

GENERAL INFORMATION

Name of Agency/Program	Dept. of Management - State Appeal Board Claims - STANDINGS
Year Created	
Statutory Authority	Iowa Code sections 25.2 and 669.11
Why was this agency/program started?	The State Appeal Board was created by the Legislature to receive, investigate, and report on claims against the state and by the state.
Why is this agency/program necessary today?	Claims against the state and by the state occur on a daily basis.
Has the Agency/Program's Mission Been Accomplished?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

BUDGET INFORMATION

<i>Program funding by source</i>	FY 2015	FY 2016
General Fund	\$20,882,042	\$3,000,000
Federal Funds	\$	\$
Other Funds	\$	\$

<i>How many funded FTE's does your agency/program have?</i>	FY 2015	FY 2016
	1.0 FTE's	1.0 FTE's

How are these positions allocated by funding:

General Fund	1.0 FTE's	1.0 FTE's
Federal Funds	FTE's	FTE's
Other Funds	FTE's	FTE's

PROGRAM PERFORMANCE

Does the Agency/Program Have Outcome Measures?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
---	---

Where can these Outcome Measures be found?

As required by Iowa Code Chapter 8E each agency creates a performance plan that lists the agency's mission (the purpose of why the agency exists) and defines the operations (core functions and key services, products and/or activities) that are in place to achieve that mission. Performance plans also include measures for each core function and for key services, products and/or activities and monitors how well the agency achieves performance targets. Iowans can locate agency performance plans and measures at data.iowa.gov.

What data is available to show Iowans that your program/agency is an effective investment of taxpayer dollars? Where can Iowans find these?

Progress toward achieving agency performance plan targets as well as agency strategic plan goals are documented in an annual Agency Performance Report submitted to the Department of Management no later than December 15 following the end of the fiscal year for which data is being reported. Iowans can locate agency performance reports at data.iowa.gov.

PROGRAM EFFICIENCY

Are there any laws or administrative rules that could be changed to make your agency or program more effective or more efficient?

No

Are there any laws or administrative rules that limit your ability to work with others?

No

ADDITIONAL INFORMATION

What new programs or initiatives have been created since 2007 that are funded from state sources?

N/A

Can you provide us with a one-page summary of all expenditures and revenue sources your agency or program received in FY 2015? Please attach to this document.

Included

STATE OF IOWA
FINANCIAL STATUS REPORT

Page: 2 of 23
Run Date: 07/01/2015
Run Time: 11:28:36 AM

Report ID: FMR331A
Source: I/3 Finance
Budget FY: 2015
Fiscal Month: 12 (JUNE)
Department: 532

Fund: 0001 General Fund

Appropriation: 890 Appeal Board Claims

Obj/Rev Class	Obj/Rev Class Name	Prior Months (A)	Current Month (B)	Total Year To Date (C=A+B)	Annual Budget (D)	Percent of Budget (E=C/D)
---------------	--------------------	---------------------	----------------------	-------------------------------	----------------------	------------------------------

Expenditures

101	Personal Services	681,796.85	9,302.86	691,099.71	117,466.00	588.34
202	In State Travel	27,384.91	0.00	27,384.91	9,000.00	304.28
203	State Vehicle Operation	409.58	0.00	409.58	500.00	81.92
204	State Vehicle Depreciation	0.00	0.00	0.00	1,000.00	0.00
205	Out Of State Travel	63.29	0.00	63.29	1,000.00	6.33
301	Office Supplies	3,202.18	0.00	3,202.18	15,000.00	21.35
302	Facility Maintenance Supplies	222.53	0.00	222.53	2,000.00	11.13
303	Equipment Maintenance Supplies	10,544.59	(139.58)	10,405.01	2,000.00	520.25
304	Prof. & Scientific Supplies	619.45	0.00	619.45	3,000.00	20.65
306	Housing & Subsistence Supplies	0.00	0.00	0.00	500.00	0.00
307	AG, Conservation & Hort Supply	0.00	0.00	0.00	500.00	0.00
308	Other Supplies	4,697.66	(6.39)	4,691.27	5,000.00	93.83
309	Printing & Binding	195.50	0.00	195.50	2,000.00	9.78
310	Drugs & Biologicals	0.00	0.00	0.00	500.00	0.00
311	Food	0.00	0.00	0.00	500.00	0.00
312	Uniforms & Related Items	75.98	0.00	75.98	500.00	15.20
313	Postage	330.80	0.00	330.80	100.00	330.80
401	Communications	3,411.42	208.11	3,619.53	3,000.00	120.65
402	Rentals	6,021.52	(1,215.34)	4,806.18	17,000.00	28.27

Report ID: FMR331A
 Source: I/3 Finance
 Budget FY: 2015

STATE OF IOWA
 FINANCIAL STATUS REPORT

Page: 3 of 23
 Run Date: 07/01/2015
 Run Time: 11:28:36 AM

Fiscal Month: 12 (JUNE)
 Department: 532

Fund: 0001 General Fund

Appropriation: 890 Appeal Board Claims

Obj/Rev Class	Obj/Rev Class Name	Prior Months (A)	Current Month (B)	Total Year To Date (C=A+B)	Annual Budget (D)	Percent of Budget (E=C/D)
403	Utilities	2,476.70	79.58	2,556.28	3,000.00	85.21
405	Prof & Scientific Services	3,439,408.89	2,443.25	3,441,852.14	909,982.00	378.23
406	Outside Services	258,429.26	2,760.00	261,189.26	50,000.00	522.38
407	Intra-State Transfers	1,901.56	0.00	1,901.56	11,000.00	17.29
408	Advertising & Publicity	3,349.25	0.00	3,349.25	1,000.00	334.93
409	Outside Repairs/Service	12,221.80	0.00	12,221.80	22,000.00	55.55
413	Examination Expenses	0.00	0.00	0.00	500.00	0.00
414	Reimbursements To Other Agency	5,449.23	2.00	5,451.23	21,000.00	25.96
434	Gov Transfer Other Agencies	2,552.88	0.00	2,552.88	0.00	0.00
501	Equipment	0.00	0.00	0.00	500.00	0.00
502	Office Equipment	0.00	0.00	0.00	500.00	0.00
503	Equipment-Non Inventory	4,476.83	0.00	4,476.83	500.00	895.37
510	IT Equipment & Software	24,507.62	0.00	24,507.62	2,000.00	1,225.38
601	Claims	9,148,574.22	7,092,894.24	16,241,468.46	280,893.00	5,782.08
602	Other Expenses & Obligations	57,386.42	375.00	57,761.42	500,260.00	11.55
604	Securities	0.00	0.00	0.00	1,000.00	0.00
701	Licenses	0.00	475.00	475.00	500.00	95.00
702	Fees	2,765.00	0.00	2,765.00	7,000.00	39.50
705	Refunds-Other	134,172.46	(117,494.93)	16,677.53	862,399.00	1.93
801	State Aid	0.00	0.00	0.00	20,000.00	0.00

Report ID: FMR331A
 Source: I/3 Finance
 Budget FY: 2015

STATE OF IOWA
 FINANCIAL STATUS REPORT

Page: 4 of 23
 Run Date: 07/01/2015
 Run Time: 11:28:36 AM

Fiscal Month: 12 (JUNE)
 Department: 532

Fund: 0001 General Fund
 Appropriation: 890 Appeal Board Claims

Obj/Rev Class	Obj/Rev Class Name	Prior Months (A)	Current Month (B)	Total Year To Date (C=A+B)	Annual Budget (D)	Percent of Budget (E=C/D)
803	Aid To Individuals	55,686.19	24.00	55,710.19	124,500.00	44.75
805	Health Reimbursements & Aid	0.00	0.00	0.00	900.00	0.00
Total Expenditures:		13,892,334.57	6,989,707.80	20,882,042.37	3,000,000.00	696.07
Total Obligations (Exp+Enc):		13,892,334.57	6,989,707.80	20,882,042.37	3,000,000.00	696.07
Total Commitments (Exp+Enc+Pre):		13,892,334.57	6,989,707.80	20,882,042.37	20,882,042.37	696.07
Remaining Authority (Rev-Obj):		(13,892,334.57)	(6,989,707.80)	(20,882,042.37)	(3,000,000.00)	696.07

STATE APPEAL BOARD
Money Paid From General Fund for Settlements/Judgments
Fiscal Year 2015 Year to Date
June 1, 2015

Department Name	Claim No.	Claimant	Type of Claim	Amount FY15	Total FY15 Year to Date	Board Mtg Date
Administrative Services (DAS) General Service Enterprise		Walsh Construction Comp II, LLC	DOC and DAS acting on behalf of the State have reached an agreement to resolve dispute arising from the construction of the new ISP.	reference DOC		5/14/2015
		Walsh Construction Comp II, LLC	DOC and DAS acting on behalf of the State have reached an agreement to resolve dispute arising from the construction of the new ISP. Final application for payment and release of retainage.	reference DOC		6/1/2015
DAS - Iowa State Patrol						
DAS -JTE						
TOTAL					\$0.00	
Dept. of Agriculture and Land Stewardship					\$0.00	
TOTAL					\$0.00	
Attorney General's Office						
TOTAL					\$0.00	
Dept. for the Blind						
TOTAL					\$0.00	
DIA - State Public Defender		Flowers v State of Iowa	Settlement to Ms. Flowers to reimburse her for court appointed	\$1,489.90		10/6/2014
TOTAL					\$1,489.90	
DOC-Administration		Walsh Construction Comp II, LLC	DOC and DAS acting on behalf of the State have reached an agreement to resolve dispute arising from the construction of the new ISP.	\$6,965,000.00		5/4/2015

		Walsh Construction Comp II, LLC	DOC and DAS acting on behalf of the State have reached an agreement to resolve dispute arising from the construction of the new ISP. Final application for payment and release of retainage.	\$5,342,894.24		6/1/2015
TOTAL				\$12,307,894.24		
DOC- Administration 3rd Judicial District		Deborah Campbell vs State of Iowa Third Judicial District Department	Judgement awarded in Court tried case to plaintiff Deborah Campbell damages in the amount of \$404,682.00 with an interest rate of 2.12% from May 7, 2014. Total award in this Judgment amounts to \$545,999.32 which breaks down as \$404,682.00 and \$4,841.99 if interest. Also, \$136,475.33 payable to Jay E. Denne, attorney at Munger, Reinschmidt and Denne, L.L.P.	\$545,999.32		12/1/2014
TOTAL		Deborah Campbell vs State of Iowa Third Judicial District Department	Woodbury County Clerk of Court - court reporter fees	\$280.00		1/13/2015
DOC-Anamosa State Penitentiary					\$546,279.32	
TOTAL					\$0.00	
DOC-Clarinda Correctional Facility						
TOTAL					\$0.00	
DOC-Fort Dodge Correctional Facility						
TOTAL					\$0.00	

STATE APPEAL BOARD
Money Paid From General Fund for Settlements/Judgments
Fiscal Year 2015 Year to Date
June 1, 2015

DOC-Iowa Correctional Institute for Women- Mitchellville		Dana Day v State of Iowa - ICIW	3rd (and final) installment of March 27th, 2012 Settlement. \$14,000.00 made payable to Dana Day and Atty Eric Updegraff	\$14,000.00		\$14,000.00		9/9/2014
TOTAL						\$14,000.00		
DOC-Iowa Medical Classification Center								
TOTAL						\$0.00		
DOC-Iowa State Penitentiary		Randy Dean Jones v State of Iowa	Judgment of tried case involving a claim of delay in providing orthotic footwear to an inmate at Iowa State Penitentiary. Obligation and verdict pays \$35,480.00(\$19,957.86 to Mr. Jones, \$15,042.14 to Atty William Monroe and \$485 to Lee County Clerk of Court)	\$35,485.00				9/2/2014
TOTAL						\$35,485.00		
DOC-Ft. Madison		Williams, et al v State of Iowa	Order for Entry Judgment payable to US District Court - Southern District	\$2,000.00				1/13/2015
TOTAL						\$2,000.00		
DOC-Mt Pleasant Correctional Facility								
TOTAL						\$0.00		
DOC-Newton Correctional Facility		Blomme v State of Iowa	Judgment for Plaintiff on a retaliation claim awarded damages of \$120,567.08 to Mr. Blomme which included costs and interest. Also \$86,999.62 to be paid to Nymaster Goode, P.C.	\$207,566.70				10/6/2014
TOTAL						\$207,566.70		

STATE APPEAL BOARD
Money Paid From General Fund for Settlements/Judgments
Fiscal Year 2015 Year to Date
June 1, 2015

Human Services - CCUSO		Arnzen v Smith	Settled case involving conditions of confinement brought by a patient, arguing that issuing a behavior report (discipline) for failing a polygraph violated patient's liberty. Amount of \$2,500.00 in attorney fees to be paid to Patrick Ingram.	\$2,500.00		7/7/2014
		Clark & Johnson v Benson & Smith	Settled case involving conditions of confinement at CCUSO brought by two patients, each of whom have asthma. Settlement in change of policy allowing patients to self-carry rescue inhaler as long as prescribed. Amounts awarded to Andrew Clark and Harrold Johnson for \$600.00 (\$300.00) each.	\$600.00		7/7/2014
TOTAL						\$3,100.00
Human Services - Glenwood Resource Center						\$0.00
TOTAL						\$0.00
Human Services - Cherokee MHI						\$0.00
TOTAL						\$0.00
Human Services - Woodward Resource Center						\$0.00
TOTAL						\$0.00
Inspections & Appeals						
TOTAL						\$0.00

STATE APPEAL BOARD
Money Paid From General Fund for Settlements/Judgments
Fiscal Year 2015 Year to Date
June 1, 2015

Natural Resources	Richard Herman v State of Iowa et al U.S. Dist Court for Southern Dist of IA	Public accommodation disability discrimination lawsuit under Americans with Disabilities Act, the Iowa Civil Rights Act and in violation of public policy. \$30,000.00 payable to Mr. Herman and \$15,000.00 payable to attorney Dorothy A. O'Brien.	\$45,000.00		12/1/2014
	Ertz vs State of Iowa	Annual Payment on Settlement approved 8/25/1997	\$41,321.20		12/15/2014
	Alecia Nichols, Timothy H. Hiers II, Timothy H. Heirs III v State of Iowa	Settlement in amount of \$325,000 to Alecia Nichols/Hauptman, O'Brien, Wolf and Lathrop PC for alleged maintenance neglect of campground resulting in dead tree to fall causing injuries.	\$325,000.00		2/2/2015
	Alecia Nichols, Timothy H. Hiers II, Timothy H. Heirs III v State of Iowa	Settlement in amount of \$45,000 to Timothy H. Hiers II/Hauptman, O'Brien, Wolf and Lathrop PC for alleged maintenance neglect of campground resulting in dead tree to fall causing injuries.	\$45,000.00		2/2/2015
	Alecia Nichols, Timothy H. Hiers II, Timothy H. Heirs III v State of Iowa	Settlement in amount of \$20,000 to Timothy H. Hiers III/Hauptman, O'Brien, Wolf and Lathrop PC for alleged maintenance neglect of campground resulting in dead tree to fall causing injuries.	\$20,000.00		2/2/2015
TOTAL				\$476,321.20	
Public Defense					
TOTAL				\$0.00	
Public Safety					
TOTAL				\$0.00	

Regents-Iowa State		Dennis Smith v ISU Science and Tech and State of Iowa	Trial judgment that went to Supreme Court on appeal. Reduced judgment awarded in the amount of \$650,000.00 plus statutory interest. Warrant in the amount of \$686,657.64 payable to Graham, Ervanian & Cacciatore, LLP Trust	\$686,657.64		1/13/2015
TOTAL				\$686,657.64		
Regents-Iowa State Veterinary						
TOTAL				\$0.00		
Regents-Iowa School of the Deaf						
TOTAL				\$0.00		
Regents-University of Iowa		Rebecca Segriff vs State of Iowa	Plaintiff claimed UofI campus driver negligent in operation which ran over her and resulted in serious and permanent injuries. UofI Dept of Risk Mgmt to pay this \$250,000.00			6/1/2015
TOTAL						
Regents-University of Iowa Hospitals & Clinics		Amy & Ryan Peterson vs State of Iowa	Settlement alleging medical negligence at UHHC during Amy Peterson's labor procedure. Alleged negligence claims that C-section was improperly performed resulting in a cervical obstruction and led to a hysterectomy needing to be completed. Settlement in the amount of \$500,000.00 (\$450,000.00 to be paid by UofI Physicians and \$50,000.00 by the SAB)	\$50,000.00		8/4/2014
TOTAL				\$0.00		

STATE APPEAL BOARD
 Money Paid From General Fund for Settlements/Judgments
 Fiscal Year 2015 Year to Date
 June 1, 2015

Regents-University of Iowa Hospitals & Clinics		Joe Allison vs State of Iowa	Settlement alleging medical negligence at UIHC during surgery involving Mr. Allison. Plaintiff claim alleges negligence causing permanent nerve injury and altered ability to work as a result. Settlement in the amount of \$120,000.00 agreed upon (\$72,000.00 or 60% will be paid by UofI Physicians and \$48,000.00 or 40% by SAB to Mr. Allison and attorney Martin Diaz Law Firm.)	\$48,000.00		9/2/2014
		Nancy and Dale Longwell	Alleged negligence lawsuit settlement in which Nancy Longwell tripped over a cement slab resulting in multiple injuries.	\$85,000.00		1/13/2015
		Cabbage, Phyllis, Indlv and as Exec of Estate of Kenneth Cabbage, on behalf of Michael and Susan Cabbage v State of Iowa	Settled lawsuit in alleged medical negligence at UIHC relating to the suicide and alleged wrongful death of Kenneth Cabbage. Award in the amount of \$250,000.00 (\$100,000.00 payable by the state and remaining by UIP)	\$100,000.00		1/13/2015
		Mildred Reikward v State of Iowa	Settled lawsuit for alleged medical negligence pertaining to surgery in which a surgical retractor had been left insideduring procedure. Settlement in the amount of \$60,000 to be split 60% State of Iowa (\$36,000.00) and 40% UIP (\$24,000.00).	\$36,000.00		4/6/2015

Regents-University of Iowa Hospitals & Clinics		Kris and Cathy Hill vs State of Iowa et al	Lawsuit alleged negligence by UIHC for treatment of subdural hematoma which resulted in permanent neurological damage. Total \$3,500,000.00 to be paid 50% by UofI Physicians and 50% by State Appeal Board to US Bank, for the Conservatorship of Kris Hill; Cathy Hill and Galligan and Reid P.C.	\$1,750,000.00			6/1/2015
TOTAL						\$2,069,000.00	
Regents-University of Northern Iowa		Griffen v State	Agreement to resolve the direct claim of the United States for reimbursement for the medical costs of Blake Jermon as a result of the near-drowning that occurred in Germany on 6/215/2003, while on a field trip being supervised by UNI Camp Adventure student interns. Amount of \$750,000.00 is to be wire transferred to US Dept of	\$750,000.00			7/7/2014
TOTAL						\$750,000.00	
Secretary of State							
TOTAL						\$0.00	
Workforce Development		Sandra Brown v State of Iowa	Settlement reached in case involving allegations of race discrimination and retaliation. Approval in amount of \$35,000.00 (\$17,203.42 to Ms. Brown and \$17,796.58 to Newkirk Zwagerman, P.L.C.)	\$35,000.00			10/6/2014
TOTAL						\$35,000.00	
TOTAL FY'15						\$19,583,094.90	
*NO New Settlements/Judgments submitted for the November 10th meeting							
*NO New Settlements/Judgments submitted for the February 2nd meeting							