

[Cite as *In re Sklarz*, 2003-Ohio-7328.]

IN THE COURT OF CLAIMS OF OHIO
VICTIMS OF CRIME DIVISION

IN RE: KEVIN R. SKLARZ	:	Case No. V2003-40763
KEVIN R. SKLARZ	:	<u>ORDER OF A THREE-</u>
Applicant	:	<u>COMMISSIONER PANEL</u>
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The applicant filed a reparations application seeking reimbursement of expenses incurred with respect to a November 6, 2002 assault. On May 7, 2003, the Attorney General issued a Finding of Fact and Decision granting the applicant an award in the amount of \$582.00 for unreimbursed allowable expense. However, the Attorney General denied the work loss claim as unverifiable and the Medina General Hospital expense claim as Ohio Hospital Care Assurance Program (HCAP) eligible. On June 2, 2003, the applicant filed a request for reconsideration. On July 30, 2003, the Attorney General issued a Final Decision granting the applicant an additional award in the amount of \$1,670.46 of which \$1,087.75 represents allowable expense and \$582.71 represents work loss incurred from November 7, 2002 through November 14, 2002. On August 6, 2003, the applicant appealed the Attorney General's Final Decision contending that he is owed additional work loss. This appeal came to be heard before this panel of three commissioners on October 23, 2003 at 11:05 A.M.

Neither the applicant nor anyone on his behalf appeared at the hearing. An Assistant Attorney General attended the hearing and presented brief comments for this panel's consideration. The Assistant Attorney General stated that after recalculating the applicant's economic loss, she now recommends the applicant be granted an additional award in the amount of \$2,086.59, of which \$1,087.75 represents unreimbursed allowable expense and \$998.84 represents unreimbursed work loss. After a brief discussion of the claim, the panel chairman concluded the hearing.

From review of the file and with full consideration given to the information presented at the hearing, we make the following determination. We find that the applicant incurred additional economic loss in the amount of \$2,086.59 of which \$1,087.75 represents unreimbursed allowable expense and \$998.84 represents work loss. Therefore, the July 30, 2003 decision of the Attorney General shall be modified to grant the applicant an additional award in the amount of \$2,086.59.

IT IS THEREFORE ORDERED THAT

"1) The July 30, 2003 decision of the Attorney General is MODIFIED to render judgment in favor of the applicant in the amount of \$2,086.59;

"2) This claim is referred to the Attorney General pursuant to R.C. 2743.191 for payment of the award;

"3) This order is entered without prejudice to the applicant's right to file a supplemental compensation application pursuant to R.C. 2743.68;

"4) Costs are assumed by the court of claims victims of crime fund.

JAMES H. HEWITT III
Commissioner

LEO P. MORLEY
Commissioner

KARL H. SCHNEIDER
Commissioner