

Office Of Claims And Appeals
Crime Victims Compensation Board
Minutes

March 8, 2022

Total
Claims: **75**

Executive Director John Hardesty reported to the Board that for February, 2022:

Crime Victims Compensation:

- 20 claims were received
- 20 claims were set up
- 16 full investigations were completed
- 19 claims were assigned/reassigned to investigators
- 2 claims were awarded
 - Total Awarded: \$5,300.00 (including additional awards)
- 0 additional awards were rendered
- \$8,047.97 was received in restitution
- \$535.94 was received in donations
- \$0.00 was received through subrogation
- 4 claims were denied

The Sexual Assault Examination Program:

- 115 claims were received
- 52 claims were set up
- 55 "ineligibles"
- 50 claims were awarded
 - Total Awarded: \$13,065.12
- 10 claims were denied

66 total claims were decided by the Board for February, 2022.

Board Chair Parsons called the meeting to order at 10:03 AM and conducted roll call.

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

Member Roberts motioned to accept the February 8, 2022 meeting minutes as presented to the Board. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried. The February 8, 2022 meeting minutes were officially adopted.

Executive Director Hardesty provided his report to the Board.

Executive Director Hardesty advised the Board that Kristen White has been hired to be the CVCB's new claims investigator and will begin on March 16, 2022. Ms. White will predominantly work with CVCB claims but will also assist with the Board of Claims and the CVCB's Sexual Assault Examination Program on a limited basis.

Executive Director Hardesty thanked Restitution/Collections Officer Barrie on her continued hard work with getting restitution and collections figures to increase.

Governor Beshear has announced that masks are now optional in Executive Branch office buildings but certainly can be worn if an individual feels more comfortable doing so.

Two joint resolutions have been filed in regards to the confirmations of two of OCA's Board Members (Member Leenerts and Board of Tax Appeals "BTA" Member Tony Colyer). No votes have been taken yet but the Board will be kept apprised of any developments.

The Executive Branch Ethics Commission is currently hiring for an Executive Director and as a result the Executive Branch ethics training has been stymied until a Director has been appointed. Executive Director Hardesty will keep the Board apprised on when the trainings resume.

Board of Claims Clerk Katie Dean has planned staff and Board Clerk trainings on the Citrix virtual desktop application. Clerk Dean and Executive Staff Advisor Shields will conduct the training with the CVCB soon.

A recent court case concerning open records matters was recently decided by the Franklin Circuit Court. In that case, the Court held that the use of personal emails for official state business would leave their personal email addresses open to potential open records requests.

The Board engaged in a policy discussion on Sexual Assault Examination Program claims. SAEP Coordinator Greene spends a great deal of time corresponding with Claimants to encourage claim perfection. In order to increase claims efficiency, the Board stated that SAEP Coordinator Greene should make one attempt to encourage claim perfection and allow them a thirty-day period after initial submission to perfect their claim. If the claim is not perfected within that thirty-day period, claims should be placed on the next docket for claim determinations.

Executive Staff Advisor Shields advised that his training with the Statewide Human Trafficking Task Force went very well. In addition, ESA Shields advised the Board that he has been asked by the London Rotary Club to come speak about the CVC program and has received approval from the PPC Office of Communications and Public Outreach. The next trainings on the CVC program with the public have been scheduled for March 18, 2022 and April 14, 2022.

For Instructions From the Board

CV-2018-00107/Mintor, Steven on behalf of Mundy, Stephon \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny Inmate William Kellogg's (#507094/311944) debt appeal. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2019-00159/XXXX \$57.45

Board Action: Board held over until another meeting

Comments: Member Roberts motioned to hold this claim in abeyance until the Claimant submits additional information for her claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2020-00018/Mulinda, Sylvain on behalf of Mulinda, David \$0.00

Board Action: Board held over until another meeting

Comments: Member Roberts motioned to hold this claim in abeyance until the April docket to allow time for a recommendation to be drafted. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2022-00018/Snow, Billie on behalf of Dedden, Robert \$0.00

Board Action: Board held over until another meeting

Comments: Board Chair Parsons motioned to hold this claim in abeyance until the April docket to allow time for a recommendation to be drafted. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

Recommended Orders - Awards

CV-2021-00176/McCallister, Shameka on behalf of Beattie, Jaimesha \$4,825.00

Board Action: Board awarded

Comments: Board Chair Parsons motioned to award \$4,825.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2021-00189/Williams, Bridgette \$7,993.00

Board Action: Board awarded

Comments: Board Chair Parsons motioned to award \$7,993.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2021-00204/Layne, Amy on behalf of Pace, David \$4,422.00

Board Action: Board awarded

Comments: Board Chair Parsons motioned to award \$4,422.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2021-00247/Holloway, Darrell on behalf of Holloway, Andre \$2,445.00

Board Action: Board awarded

Comments: Board Chair Parsons motioned to award \$2,445.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2021-00276/Rivera, Lazaro on behalf of Rivera-Rodriguez, Dunier \$2,010.00

Board Action: Board awarded

Comments: Board Chair Parsons motioned to award \$2,010.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2021-00279/Taylor, Donna on behalf of Grundy, Ramone \$1,000.00

Board Action: Board awarded

Comments: Board Chair Parsons motioned to award \$1,000.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2022-00011/Parker, Steven on behalf of Pace, Brittany \$1,674.00

Board Action: Board held over until another meeting

Comments: After discussion on the Claimant's filed exceptions, Member Roberts motioned to place this claim in abeyance until the April docket. Board Chair Parsons seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2022-00021/Nirenberg, Lahoma on behalf of Burton, Timothy \$703.00

Board Action: Board awarded

Comments: Board Chair Parsons motioned to award \$703.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

Recommended Orders - Denials

CV-2022-00012/Pace, David on behalf of Pace, David \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2022-00028/Stjepic, Amela \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

CV-2022-00042/Goff, Gail on behalf of Updegrove, Alex \$0.00

Board Action: Board ordered dismissed

Comments: After discussion on the Claimant's filed exceptions, Member Roberts motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

Sexual Assault Examination Awards

SA-2021-00378/Jennie Stuart 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. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00504/Medical Center Bowling Green on behalf of XXXX \$450.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$450.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00580/Kentucky Clinic Pharmacy on behalf of XXXX	\$230.00
<i>Board Action:</i> Board awarded	
<i>Comments:</i> Member Roberts motioned to award \$230.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.	
SA-2021-00586/Kentucky Clinic Pharmacy on behalf of XXXX	\$230.00
<i>Board Action:</i> Board awarded	
<i>Comments:</i> Member Roberts motioned to award \$230.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.	
SA-2021-00675/Baptist Health Paducah on behalf of XXXX	\$230.00
<i>Board Action:</i> Board awarded	
<i>Comments:</i> Member Roberts motioned to award \$250.38. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.	
SA-2021-00764/Baptist Health Paducah on behalf of XXXX	\$250.38
<i>Board Action:</i> Board awarded	
<i>Comments:</i> Member Roberts motioned to award \$435.78. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.	
SA-2021-00765/Baptist Health Corbin on behalf of XXXX	\$435.78
<i>Board Action:</i> Board awarded	
<i>Comments:</i> Member Roberts motioned to award \$1,030.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.	
SA-2021-00776/Racers Emergency Physicians on behalf of XXXX	\$1,030.00
<i>Board Action:</i> Board awarded	
<i>Comments:</i> Member Roberts motioned to award \$200.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.	
SA-2021-00805/Baptist Health Hardin Hospital on behalf of XXXX	\$200.00
<i>Board Action:</i> Board awarded	
<i>Comments:</i> Member Roberts motioned to award \$1,130.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.	
SA-2021-00814/The Center for Women & Families, Inc. on behalf of XXXX	\$1,130.00
<i>Board Action:</i> Board awarded	
<i>Comments:</i> Member Roberts motioned to award \$400.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.	
SA-2021-00821/Baptist Health Corbin on behalf of XXXX	\$400.00
<i>Board Action:</i> Board awarded	
\$135.92	

Comments: Member Roberts motioned to award \$135.92. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00834/University of Louisville on behalf of XXXX \$20.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$20.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00837/University of Louisville on behalf of XXXX \$662.19

Board Action: Board awarded

Comments: Member Roberts motioned to award \$662.19. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00845/University of Louisville on behalf of XXXX \$200.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$200.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00851/St Elizabeth Healthcare on behalf of XXXX \$650.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$650.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00852/Baptist Health Paducah on behalf of XXXX \$276.06

Board Action: Board awarded

Comments: Member Roberts motioned to award \$276.06. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2022-00019/Family & Children's Place on behalf of XXXX \$538.00

Board Action:

Comments: CAC Fee

SA-2022-00021/Family & Children's Place on behalf of XXXX \$538.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$538.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2022-00023/Family & Children's Place on behalf of XXXX \$538.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$538.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2022-00025/Family & Children's Place on behalf of XXXX \$538.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$538.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2022-00026/Family & Children's Place on behalf of XXXX \$538.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$538.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2022-00028/Family & Children's Place on behalf of XXXX \$538.00

Board Action: Board awarded

Comments: Member Roberts motioned to award \$538.00. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2022-00077/Gateway CAC on behalf of XXXX \$538.00

Board Action:

Comments: CAC Fee

SA-2022-00095/UK Healthcare Hospital on behalf of XXXX \$101.14

Board Action: Board awarded

Comments: Member Roberts motioned to award \$101.14. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

Sexual Assault Examination Denials

SA-2021-00319/Baptist Health Hardin Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00441/Jennie Stuart Medical Center on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00490/Whitesburg ARH on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00493/Medical Center Bowling Green on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00497/Saint Claire Medical Center on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00532/University of Louisville on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00538/Clark Regional Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00555/Mercy Health Lourdes - Paducah on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00557/Saint Joseph Berea on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00558/Owensboro Health Regional Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00573/Saint Claire Medical Center on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00582/UK Healthcare Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00583/UK Healthcare Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00585/Kentucky Clinic Pharmacy on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00598/Medical Center Bowling Green on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00603/Mercy Health Lourdes - Paducah on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00607/Medical Center Bowling Green on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00610/Baptist Health Richmond on behalf of XXXX *Board Action:* Board ordered dismissed \$0.00

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Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00612/UK Healthcare Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00623/Owensboro Health Regional Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00656/University of Kentucky Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00684/UK Healthcare Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00691/Medical Center Bowling Green on behalf of XXXX \$0.00

Board Action:

Comments: Failed to provide insurance status

SA-2021-00731/UK Healthcare Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00741/UK Healthcare Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00766/Whitesburg ARH on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00778/Baptist Health Hardin Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00780/University of Kentucky Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00795/University of Kentucky Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00806/UK Healthcare Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00813/University of Louisville on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00819/University of Louisville on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00841/Owensboro Health Regional Hospital on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00843/Baptist Health Paducah on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.

SA-2021-00859/Pikeville Medical Center on behalf of XXXX \$0.00

Board Action: Board ordered dismissed

Comments: Board Chair Parsons motioned to deny the claim. Member Leenerts seconded the motion. There were no abstentions or nays. The motion unanimously carried.
