified. Member Leenerts seconded the motion. Having all in favor, the motion carried.

Executive Staff Advisor Shields gave his report to the Board. The next trainings on the CVC and SAE programs have been scheduled for 6/21, 7/19, and 8/16. Forty (40) people have registered for the 6/21 training, twenty-three (23) people have registered for the 7/19 training, and fourteen (14) people have registered for the 8/16 training. Additionally, Executive Staff Advisor Shields advised the Board that he will be speaking to the Kentucky Association of Sexual Assault Program's (KASAP) rape crisis center advocates on 6/26 regarding the forthcoming changes to the CVC and SAE programs because of SB 319.

Executive Staff Advisor Shields also alerted to the Board that claim filings continue to increase. As of 6/11, 238 claims have been filed this calendar year and claim filings are on pace to possibly hit 500 by the end of calendar year 2024. If the 500 target is achieved, that will be a thirty-seven percent (37%) increase over the number of filings from calendar year 2023.

Staff Attorney Bevins-Sullivan advised the Board that she and Executive Director Hardesty presented at the Updates at the Capitol CLE event on 6/3.

Board Chair Parsons motioned to go into executive session, pursuant to KRS 61.180(1)(c) and (j) and KRS 61.818, at 10:32 AM to discuss claim number CV-2023-00290. Member Roberts seconded the motion. Having all in favor, the motion carried. The Board officially entered executive session at 10:32 AM.

Member Roberts motioned to exit executive session at 10:57 AM and return to open session. Member Leenerts seconded the motion. Having all in favor, the motion carried. The Board officially exited executive session and returned to open session at 10:57 AM.

Member Roberts motioned to re-enter into executive session, pursuant to KRS 61.180(1)(c) and (j) and KRS 61.818, at 11:01 AM to discuss the following claim numbers: CV-2023-00283, CV-2023-00011, CV-2023-00016, CV-2023-00037, CV-2023-00049, CV-2023-00053, CV-2023-00102, CV-2023-00119, CV-2023-00164, CV-2023-00265, CV-2023-00267, CV-2023-00339, CV-2023-00354, CV-2023-00363, CV-2024-00005, CV-2024-00020, CV-2024-00077, CV-2024-00099, CV-2024-00104, CV-2024-00124, CV-2024-00137, CV-2023-00009, CV-2023-00133, CV-2023-00156, CV-2023-00175, CV-2023-00186, CV-2023-00239, and CV-2023-00347. Member Leenerts seconded the motion. Having all in favor, the motion carried. The Board officially re-entered executive session at 11:01 AM.

Member Roberts motioned to exit executive session at 12:09 PM and return to open session. Member Leenerts seconded the motion. Having all in favor, the motion carried. The Board officially exited executive session and returned to open session at 12:09 PM.

For Instructions From the Board

CV-2023-00283, [REDACTED] on behalf of [REDACTED] \$7,500.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$7,500.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00290 [REDACTED] on behalf of [REDACTED] \$0.00

Board Action: Board awarded

Comments: Member Roberts motioned to vacate the Final Order issued by the Board in CV-2020-00186 and reopen the claim. Member Leenerts seconded the motion. Having all in favor, the motion carried.

Recommended Orders - Awards

CV-2023-00011 [REDACTED] \$5,036.24

Board Action: Board awarded

Comments: Member Roberts motioned to award \$5,036.24. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00016 [REDACTED] \$19,454.31

Board Action: Board awarded

Comments: Member Roberts motioned to award \$19,454.31. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00037 [REDACTED] on behalf of [REDACTED] \$1,265.11

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,265.11. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00049 [REDACTED] \$3,025.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$3,025.00 and to keep prior authorizations totaling \$510.61 for Amfab Company and The Bath Outlet expenses in place to be paid once the Claimant incurs debts for them and submits proof of same to the Board. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00053 [REDACTED] \$563.37

Board Action: Board awarded

Comments: Member Roberts motioned to accept and adopt but modify the Recommended Order to award \$563.37 but deny the expense from Envision with leave to refile. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00102 [REDACTED] on behalf of [REDACTED] \$1,770.05

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,770.05. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00119 [REDACTED] \$4,864.97

Board Action: Board awarded

Comments: Member Roberts motioned to award \$4,864.97. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00164 [REDACTED] \$1,000.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,000.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00265/ [REDACTED] \$754.44

Board Action: Board awarded

Comments: Member Roberts motioned to award \$754.44 but deny compensation for the requested credit card bill because the Board is without authority to pay that expense. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00267/ [REDACTED] \$1,502.30

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,502.30. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00339/ [REDACTED] on behalf of [REDACTED] \$2,760.00

Board Action: Board awarded

Comments: Member Roberts motioned to accept and adopt but modify the Recommended Order to award \$2,760.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00354/ [REDACTED] on behalf of [REDACTED] \$5,164.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$5,164.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00363/ [REDACTED] on behalf of [REDACTED] \$2,500.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$2,500.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2024-00005/ [REDACTED] \$7,694.60

Board Action: Board awarded

Comments: Member Roberts motioned to accept and adopt but modify the Recommended Order to award \$7,694.60. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2024-00020/ [REDACTED] on behalf of [REDACTED] \$1,375.00

Board Action: Board awarded

Comments: Member Roberts motioned to authorize an award of \$1,375.00 to be paid once approved by the Board and a contract has been submitted by the Claimant showing the purchase of the cremation stone and burial service.. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2024-00077/ [REDACTED] \$5,550.00

Board Action: Board awarded

Comments: Member Roberts motioned to accept and adopt but modify the Recommended Order to award \$5,550.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2024-00099/ [REDACTED] \$840.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$840.00 but deny the dates of service of 8/17/2023, 9/14/2023, 9/25/2023, and 10/3/2023 totaling \$560.00 because they have already been paid in prior Orders from the Board. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2024-00104/ [REDACTED] \$182.25

Board Action: Board awarded

Comments: Member Roberts motioned to award \$182.25. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2024-00124/ [REDACTED] on behalf of [REDACTED] \$7,500.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$7,500.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2024-00137/ [REDACTED] on behalf of [REDACTED] \$4,872.61

Board Action: Board awarded

Comments: Member Roberts motioned to award \$4,872.61. Member Leenerts seconded the motion. Having all in favor, the motion carried.

Recommended Orders - Denials

CV-2023-00009/ [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim but grant the Claimant leave to refile if the Claimant submits copies of the itemized billing statements from UK Hospital to the Board. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00133/ [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim but grant the Claimant leave to refile if the Claimant obtains the needed documentation to substantiate her claim and submits same to the Board. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00156/ [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim but grant the Claimant leave to refile if the Claimant obtains the needed documentation to substantiate her claim and submits same to the Board. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00175/ [REDACTED] \$0.00

Board Action: Board ordered dismissed

Comments: Member Roberts motioned to deny the claim but grant the Claimant leave to refile if the Claimant obtains the needed documentation to substantiate his claim and submits same to the Board. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00186/ [REDACTED] \$0.00

Board Action: Board held over until another meeting

Comments: Member Roberts motioned to table this claim until the July 2024 docket. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00239/██████████ on behalf of ██████████ \$0.00

Board Action: Board ordered dismissed

Comments: After discussing the Claimant's filed exceptions, Member Roberts motioned to accept and adopt but modify the Recommended Order and deny the claim but grant the Claimant leave to refile. Member Leenerts seconded the motion. Having all in favor, the motion carried.

CV-2023-00347/██████████ on behalf of ██████████ \$0.00

Board Action: Board ordered dismissed

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

Sexual Assault Examination Awards

SA-2024-00032/Baptist Health Hardin Hospital on behalf of ██████████ \$204.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$204.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

SA-2024-00081/Baptist Health LaGrange on behalf of ██████████ \$650.00

Board Action: Board awarded

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

SA-2024-00090/Medical Center Bowling Green on behalf of ██████████ \$1,000.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,000.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

SA-2024-00124/Owensboro Health Regional Hospital on behalf of ██████████ \$194.58

Board Action: Board awarded

Comments: Member Roberts motioned to award \$194.58. Member Leenerts seconded the motion. Having all in favor, the motion carried.

SA-2024-00141/Medical Center Bowling Green on behalf of ██████████ \$650.00

Board Action: Board awarded

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

SA-2024-00151/Lexington SANE Program on behalf of ██████████ \$200.00

Board Action: Board awarded

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

SA-2024-00152/Lexington SANE Program on behalf of ██████████ \$200.00

Board Action: Board awarded

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

SA-2024-00153/Lexington SANE Program on behalf of ██████████ \$200.00

Board Action: Board awarded

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

SA-2024-00154/Lexington SANE Program on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00155/Lexington SANE Program on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00158/Pennyrile Children's Advocacy Center on behalf of [REDACTED] \$894.00

Board Action: Board awarded

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

SA-2024-00160/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00161/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00162/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00163/The Center for Women & Families, Inc. on behalf of [REDACTED] \$450.00

Board Action: Board awarded

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

SA-2024-00164/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00165/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00166/University of Louisville on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00167/The Center for Women & Families, Inc. on behalf of [REDACTED] \$380.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$380.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

SA-2024-00169/St. Joseph Hospital East on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00171/Owensboro Health Regional Hospital on behalf of [REDACTED] \$450.00

Board Action: Board awarded

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

SA-2024-00172/Still Waters Center at Ampersand on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00173/Southeastern Emergency Physicians, Inc. on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00174/Cincinnati Childrens Hospital Medical Center on behalf of [REDACTED] \$450.00

Board Action: Board awarded

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

SA-2024-00176/Kentucky Clinic Pharmacy on behalf of [REDACTED] \$230.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$230.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

SA-2024-00177/Lexington SANE Program on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00178/CAC of the Bluegrass on behalf of [REDACTED] \$894.00

Board Action: Board awarded

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

SA-2024-00179/CAC of the Bluegrass on behalf of [REDACTED] \$894.00

Board Action: Board awarded

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

SA-2024-00180/Mercy Health Lourdes - Paducah on behalf of [REDACTED] \$650.00

Board Action: Board awarded

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

SA-2024-00183/Medical Center Bowling Green on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00186/Baptist Health Hardin Hospital on behalf of [REDACTED] \$1,401.46

Board Action: Board awarded

Comments: Member Roberts motioned to award \$1,401.46. Member Leenerts seconded the motion. Having all in favor, the motion carried.

SA-2024-00189/Medical Center Bowling Green on behalf of [REDACTED] \$450.00

Board Action: Board awarded

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

SA-2024-00190/Still Waters Center at Ampersand on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00195/Still Waters Center at Ampersand on behalf of [REDACTED] \$200.00

Board Action: Board awarded

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

SA-2024-00217/Kentucky Clinic Pharmacy on behalf of [REDACTED] \$86.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$86.00. Member Leenerts seconded the motion. Having all in favor, the motion carried.

Sexual Assault Examination Denials

SA-2024-00012/University of Kentucky Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

SA-2024-00049/Jane Todd Crawford Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

SA-2024-00051/Georgetown Community on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

SA-2024-00080/University of Kentucky Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

SA-2024-00086/University of Kentucky Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

SA-2024-00099/Jackson Purchase Medical Center on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

SA-2024-00104/Medical Center Bowling Green on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

SA-2024-00105/Ephraim McDowell James B. Haggin Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

SA-2024-00136/University of Kentucky Hospital on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

SA-2024-00140/Ephraim McDowell Regional Medical Center on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

SA-2024-00192/Frankfort Regional Medical Center on behalf of [REDACTED] \$0.00

Board Action: Board ordered dismissed

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

The Board set its next meeting for 7/9/2024 at 10:00 AM to be held at the Board's office located at 500 Mero Street, Frankfort, Kentucky. A Microsoft Teams option will be provided.

Board Chair Parsons motioned to adjourn this month's meeting at 12:53 PM. Member Leenerts seconded the motion. Having all in favor, the motion carried. The June 2024 meeting of the Crime Victims Compensation Board was officially adjourned at 12:53 PM.