

July 2023

THERE WAS NO
MEETING HELD OF THE
STATE APPEAL BOARD IN
THE MONTH OF JULY, 2023

—
NO MINUTES
—



JOSEPH BARRY

STATE APPEAL BOARD
Board of Directors Meeting
Minutes

DATE: August 7, 2023

TIME: 1:30 p.m.

PLACE: Department of Management's Conference Room #14
State Capitol
Des Moines, Iowa

BOARD MEMBERS PRESENT

Kraig Paulsen, Director, Dept. of Management
Roby Smith, Treasurer, State of Iowa – via phone
Rob Sand, Auditor, State of Iowa

OTHERS PRESENT

Joseph Barry, Dept. of Management
Stan Thompson, Attorney General's Office
Bradley Nielsen, Attorney General's Office
Xavier Leonard, LSA

CALL TO ORDER

Chair, Mr. Sand, called the Meeting to order at 1:30 p.m. and confirmed that a quorum was present with all Board members attending

ADOPTION OF AGENDA

The Chair advised that there were no changes to the Agenda as submitted.
MOTION by Mr. Paulsen, seconded by Mr. Sand to adopt the agenda.
MOTION carried unanimously.

APPROVAL OF MINUTES

MOTION to approve the June 21, 2023 minutes as submitted. No meeting held in July so there are no minutes for submission of approval. **MOTION** by Mr. Paulsen, seconded by Mr. Sand. **MOTION** carried unanimously.

CONSIDERATION OF GENERAL CLAIMS – Chapter 25

The Board considered all general claims as submitted to them by the Attorney General's Office (See Exhibit B).

G240003 – Brisbois. Mr. Barry explained to the Board this is a backpay submission for a DOT employee. Only submitted to be on record that it was presented and approved by the Board. The payment will be paid 100% by DOT out of their funds and no General Funds will be used. Discussion followed.

MOTION by Mr. Paulsen to approve General Claims as submitted for review. Seconded by Mr. Sand. **MOTION** carried unanimously.

RATIFICATION OF TORT CLAIMS – Chapter 669

The Board considered all tort claims as presented to them by the Attorney General's Office (See Exhibit B).

No specific claims discussed.

MOTION by Mr. Sand, seconded by Mr. Paulsen, to ratify all tort claims as submitted for review. **MOTION** carried unanimously.

NEW SETTLEMENT/JUDGMENTS AS SUBMITTED BY ATTORNEY GENERAL'S OFFICE

Dr. Michael Argenyi v U of IA (UIHC)

Settlement agreement in the amount of \$65,000.00 for alleged failing to accommodate for disabilities and harassment allegations. 100% payment will be made by UIHC to Dr Argenyi. SAB/General funds will not contribute to this settlement. Discussion followed

MOTION by Mr. Paulsen and seconded by Mr. Sand to pay agreement as recommended. **MOTION** carried unanimously.

***Remaining 6 submitted settlement agreements were discussed as a whole unit and that they are going to be deferred to the September meeting.**

MOTION by Mr. Sand and seconded by Mr. Smith to defer the remaining submitted settlements involving the University of Iowa and (UIHC) agreements to the September meeting **MOTION** carries unanimously.

***Jordan Moon Adams v U of IA (UIHC)**

Settlement agreement in the amount of \$14,000.00 for alleged medical malpractice and failure to properly evaluate condition and provide proper treatment. Payment is to be paid to Jordan Moon Adams - \$7,000.00 (50% UIP) and \$7,000.00 (50%) SAB general fund. Discussion followed.

MOTION by Mr. Sand and seconded by Mr. Smith to defer this submitted settlement item to the September meeting **MOTION** carries unanimously.

***Kimberly Allen, Independent Exec of the Estate of Joan Clark v UIHC**
Settlement agreement in the amount of \$2,000,000.00 for alleged medical malpractice procedure causing injury and eventual death of Joan Clark. Payment of full amount will be paid by UIP.

Discussion followed.

MOTION by Mr. Sand and seconded by Mr. Smith to defer this submitted settlement item to the September meeting **MOTION** carries unanimously.

***Susan Ferrell (Eleanor Dilkes) v State of Iowa (UIHC)**

Settlement agreement in the amount of \$75,000.00 to Susan Ferrell (and her wife Eleanor Dilkes) under the Candor statute. Agreement for alleged not achieving expected cataract surgery results and follow-ups not satisfactory. 100% payment to be made by UIP.

Discussion followed.

MOTION by Mr. Sand and seconded by Mr. Smith to defer this submitted settlement item to the September meeting **MOTION** carries unanimously.

***Kathy Jones v State of Iowa (UIHC)**

Settlement agreement in the amount of \$90,000.00 for alleged negligence at UIHC resulting in injury from a slip and fall. Payment to be made to Law Office of Nancy L Hirsch LLC

MOTION by Mr. Sand and seconded by Mr. Smith to defer this submitted settlement item to the September meeting **MOTION** carries unanimously

***Kristin Riley v UIHC**

Settlement in the amount of \$265,000.00 for alleged employment discrimination and failure to accommodate. Amount payable as follows - \$137,197.34 to Dr Riley through payroll processing. \$99,516.34 paid directly to Kristin Riley and \$32,286.32 to Dickey, Campbell & Sahag Law Firm. Discussion followed

MOTION by Mr. Sand and seconded by Mr. Smith to defer this submitted settlement item to the September meeting **MOTION** carries unanimously

***Dorna Pratt v State of Iowa (UIHC)**

Settlement in the amount of \$75,000.00 for alleged med negligence in using incorrect implants for augmentation surgery resulting in a second surgery. Payment in the \$48,750 (65%) from UIP and \$26,250 (35%) from State general fund. Discussion followed.

MOTION by Mr. Sand and seconded by Mr. Smith to defer this submitted settlement item to the September meeting **MOTION** carries unanimously

RATIFICATION OF JUNE ADMINISTRATIVE ACTIONS

Discussion to ratify the June 2023, Administrative Claims Process; Interagency Claims – "D" claim(s); Outdated Warrants; Tort Claims Under 28E Agreement; Monies paid from General Fund for Settlements and Judgments (except for one – Susan Rowe et. al. v State of Iowa) – Mr. Barry explained to the Board that this agreement now awaits a Judge's approval before all listed employees who elect payout can be paid/resolved. The wait time according to the attorney on the agreement stated it should be anticipated happening in October. Discussion followed.

MOTION by Mr. Paulsen and seconded by Mr. Sand to ratify all completed June items with exception to the Susan Rowe settlement which will be brought back to the board for ratification once payment and resolution has been completed.

MOTION carries unanimously


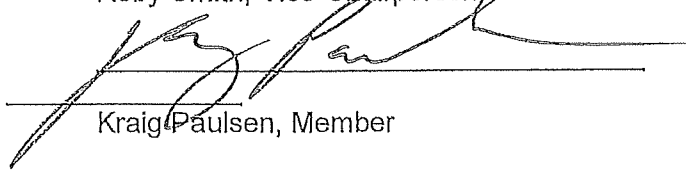
ADJOURNMENT

The meeting was adjourned at 1:36 p.m. The next regular monthly meeting is scheduled for Tuesday, September 5, 2023, due to Monday being a Federal holiday and will be held at regular time of 1:30p.m.

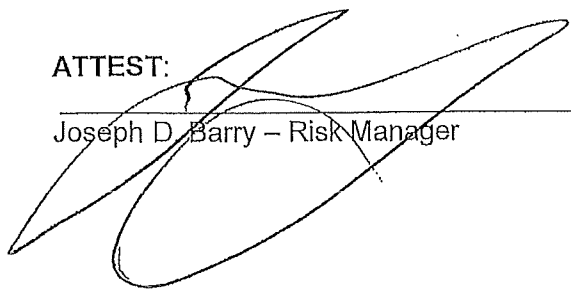
STATE APPEAL BOARD



Rob Sand, Chairperson


Roby Smith, Vice-Chairperson
Kraig Paulsen, Member

ATTEST:


Joseph D. Barry – Risk Manager

STATE APPEAL BOARD

Board of Directors Meeting

Minutes

DATE: September 5, 2023

TIME: 1:30 p.m.

PLACE: Department of Management's Conference Room #14
State Capitol
Des Moines, Iowa

BOARD MEMBERS PRESENT

Kraig Paulsen, Director, Dept. of Management
Roby Smith, Treasurer, State of Iowa
Rob Sand, Auditor, State of Iowa

OTHERS PRESENT

Joseph Barry, Dept. of Management
Stan Thompson, Attorney General's Office
Bradley Nielsen, Attorney General's Office
Xavier Leonard, LSA

CALL TO ORDER

Chair, Mr. Sand, called the Meeting to order at 1:31 p.m. and confirmed that a quorum was present with all Board members attending

ADOPTION OF AGENDA

The Chair advised that there were no changes to the Agenda as submitted.
MOTION by Mr. Paulsen, seconded by Mr. Smith to adopt the agenda.
MOTION carried unanimously.

APPROVAL OF MINUTES

MOTION to approve the August 7, 2023 minutes as submitted. **MOTION** by Mr. Paulsen, seconded by Mr. Smith. **MOTION** carried unanimously.

CONSIDERATION OF GENERAL CLAIMS – Chapter 25

The Board considered all general claims as submitted to them by the Attorney General's Office (See Exhibit B).

No specific claims needing addressed individually or discussed.

MOTION by Mr. Paulsen to approve General Claims as submitted for review. Seconded by Mr. Smith. **MOTION** carried unanimously.

RATIFICATION OF TORT CLAIMS – Chapter 669

The Board considered all tort claims as presented to them by the Attorney General's Office (See Exhibit B).

No specific claims discussed.

MOTION by Mr. Paulsen, seconded by Mr. Smith, to ratify all tort claims as submitted for review. **MOTION** carried unanimously.

NEW SETTLEMENT/JUDGMENTS AS SUBMITTED BY ATTORNEY GENERAL'S OFFICE

***** Board members agreed to hear the newly submitted agreements, in addition to the 6 "tabled" settlement agreements from the August meeting. The Board will vote on all collectively, versus individually. *****

Karen Mills Moon v State of Iowa

Settlement agreement in the amount of 50,000.00 for alleged employment related violations and issues related to Iowa Code chapter 216. State agrees to settle without further litigation while the Judicial Branch denies all of Plaintiff's allegations. Discussion followed

Tommy Copeland v. State of Iowa, Department of Public Defense, et al.

Settled agreement was made in the amount of \$300,000.00. Allegations of Iowa Civil Rights Act violations accusing discrimination, as well as failure to accommodate a disability relating to a termination. Discussion followed

Clara Carpenter v State of Iowa

Settlement agreement in the amount of \$125,000.00 was made for the alleged negligence involving an Iowa State Trooper which resulted in an accident causing injuries. Discussion followed.

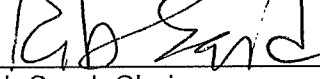
***Jordan Moon Adams v U of IA (UIHC)**

Settlement agreement in the amount of \$14,000.00 for alleged medical malpractice with failure to properly evaluate condition and provide proper treatment. Payment is to be made to Jordan Moon Adams entirely (100%) provided by the University of Iowa Physicians (UIP).

ADJOURNMENT

The meeting was adjourned at 1:36 p.m. The next regular monthly meeting is scheduled for Monday, October 2, 2023. Meeting will be held at regular time of 1:30p.m.

STATE APPEAL BOARD



Rob Sand, Chairperson

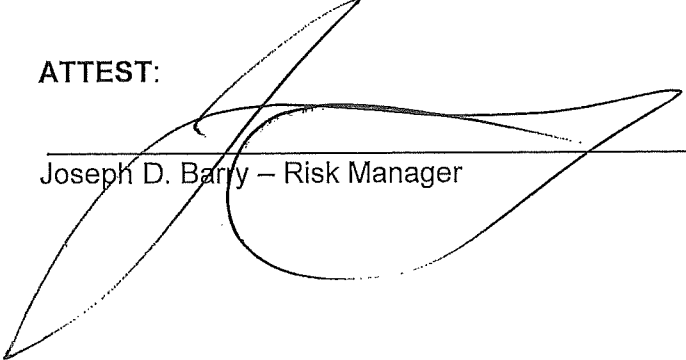
VIA PHONE

Roby Smith, Vice-Chairperson



Kraig Paulsen, Member

ATTEST:



Joseph D. Barry – Risk Manager

***Kimberly Allen, Independent Exec of the Estate of Joan Clark v UIHC**
Settlement agreement in the amount of \$2,000,000.00 for alleged medical malpractice procedure causing injury and eventual death of Joan Clark. Payment of full amount (100%) will be paid by UIP.

***Susan Ferrell (Eleanor Dilkes) v State of Iowa (UIHC)**
Settlement agreement in the amount of \$75,000.00 to Susan Ferrell (and her wife Eleanor Dilkes) under the Candor statute. Agreement for alleged not achieving expected cataract surgery results and follow-ups not satisfactory. 100% payment to be made by UIP.

***Kathy Jones v State of Iowa (UIHC)**
Settlement agreement in the amount of \$90,000.00 for alleged negligence at UIHC resulting in injury from a slip and fall. Payment to be made to Law Office of Nancy L Hirsch LLC, and will be made the SAB from general funds

***Kristin Riley v UIHC**
Settlement in the amount of \$265,000.00 for alleged employment discrimination and failure to accommodate. Amount payable as follows - \$137,197.34 to Dr Riley through payroll processing. \$99,516.34 paid directly to Kristin Riley and \$32,286.32 to Dickey, Campbell & Sahag Law Firm and all allocations to come from the SAB using general funds.

***Dorna Pratt v State of Iowa (UIHC)**
Settlement in the amount of \$75,000.00 for alleged med negligence using incorrect implants for augmentation surgery resulting in a second surgery. Payment of entire amount to made by UIP.

MOTION made by Mr. Paulsen and seconded by Mr. Smith to pay all newly submitted, as well as, August 7th ***tabled agreements'**, as recommended by the Attorney General's Office. **MOTION** carried unanimously.

RATIFICATION OF SEPTEMBER ADMINISTRATIVE ACTIONS

Discussion to ratify the September 2023, Administrative Claims Process; Interagency Claims – "D" claim(s); Outdated Warrants; Tort Claims Under 28E Agreement; Monies paid from General Fund for Settlements and Judgments Exception remaining: 06/21/2023 -Susan Rowe et. al. v State of Iowa
Mr. Barry updated the Board regarding this agreement of which payment is still outstanding and awaiting Judge's approval before all listed employees who elect payout can be paid/resolved. The wait time according to the attorney on the agreement stated it is anticipated happening in October. No other items are currently outstanding. Discussion followed.

MOTION by Mr. Paulsen and seconded by Mr. Sand to ratify all completed items while additionally making acknowledgment of the Susan Rowe settlement progress update. **MOTION** carries unanimously

STATE APPEAL BOARD

Board of Directors Meeting

Minutes

DATE: October 2, 2023

TIME: 1:30 p.m.

PLACE: Department of Management's Conference Room #14
State Capitol
Des Moines, Iowa

BOARD MEMBERS PRESENT

Kraig Paulsen, Director, Dept. of Management
Roby Smith, Treasurer, State of Iowa
Rob Sand, Auditor, State of Iowa

OTHERS PRESENT

Joseph Barry, Dept. of Management
Stan Thompson, Attorney General's Office
Bradley Nielsen, Attorney General's Office
Xavier Leonard, LSA

CALL TO ORDER

Chair, Mr. Sand, called the Meeting to order at 1:31 p.m. and confirmed that a quorum was present with all Board members attending

ADOPTION OF AGENDA

The Chair advised that there were no changes to the Agenda as submitted.
MOTION by Mr. Paulsen, seconded by Mr. Sand to adopt the agenda.
MOTION carried unanimously.

APPROVAL OF MINUTES

MOTION to approve the October 2, 2023 minutes as submitted. **MOTION** by Mr. Paulsen, seconded by Mr. Smith. **MOTION** carried unanimously.

CONSIDERATION OF GENERAL CLAIMS – Chapter 25

The Board considered all general claims as submitted to them by the Attorney General's Office (See Exhibit B).

No specific claims needing addressed individually or discussed.

MOTION by Mr. Sand to approve General Claims as submitted for review. Seconded by Mr. Paulsen. **MOTION** carried unanimously.

RATIFICATION OF TORT CLAIMS – Chapter 669

The Board considered all tort claims as presented to them by the Attorney General's Office (See Exhibit B).

T230133 – A Keller was “pulled” for further clarification as to paying for claim of personal vehicle while parked in the State ramp. Deferred to the November meeting for further investigation and clarification in regards to actual liability.

No other specific claims discussed.

MOTION by Mr. Paulsen, to approve all submitted claims other than “pulled” item as recommended, seconded by Mr. Sand, to ratify all other tort claims as submitted for review. **MOTION** carried unanimously.

NEW SETTLEMENT/JUDGMENTS AS SUBMITTED BY ATTORNEY GENERAL'S OFFICE

***** NO NEW SETTLEMENTS/JUDGMENTS SUBMITTED FOR OCTOBER *****

NO MOTION NEEDED.

RATIFICATION OF OCTOBER ADMINISTRATIVE ACTIONS

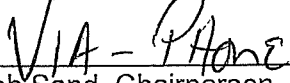
Discussion to ratify the October 2023, Administrative Claims Process; Interagency Claims – “D” claim(s); Outdated Warrants; Tort Claims Under 28E Agreement; Monies paid from General Fund for Settlements and Judgments Exception still remaining: 06/21/2023 -Susan Rowe et. al. v State of Iowa Mr. Barry updated the Board regarding this agreement of which payment is still outstanding and awaiting Judge's approval before all listed employees who elect payout can be paid/resolved. The wait time according to the attorney on the agreement stated it is anticipated happening in October. No other items are currently outstanding. Discussion followed.

MOTION by Mr. Paulsen and seconded by Mr. Sand to ratify all completed items while additionally making acknowledgment of the Susan Rowe settlement progress update. **MOTION** carries unanimously

ADJOURNMENT

The meeting was adjourned at 1:35 p.m. The next regular monthly meeting is scheduled for Monday, November 6, 2023. Meeting will be held at regular time of 1:30p.m.


STATE APPEAL BOARD



Rob Sand, Chairperson



Roby Smith, Vice-Chairperson



Kraig Paulsen, Member

ATTEST:



Joseph D. Barry – Risk Manager

STATE APPEAL BOARD
Board of Directors Meeting
Minutes

DATE: November 6, 2023
TIME: 1:30 p.m.
PLACE: Department of Management's Conference Room #14
State Capitol
Des Moines, Iowa

BOARD MEMBERS PRESENT

Kraig Paulsen, Director, Dept. of Management
Roby Smith, Treasurer, State of Iowa
Rob Sand, Auditor, State of Iowa

OTHERS PRESENT

Joseph Barry, Dept. of Management
Stan Thompson, Attorney General's Office
Xavier Leonard, LSA

CALL TO ORDER

Chair, Mr. Sand, called the Meeting to order at 1:32 p.m. and confirmed that a quorum was present with all Board members attending

ADOPTION OF AGENDA

The Chair advised that there were no changes to the Agenda as submitted.
MOTION by Mr. Paulsen, seconded by Mr. Smith to adopt the agenda.
MOTION carried unanimously.

APPROVAL OF MINUTES

MOTION to approve the October 2, 2023 minutes as submitted. **MOTION** by Mr. Paulsen, seconded by Mr. Smith. **MOTION** carried unanimously.

CONSIDERATION OF GENERAL CLAIMS – Chapter 25

The Board considered all general claims as submitted to them by the Attorney General's Office (See Exhibit B).

No specific claims needing addressed individually or discussed.

MOTION by Mr. Sand to approve General Claims as submitted for review. Seconded by Mr. Paulsen. **MOTION** carried unanimously.

RATIFICATION OF TORT CLAIMS – Chapter 669

The Board considered all tort claims as presented to them by the Attorney General's Office (See Exhibit B).

T230188-195 O'Brien - UIHC med mal candor conference agreement will be paid 100% by UIP/UIHC

T230303 – M.D. a minor and T230588 – H.R. a minor, both children foster cared and adopted by Marc and Misty Ray and subjected to a multitude of cruel mistreatments, neglect and torment of Sabrina Ray (deceased). Candor agreement for \$5,000,000.00 for each child. Discussion followed.

T230133 – Keller claim "pulled" last month for further clarification of state's responsibility for loss of property damage was submitted and recommended for denial.

No other specific claims discussed.

MOTION by Mr. Sand, to approve all submitted claims as recommended, seconded by Mr. Paulsen, to ratify all other tort claims as submitted for review. **MOTION** carried unanimously.

NEW SETTLEMENT/JUDGMENTS AS SUBMITTED BY ATTORNEY GENERAL'S OFFICE

Becky Brooker, individually and as Executor of the Estate of Katherine Decker, deceased; and Anne Brooker, individually v State of Iowa

Settlement agreement was made in the alleged medical malpractice in treatment and care during procedure that led to unnecessary pain and suffering and wrongful death of Katherine Decker. Agreement in the amount of \$2,000,000.00 has been reached and will be paid 100% by UIHC/UIP through 28E agreement terms. Discussion followed.

Jacob Manship v State of Iowa, Eldora State Training School

Settlement agreement has been made in the amount of \$60,000.00 for the alleged Iowa Civil Rights Act violations claiming sexual harassment and retaliation by staff and resulting in damages for lost wages and emotional distress. Discussion followed.

Susan Rowe et al v State of Iowa

This settlement agreement for Fair Labor violations and the approval of overtime compensations and back wages owed to list of impacted Registered Nurses was agreed upon and approved at the June 21, 2023 State Appeal Board meeting. Following that initial meeting, some portions of the agreement were paid: Some of the attorney fees and costs as well as portions for involved "named plaintiffs". Remainder of the agreement (calculated wages and FICA/IPERS) were not able to be satisfied until court Judge had signed off on remaining item(s). This took place in early November and remaining owed wages and compensations totaling \$963,479.77 were calculated and divided appropriately by the involved agency. These funds will be transferred to the agencies and they will then pay those involved with this agreement appropriately through their payroll process. Discussion followed.

MOTION by Mr. Paulsen and seconded by Mr. Smith to approve proposed settlements as recommended by the Attorney General's Office. Seconded by Mr. Smith. **MOTION** carries unanimously

RATIFICATION OF OCTOBER ADMINISTRATIVE ACTIONS

Discussion to ratify the October 2023, Administrative Claims Process; Interagency Claims – "D" claim(s); Outdated Warrants; Tort Claims Under 28E Agreement; Monies paid from General Fund for Settlements and Judgments Discussion followed.

MOTION by Mr. Paulsen and seconded by Mr. Sand to ratify all completed items while additionally making acknowledgment of the Susan Rowe settlement progress update. **MOTION** carries unanimously

ADJOURNMENT

The meeting was adjourned at 1:35 p.m. The next regular monthly meeting is scheduled for Monday, November 6, 2023. Meeting will be held at regular time of 1:30p.m.

STATE APPEAL BOARD

APPROVED VIA PHONE
Rob Sand, Chairperson

APPROVED VIA GOOGLE MEET
Roby Smith, Vice-Chairperson

[Signature]
Kraig Paulsen, Member

ATTEST:
[Signature]
Joseph D. Barry – Risk Manager

STATE APPEAL BOARD
Board of Directors Meeting
Minutes

DATE: December 11, 2023 (Rescheduled from Dec 4, 2023)

TIME: 3:00 p.m.

PLACE: Department of Management's Conference Room #14
State Capitol
Des Moines, Iowa

BOARD MEMBERS PRESENT

Kraig Paulsen, Director, Dept. of Management
Roby Smith, Treasurer, State of Iowa – via Google Meet
Rob Sand, Auditor, State of Iowa – via Telephone

OTHERS PRESENT

Joseph Barry, Dept. of Management
Stan Thompson, Attorney General's Office
Xavier Leonard, LSA
Bradley Nielsen, Attorney General's Office

CALL TO ORDER

Chair, Mr. Sand, called the Meeting to order at 3:04 p.m. and confirmed that a quorum was present with all Board members attending

ADOPTION OF AGENDA

The Chair advised that there were no changes to the Agenda as submitted.

MOTION by Mr. Paulsen, seconded by Mr. Smith to adopt the agenda.

MOTION carried unanimously.

APPROVAL OF MINUTES

MOTION to approve the November 6, 2023 minutes as submitted. **MOTION** by Mr. Paulsen, seconded by Mr. Smith. **MOTION** carried unanimously.

CONSIDERATION OF GENERAL CLAIMS – Chapter 25

The Board considered all general claims as submitted to them by the Attorney General's Office (See Exhibit B).

No specific claims needing addressed individually or discussed.

MOTION by Mr. Sand to approve General Claims as submitted for review. Seconded by Mr. Paulsen. **MOTION** carried unanimously.

RATIFICATION OF TORT CLAIMS – Chapter 669

The Board considered all tort claims as presented to them by the Attorney General's Office (See Exhibit B).

T240236 and T240237 Spirewka Estate and Katherine Spirewka claims settled at the tort level through CANDOR conference mediation of the wrongful death claim for Steven Spirewka and consortium for Katherine Spirewka. Agreements in the amount of \$700,000.00 was made and will be paid 100% by UIHC/UIP/

No other specific claims discussed.

MOTION by Mr. Sand, to approve all submitted claims as recommended, seconded by Mr. Paulsen, to ratify all other tort claims as submitted for review. **MOTION** carried unanimously.

NEW SETTLEMENT/JUDGMENTS AS SUBMITTED BY ATTORNEY GENERAL'S OFFICE

Ertz et al v State of Iowa

Annual payment for settlement agreement from 1997 Department of Natural Resources involving injury sustained by Mr. Ertz. Payment is to be made annually of prior year amount + 3% increase. Payment made in the amount of \$53,914.78. This item does not need Board member vote and is only provided as an FYI of payment from the general fund by the State Appeal Board.

Lauren Ernst v State of Iowa

Agreement for alleged medical negligence in performance of surgery. UIHC settled agreement but denied liability in the amount of \$30,000.00. UIHC/UIP will pay 100% of agreed upon amount. Discussion followed.

John and Susie Robertson v State of Iowa

Agreement for alleged medical malpractice resulting in complications from performed surgery that resulted in issues. Injuries sustained resulting in further pain and suffering as well as other complications will require extended recovery and rehabilitation. Mediation agreed upon amount totaling \$750,000.00 will be paid 100% by UIHC/UIP. Discussion followed.

MOTION by Mr. Paulsen and seconded by Mr. Smith to approve proposed settlements as recommended by the Attorney General's Office. Seconded by Mr. Smith. **MOTION** carries unanimously.

RATIFICATION OF NOVEMBER ADMINISTRATIVE ACTIONS

Discussion to ratify the November 2023, Administrative Claims Process; Interagency Claims – “D” claim(s); Outdated Warrants; Tort Claims Under 28E Agreement; Monies paid from General Fund for Settlements and Judgments Discussion followed.

MOTION by Mr. Paulsen and seconded by Mr. Sand to ratify all completed items while additionally making acknowledgment of the Susan Rowe settlement progress update. **MOTION** carries unanimously.

REQUEST FOR PROCUREMENT OF CASE MANAGEMENT SOFTWARE

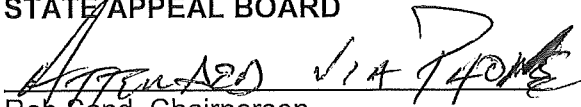
Procurement asked and is currently being conducted for a new, upgraded software for claims that are received and handled by the State Appeal Board. This upgraded system will interface with the other entities that work claims submitted to and against the state. The ORIGAMI™ system will be procured through the Department of Management where the State Appeal Board is a part. Mr. Thompson, AG's Office, presented the procurement guidelines that are being followed and the Board was asked to approve the acquisition amount.

MOTION by Mr. Paulsen for procurement and acquisition of up to \$200,000.00 by the general fund and SAB. Also, all acquisition of contract agreement will be handled and maintained by the Department of Management with legal guidance from the Attorney General's office. Seconded by Mr. Smith. **MOTION** carries unanimously.

ADJOURNMENT

The meeting was adjourned at 3:18 p.m. The next regular monthly meeting is scheduled for Tuesday, January 9, 2024. Meeting will be held at 3:00p.m.

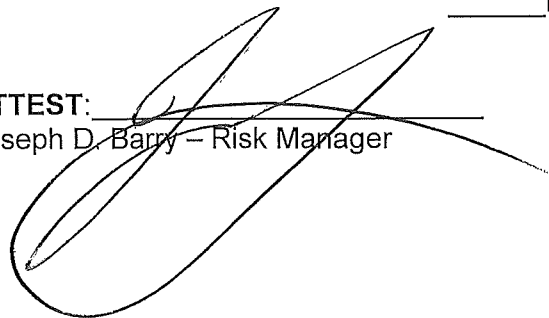
STATE APPEAL BOARD


Rob Sand, Chairperson


Roby Smith, Vice-Chairperson


Craig Paulsen, Member

ATTEST:


Joseph D. Barry – Risk Manager

STATE APPEAL BOARD

Board of Directors Meeting

Minutes

DATE: January 9, 2024

TIME: 3:00 p.m.

PLACE: Department of Management's Conference Room #14
State Capitol
Des Moines, Iowa

BOARD MEMBERS PRESENT

Kraig Paulsen, Director, Dept. of Management – **unable to attend**
Roby Smith, Treasurer, State of Iowa
Rob Sand, Auditor, State of Iowa – via Google Meet

OTHERS PRESENT

Joseph Barry, Dept. of Management
Stan Thompson, Attorney General's Office
Xavier Leonard, LSA
Bradley Nielsen, Attorney General's Office
Molly Widen, TOS
Joey Lovan, LSA

CALL TO ORDER

Chair, Mr. Sand, called the Meeting to order at 3:02 p.m. and confirmed that a quorum was present with two of the three Board members attending. Mr. Paulsen was unable to attend due to Governor meeting conflict.

ADOPTION OF AGENDA

The Chair advised that there were no changes to the Agenda as submitted.
MOTION by Mr. Sand, seconded by Mr. Smith to adopt the agenda.
MOTION carried unanimously.

APPROVAL OF MINUTES

MOTION to approve the December 11, 2023 minutes as submitted. **MOTION** by Mr. Smith, seconded by Mr. Sand. **MOTION** carried unanimously.

ELECTION OF NEW CHAIR AND VICE-CHAIR FOR CALENDAR YEAR 2024

Current Chair, Auditor Rob Sand made **MOTION** to elect Treasurer Roby Smith as incoming Chair for 2024. **MOTION** seconded by Mr. Smith. **MOTION** carried unanimously.

Treasurer Roby Smith then made a **MOTION** to elect Director Kraig Paulsen as incoming Vice-Chair for 2024. **MOTION** seconded by Mr. Sand. **MOTION** carried unanimously.

Outgoing Chair, Auditor Sand, then transitioned the running of the remainder of the meeting to the newly appointed Chair, Treasurer Smith. Mr. Smith took over the meeting providing praising remarks and thank you to Mr. Sand for serving as Chair for 2023.

CONSIDERATION OF GENERAL CLAIMS – Chapter 25

The Board considered all general claims as submitted to them by the Attorney General's Office (See Exhibit B).

No specific claims needing addressed individually or discussed.

MOTION by Mr. Sand to approve General Claims as submitted for review. Seconded by Mr. Smith. **MOTION** carried unanimously.

RATIFICATION OF TORT CLAIMS – Chapter 669

The Board considered all tort claims as presented to them by the Attorney General's Office (See Exhibit B).

No specific claims discussed.

MOTION by Mr. Sand, to approve all submitted claims as recommended, seconded by Mr. Smith, to ratify all other tort claims as submitted for review. **MOTION** carried unanimously.

NEW SETTLEMENT/JUDGMENTS AS SUBMITTED BY ATTORNEY GENERAL'S OFFICE

EU LOCAL 893/IUP vs. State – VERDICT *JUDGMENT*****

Judgment was handed down in suit against the State for alleged breach of collective bargaining agreement. Verdict entered in which the State was ordered to provide the following relief as presented in the summary letter and court documents outlining the total award of \$2,672,982.27. There is also a potential of an additional \$118,323.89 of interest in dispute in regard to the interpretation of verdict date that will be left pending until Judge ruling. The undisputed amount will be paid for the dues, backpay and FLSA overtime wages will be paid now. The disputed interest will be brought up at meeting in future once Judge ruling has been determined. Discussion followed.

Ellen McComas v State of Iowa

Agreement for alleged wage discrimination on the basis of sex violation. Total amount of \$277,000.00 was settled upon and will be paid out in three portions. 1. Wage related - \$72,088.66 via payroll processing to Ms. McComas. 2. Non-wage related - \$93,786.57 directly to Ms. McComas. 3. Attorney portion - \$111,124.83 directly to LeGrant Law Firm. Discussion followed.

MOTION by Mr. Sand to approve proposed judgment and settlement as recommended by the Attorney General's Office. Seconded by Mr. Smith. **MOTION** carries unanimously.

RATIFICATION OF DECEMBER ADMINISTRATIVE ACTIONS


Discussion to ratify the December 2023, Administrative Claims Process; Interagency Claims – "D" claim(s); Outdated Warrants; Tort Claims Under 28E Agreement; Monies paid from General Fund for Settlements and Judgments Discussion followed.

MOTION by Mr. Sand and seconded by Mr. Smith to ratify all completed items. **MOTION** carries unanimously.

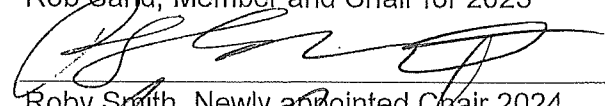
ADJOURNMENT

The meeting was adjourned at 3:13 p.m. The next regular monthly meeting is scheduled for Tuesday, February 9, 2024.

STATE APPEAL BOARD



Rob Sand, Member and Chair for 2023

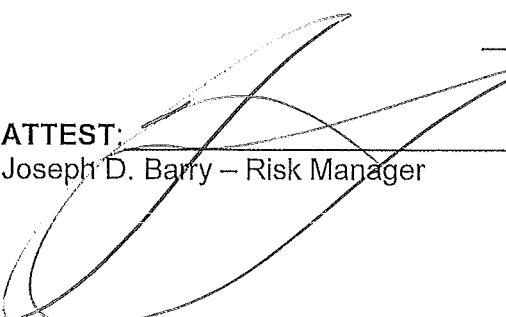


Roby Smith, Newly appointed Chair 2024



Kraig Paulsen, Newly appointed Vice-Chair 2024

ATTEST:



Joseph D. Barry – Risk Manager

STATE APPEAL BOARD
Board of Directors Meeting
Minutes

DATE: February 6, 2024
TIME: 3:00 p.m.
PLACE: Department of Management's Conference Room #14
State Capitol
Des Moines, Iowa

BOARD MEMBERS PRESENT

Kraig Paulsen, Director, Dept. of Management
Roby Smith, Treasurer, State of Iowa
Rob Sand, Auditor, State of Iowa – via Google Meet

OTHERS PRESENT

Joseph Barry, Dept. of Management
Stan Thompson, Attorney General's Office
Bradley Nielsen, Attorney General's Office
Molly Widen, TOS
Maria Wagenhofer, LSA

CALL TO ORDER

Chair, Mr. Smith called the Meeting to order at 3:00 p.m. and confirmed that a quorum was present.

ADOPTION OF AGENDA

The Chair advised that there were no changes to the Agenda as submitted.
MOTION by Mr. Sand, seconded by Mr. Smith to adopt the agenda.
MOTION carried unanimously.

APPROVAL OF MINUTES

MOTION to approve the January 9, 2024 minutes as submitted. **MOTION** by Mr. Sand, seconded by Mr. Smith. **MOTION** carried unanimously.

CONSIDERATION OF GENERAL CLAIMS – Chapter 25

The Board considered all general claims as submitted to them by the Attorney General's Office (See Exhibit B).

No specific claims needing addressed individually or discussed.

MOTION by Mr. Sand to approve General Claims as submitted for review. Seconded by Mr. Smith. **MOTION** carried unanimously.

RATIFICATION OF TORT CLAIMS – Chapter 669

The Board considered all tort claims as presented to them by the Attorney General's Office (See Exhibit B).

No specific claims discussed.

MOTION by Mr. Sand, to approve all submitted claims as recommended, seconded by Mr. Smith, to ratify all other tort claims as submitted for review. **MOTION** carried unanimously.

NEW SETTLEMENT/JUDGMENTS AS SUBMITTED BY ATTORNEY GENERAL'S OFFICE

J.A.M.C., a minor, by Carmen Castanon, his parent and next friend v State of Iowa

Agreement through mediation with UIHC was settled upon in the amount of \$2,000,000.00 for alleged injury occurring at birth. Negotiation regarding care including surgeries and procedures along with present and future pain and suffering was discussed. Agreement was made in lieu of going to trial. Total amount of will be paid by UIHC/UIP agreement with no amount coming from the general fund. Discussion followed.

MOTION by Mr. Sand to approve proposed settlement as recommended by the Attorney General's Office. Seconded by Mr. Smith. **MOTION** carries unanimously.

RATIFICATION OF JANUARY ADMINISTRATIVE ACTIONS

Discussion to ratify the January 2024, Administrative Claims Process; Interagency Claims – "D" claim(s); Outdated Warrants; Tort Claims Under 28E Agreement; Monies paid from General Fund for Settlements and Judgments Discussion followed.

FYI: Update on UE Local 893 judgment. Remaining interest still pending decision if owed by the state or not due to conflicting start of occurring date will be determined in late February and will have a complete update of status anticipated for the March meeting.

MOTION by Mr. Paulsen and seconded by Mr. Sand to ratify all completed items. **MOTION** carries unanimously.

ADJOURNMENT

The meeting was adjourned at 3:07 p.m. The next regular monthly meeting is scheduled for Tuesday, March 5, 2024. Meeting going forward for remaining of CY – 2024 are anticipated to be held on the first Tuesday of each month at 1:00 p.m.

STATE APPEAL BOARD

APPROVED VIA PHONE

Rob Sand, Member

[Signature]

Roby Smith, Chair 2024

[Signature]

Kraig Paulsen, Vice-Chair 2024

ATTEST:

Joseph D. Barry – Risk Manager

[Large Signature]

STATE APPEAL BOARD
Board of Directors Meeting
Minutes

DATE: March 5, 2024

TIME: 1:00 p.m.

PLACE: Department of Management's Conference Room #14
State Capitol
Des Moines, Iowa

BOARD MEMBERS PRESENT

Kraig Paulsen, Director, Dept. of Management
Roby Smith, Treasurer, State of Iowa
Rob Sand, Auditor, State of Iowa – via Phone

OTHERS PRESENT

Joseph Barry, Dept. of Management
Stan Thompson, Attorney General's Office
Bradley Nielsen, Attorney General's Office
Molly Widen, TOS
Joey Lovan, LSA

CALL TO ORDER

Chair, Mr. Smith called the Meeting to order at 1:01 p.m. and confirmed that a quorum was present.

ADOPTION OF AGENDA

The Chair advised that there were no changes to the Agenda as submitted.
MOTION by Mr. Paulsen, seconded by Mr. Sand to adopt the agenda.
MOTION carried unanimously.

APPROVAL OF MINUTES

MOTION to approve the February 6, 2024 minutes as submitted. **MOTION** by Mr. Paulsen, seconded by Mr. Sand. **MOTION** carried unanimously.

CONSIDERATION OF GENERAL CLAIMS – Chapter 25

The Board considered all general claims as submitted to them by the Attorney General's Office (See Exhibit B).
No specific claims needing addressed individually or discussed.

MOTION by Mr. Paulsen to approve General Claims as submitted for review.
Seconded by Mr. Sand. **MOTION** carried unanimously.

RATIFICATION OF TORT CLAIMS – Chapter 669

The Board considered all tort claims as presented to them by the Attorney General's Office (See Exhibit B).

No specific claims discussed.

MOTION by Mr. Paulsen, to approve all submitted claims as recommended, seconded by Mr. Sand, to ratify all other tort claims as submitted for review.

MOTION carried unanimously.

NEW SETTLEMENT/JUDGMENTS AS SUBMITTED BY ATTORNEY GENERAL'S OFFICE

No NEW SETTLEMENTS OR JUDGMENTS SUBMITTED FOR MARCH

MOTION by Mr. Sand to approve proposed settlement as recommended by the Attorney General's Office. Seconded by Mr. Smith. **MOTION** carries unanimously.

RATIFICATION OF FEBRUARY ADMINISTRATIVE ACTIONS

Discussion to ratify the February 2024, Administrative Claims Process; Interagency Claims – "D" claim(s); Outdated Warrants; Tort Claims Under 28E Agreement; Monies paid from General Fund for Settlements and Judgments Discussion followed.

MOTION by Mr. Paulsen and seconded by Mr. Sand to ratify all completed items. **MOTION** carries unanimously.

ADJOURNMENT

The meeting was adjourned at 1:05 p.m. The next regular monthly meeting is scheduled for Tuesday, April 2, 2024.

STATE APPEAL BOARD

VIA PHONE

Rob Sand, Member

Roby Smith, Chair 2024

Kraig Paulsen, Vice-Chair 2024

ATTEST:

Joseph D. Barry – Risk Manager

STATE APPEAL BOARD
Board of Directors Meeting
Minutes

DATE: April 2, 2024
TIME: 1:00 p.m.
PLACE: Department of Management's Conference Room #14
State Capitol
Des Moines, Iowa

BOARD MEMBERS PRESENT

Kraig Paulsen, Director, Dept. of Management
Roby Smith, Treasurer, State of Iowa
Rob Sand, Auditor, State of Iowa – via Phone

OTHERS PRESENT

Joseph Barry, Dept. of Management
Stan Thompson, Attorney General's Office
Bradley Nielsen, Attorney General's Office
Molly Widen, TOS
Joey Lovan, LSA

CALL TO ORDER

Chair, Mr. Smith called the Meeting to order at 1:02 p.m. and confirmed that a quorum was present.

ADOPTION OF AGENDA

The Chair advised that there were no changes to the Agenda as submitted.
MOTION by Mr. Sand, seconded by Mr. Paulsen to adopt the agenda.
MOTION carried unanimously.

APPROVAL OF MINUTES

MOTION to approve the March 5, 2024 minutes as submitted. **MOTION** by Mr. Paulsen, seconded by Mr. Sand. **MOTION** carried unanimously.

CONSIDERATION OF GENERAL CLAIMS – Chapter 25

The Board considered all general claims as submitted to them by the Attorney General's Office (See Exhibit B).
No specific claims needing addressed individually or discussed.

MOTION by Mr. Paulsen to approve General Claims as submitted for review.
Seconded by Mr. Sand. **MOTION** carried unanimously.

RATIFICATION OF TORT CLAIMS – Chapter 669

The Board considered all tort claims as presented to them by the Attorney General's Office (See Exhibit B).

No specific claims discussed.

MOTION by Mr. Paulsen, to approve all submitted claims as recommended, seconded by Mr. Sand, to ratify all other tort claims as submitted for review. **MOTION** carried unanimously.

NEW SETTLEMENT/JUDGMENTS AS SUBMITTED BY ATTORNEY GENERAL'S OFFICE

Laura Belin v Meghan Nelson in official capacity as Chief Clerk of the Iowa House of Representatives

Settlement agreement in the amount of \$49,004.00 for alleged violations of both First and Fourteenth Amendment Rights. Payment is to be made to the Institute for Free Speech for attorney fees and costs. Discussion followed.

Courthouse News Service v Robert Gast and Anne Sheeley

Agreement in the alleged First Amendment violations payable in the amount of \$79,500.00 for attorney fees. Discussion followed.

Madison Klebe v State of Iowa, Department of Transportation

Settled agreement regarding the Iowa Civil Rights Commission and alleged harshly disciplined females vs. their male counterparts. Agreed upon amount totaled \$15,000.00 will be paid out as follows: Madison Klebe to receive \$9,750.00 paid directly. \$250.00 will be paid by Dept Of Transportation through payroll for backpay owed and appropriate withholdings are to be taken. Remaining \$5000.00 is to be paid directly to attorneys Gribble, Boles, Stewart & Witosky. Discussion followed.

MOTION by Mr. Paulsen to approve proposed discussed settlements as recommended by the Attorney General's Office. Seconded by Mr. Sand. **MOTION** carries unanimously.

Chairman Smith, with input from Auditor Sand, asked the Board to table the remaining two submitted agreements that were not received timely. These settlements include:

Randy Longstreath v State of Iowa and Brill v University of Iowa

These will be brought for review, discussion and consideration at the May 7, 2024 meeting.

MOTION by Mr. Sand to table these two settlements as suggested. **MOTION** was seconded by Mr. Paulsen. This **MOTION** carried unanimously.

RATIFICATION OF MARCH ADMINISTRATIVE ACTIONS


Discussion to ratify the March 2024, Administrative Claims Process; Interagency Claims – “D” claim(s); Outdated Warrants; Tort Claims Under 28E Agreement; Monies paid from General Fund for Settlements and Judgments
Discussion followed.

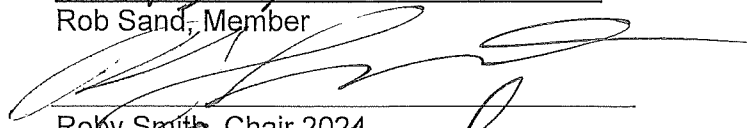
MOTION by Mr. Paulsen and seconded by Mr. Sand to ratify all completed items.
MOTION carries unanimously.

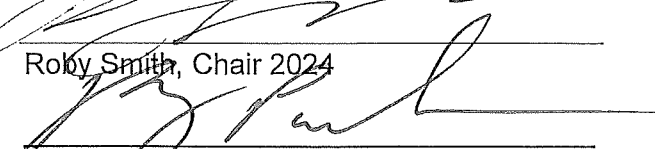
ADJOURNMENT

The meeting was adjourned at 1:06 p.m. The next regular monthly meeting is scheduled for Tuesday, May 7, 2024 at 1:00p.m.

STATE APPEAL BOARD



Rob Sand, Member

Roby Smith, Chair 2024

Kraig Paulsen, Vice-Chair 2024

ATTEST:
Joseph D. Barry – Risk Manager

