

Joint House/Senate Subcommittee on Claims
Subcommittee Minutes

Tuesday, April 16, 2013
Capitol Room 118
6:00 p.m.

In Attendance

Sen. Jim Carlson, Co-Chair
Sen. David Osmek
Sen. Bev Scalze
Rep. Brian Johnson
Rep. Mary Murphy, Co-Chair
Rep. Steve Simon

Call to order by Chair Carlson at 6:00 p.m. A quorum was present.

Michele Timmons, Revisor of Statutes served as counsel to the subcommittee.

Rep. Simon **MOVED** to approve the minutes from March 26, 2012. **MOTION PREVAILED.**

1. Michele Timmons presented the *William Eggert claim against the Minnesota Department of Human Services.*

Testified on the Eggert claim:

- Kenneth White, Attorney for Claimant
- Leah Flygare, Minnesota Department of Human Services
- Chad Mesojedec, Minnesota Department of Human Services
- Kari Anderson, Minnesota Department of Human Services

Sen. Osmek **MOVED** to deny the William Eggert claim. **MOTION PREVAILED.**

2. Michele Timmons presented the Medical Reimbursement for Injury Claims under \$500 and other claims paid by the department memo from the Minnesota Department of Corrections.

Rep. Mary Murphy **MOVED** to approve payment of \$3,701.60 the Department of Corrections for reimbursement of medical expenses for injury claims under \$500 and other claims paid by the department. **MOTION PREVAILED.**

3. Michele Timmons presented the *Garry Green claim against the Minnesota Department of Corrections.*

Testified on the Green claim:

- Garry Green, Claimant
- Jordan Kushner, Attorney for Claimant
- Randy Harnett, Minnesota Department of Corrections

Mr. Kushner, on behalf of the claimant, and Mr. Hartnett, on behalf of the Department of Corrections, testified to an agreement of the parties that the Department of Corrections would arrange and pay for, with available department funds, an occupational medical examination of the claimant by his treating physician to determine the extent, if any, of permanent injury suffered by the claimant while performing sentence-to-service work in Hennepin County. Based upon the agreement of the parties, Chair Carlson laid the Garry Green claim over pending receipt of this additional medical information.

4. Michele Timmons presented the *Earl Brown claim against the Minnesota Department of Corrections*.

Rep. Simon moved to **DENY** the Earl Brown claim. **MOTION PREVAILED.**

5. Michele Timmons presented the Terrance Dumont claim against the Minnesota Department of Corrections.

Testified on the Dumont claim:

- Randy Hartnett, Minnesota Department of Corrections

Rep. Simon **MOVED** to authorize \$1,500 in payment to Terrance Dumont for permanent injuries to his head while performing assigned duties at Minnesota Correctional Facility-Stillwater. **MOTION PREVAILED.**

6. Michele Timmons presented the *Kent Richard Jones claim against the Minnesota Department of Corrections*.

Sen. Osmek **MOVED** to approve payment of \$5,250 to Kent Richard Jones for permanent injuries to his back while performing assigned duties at the Minnesota Correctional Facility-Stillwater. **MOTION PREVAILED.**

7. Michele Timmons presented the John Lee claim against the Minnesota Department of Corrections.

Testified on the Lee claim:

- Randy Hartnett, Minnesota Department of Corrections

Sen. Scalze **MOVED** to deny the Lee claim. **MOTION PREVAILED.**

8. Michele Timmons presented the Jodi McCoy claim against the Minnesota Department of Corrections.

Testified on the McCoy claim:

- Nacole Lind, Minnesota Department of Corrections

Rep. Johnson **MOVED** to approve payment of \$1,794.05 to medical providers for the treatment of Jodi McCoy who was injured while performing sentence-to-service work in Washington County. **MOTION PREVAILED.**

9. Michele Timmons presented the Marijo Muck claim against the Minnesota Department of Corrections.

Testified on the Muck claim:

- Randy Hartnett, Minnesota Department of Corrections

Rep. Murphy **MOVED** to approve payment of \$8,505 to Marijo Muck for permanent injuries to her left rotator cuff while performing assigned duties at the Minnesota Correctional Facility-Shakopee. **MOTION PREVAILED.**

10. Michele Timmons presented the *Duane Stevens claim against the Minnesota Department of Corrections.*

Testified on the Stevens claim:

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Sen. Osmek **MOVED** to deny the Stevens claim but directed subcommittee staff to communicate with the claimant that his claim may be reconsidered if additional evidence is submitted substantiating wage loss or permanent injury. **MOTION PREVAILED.**

Co-Chair Murphy requested that, in the denial letter, subcommittee staff also emphasize the importance of physical therapy.

11. Michele Timmons presented the *Keith Washington claim against the Minnesota Department of Corrections.*

Testified on the Washington claim:

- Nacole Lind, Minnesota Department of Corrections

Sen. Scalze **MOVED** to deny the Washington claim. **MOTION PREVAILED.**

12. Michele Timmons presented the *Arthur McCoy claim against the Minnesota Department of Corrections.*

Testified on the McCoy Claim

- Randy Hartnett, Minnesota Department of Corrections
- Nacole Lind, Minnesota Department of Corrections

Rep. Simon MOVED to deny the McCoy claim. **MOTION PREVAILED.**

13. Michele Timmons presented the *Stacy Stangel claim against the Minnesota Department of Corrections.*

Testified on the Stangel Claim:

- Nacole Lind, Minnesota Department of Corrections

Rep. Simon **MOVED** to direct the Department of Corrections to pay \$95.00 towards the Stangel claim.

After testimony by Ms. Lind that the department would prefer to work with department dental services to solve Offender Stangel's dental problems rather than to make a monetary payment, Rep. Simon **WITHDREW** his motion.

Rep. Simon **MOVED** to direct the Minnesota Department of Corrections to work with the department dental services to reline the claimant's dentures and to make fitted gaskets for two upper teeth for the claimant, consistent with the January 3, 2013 memo from Laurence E. Will, and to **DENY** the monetary amount of the Stangel claim. **MOTION PREVAILED.**

14. Michele Timmons presented the *William Netz and all other property claims against the Minnesota Department of Corrections* not yet discussed as they appear on the agenda.

Sen. Osmek **MOVED** to deny the Netz claim, the Babcock claim, the Battle claim, the Bergren claim, the Clemons claim, the Cross claim, the Crow claim, Crutchfield claim, the DeCorsey claim, the De La Garza claim, Diaz claim, the Edwards claim, the Ellis claim, the Fox 12-PR-129 claim, the Fox12-PR-280 claim, the Inman claim, the Jackson claim, the Johnson claim, the Kendell-Bey claim, the Larson, Joshua claim, the Ligons claim, the Liimatainen claim, the Lindgren claim, the Manypenny claim, the Mata claim, the McChriston claim, the Miller claim, the Pfeifer claim, the Sayers claim, the Schueneman claim, the Shull claim, the Spencer claim, the Staples claim, the Sutherlin claim, the Titera claim, the Turnage claim, the Vankeuren claim, the Waltz claim, the Wilkes claim, the Andrew Williams, Andrew claim, the Charles Williams claim, the Woods 12-PR-041claim, and the Woods 12-PR-251 claim, **MOTION PREVAILED.**

Meeting adjourned at 8:37 p.m.

Respectfully submitted,

Senator Jim Carlson, Co-Chair
Joint House/Senate Subcommittee on Claims

Representative Mary Murphy, Co-Chair
Joint House/Senate Subcommittee on Claims

Jenna Haring, Clerk
Joint House/Senate Subcommittee on Claims