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## FISCAL UPDATE Article

Fiscal Services Division

February 4, 2020



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### STATE APPEAL BOARD MEETING — FEBRUARY 2020

**Meeting.** The State Appeal Board met on Monday, February 3, 2020, at the State Capitol in Des Moines. The Board took the following actions:

- Approved approximately \$23,000 in general claims pursuant to Iowa Code chapter [25](#).
- Approved approximately \$23,000 and denied \$1.3 million in tort claims pursuant to Iowa Code chapter [669](#).

**Settlements.** The Board approved three settlements totaling approximately \$3.6 million from the General Fund.

Settlements were for the following cases:

- *Brian Boyce, Administrator of the Estates of Tiffany Michelle Boyce and Brantlee Thomas Michael Boyce and Brian Boyce, Individually and as Parent of Brantlee Thomas Michael Boyce v. State of Iowa, et al:* The case stems from alleged medical negligence at the University of Iowa Hospitals and Clinics for failure to timely diagnose and treat the patient and child. The parties agreed to settle the lawsuit for \$3.5 million, with a proposal for the University of Iowa Physicians to contribute \$2.8 million and \$700,000 to be paid from the General Fund. However, due to an allowable maximum cap on the aggregate amount for paid claims in a given fiscal year within the existing 28E agreement between the University of Iowa Physicians Group and the State of Iowa, the full \$3.5 million will be paid from the General Fund.
- *Lana Comstock v. Iowa Veterans Home:* The plaintiff alleges age discrimination in employment and retaliation against the Iowa Veterans Home. The involved parties agreed to settle for \$75,000.
- *Kimberlee Oates v. Iowa Veterans Home:* The plaintiff alleges disability discrimination against the Iowa Veterans Home. The involved parties agreed to settle for \$47,000.

**Judgment.** The Board approved payment in the amount of \$467,000 from the General Fund for a judgment in the case of *Dorothy Hollinger v. State of Iowa*, a disability discrimination case involving the Glenwood Resource Center. The amount includes supplemental attorneys' fees and expenses, in addition to interest on the amounts awarded in November 2018 and January 2019.

**Next Meeting.** The next regular meeting of the State Appeal Board is scheduled for March 2, 2020, at the State Capitol in Des Moines.

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