

Public Safety Memorial Fund Board Minutes January 28, 2010

The Public Safety Memorial Fund Board held a regular meeting on Thursday, January 28, 2010 at the Department of Public Safety Standards and Training. Chair Anderson called the meeting to order at 9:53 a.m.

Board Members Present:

Todd Anderson, Chair, Oregon State Sheriffs' Association

Mark Prince, Oregon Fire Chiefs' Association

Richard Brown, Public Citizen Member

Steven Piper, Non-Management Law Enforcement, via teleconference

DPSST Staff:

Eriks Gabliks, Director

Charlene Barber, Executive Assistant

Marilyn Lorange, Certification and Records Supervisor

Robin Mimms, Office Specialist 2

Bonnie Narvaez, Rules and Compliance Coordinator



1. Approval of August 28, 2009 Meeting Minutes

Mark Prince moved to approve the minutes for the August 28, 2009 meeting.

Richard Brown seconded the motion. The motion carried in a unanimous vote.

2. Officer Jason Hoerauf

A quick summary was provided by Bonnie Narvaez. The Board previously awarded a death benefit to Jason **HOERAUF**'s daughter Morgan Gray on September 17, 2001, due to a qualifying death. Morgan Gray meets the definition of a "family member" and is eligible for health/dental benefits.

The action item below was presented to the board.

1. Determine if the Board will award health and dental benefits to Morgan Gray for the period of November 1, 2009, through June 30, 2010 for a total amount of \$1,396.56.

ATTACHMENTS WERE PROVIDED:

"A" Form M-1, Application for Benefit

"B" Insurance Premium for Morgan Gray-2009

Richard Brown moved the board approve the action item regarding Jason HOERAUF's daughter Morgan Gray. Mark Prince seconded that motion. The motion carried in a unanimous vote.

3. Michael Kastelic (DPSST #34497)

Bonnie Narvaez provided a case summary. On or about August 21, 2006, Deputy **KASTELIC** was co-instructing a defensive tactics class. He was teaching basic skills on ground fighting for a recruit academy class. Noted in the investigation, nothing out of the parameters of the basic skills was demonstrated during the drill. After the drill ended a lieutenant noticed Deputy **KASTELIC**. It looked like his back was hurting so the lieutenant asked **KASTELIC** about it. Deputy **KASTELIC** said he felt it go out during the drill. Deputy **KASTELIC** was asked if anything unusual had happened. Deputy **KASTELIC** said, "No, it just went out".

Board members reviewed and discussed the packet materials that were provided.

The action items below were presented to the board.

1. Determine if Deputy **KASTELIC** met the statutory definition of a Public Safety Officer covered under the Public Safety Memorial Fund Statue.
2. Determine whether Deputy **KASTELIC** suffered a "qualifying disability" as set forth in statute. (i.e., Was it a permanent total disability that occurred on or off duty? Was it a direct or proximate result of an enforcement action, an emergency response, or public safety training for an enforcement action or emergency response that the officer is authorized or obligated to perform by law, rule, regulation or condition of employment or service?)
3. Determine whether the Board will award health/dental payments in the amount of \$4, 395.87 for the period October 1, 2009 through June 30, 2010 to Deputy **KASTELIC** (\$488.43 per month x 9 months = \$4, 395.87).

ATTACHMENTS WERE PROVIDED:

- "A" Form M-1, Application for Benefit
- "A-2" Form M-3, Notice of Permanent Total Disability
- "B" Request for Records (10-28-09)
- "C" WCB Order Approving Settlement (9-9-09)
- "D" Medical Evaluation-Dr. Makker (dated 7-27-09)
- "E" Risk Management Documents (5-27-09)
- "F" Risk Management Documents (4-17-09)
- "G" Limited Duty Assignment/Eval – Dr. Li (3-31-09)
- "H" Medical Evaluation-Dr. Makker (3-25-09)
- "I" Risk Management-Denial of Claim (3-6-09)
- "J" Medical Evaluation-Dr. Bergquest/McNeil (2-25-09)
- "K" Psychological Evaluation-Dr. Patyrek (2-23-09)
- "L" Mt. Scott Diagnostic Report + attachments (12-29-08)
- "M" Report of Dr. Visit (unknown physician) (11-27-08)
- "N" Ltr to Sara Stevenson from Rehab Counselor (7-7-08)

“O”	Ltr to Steve Antunez from Rehab Counselor (6-23-08)
“P”	Report to Dr. Visit with James Makker (5-14-08)
“Q”	Report to Dr. Visit with James Makker (2-4-08)
“R”	Hillsboro Urgent Care Report
“S”	Ltr to Dr. Miller from Pinnacle Risk Mgmt (11-1-07)
“T-1”	Office Visit Report-RMA (10-16-07)
“T-2”	Office Visit Report- RMA (9-13-07)
“T-3”	Office Visit Report-RMA w/ attachments (8-15-07)
“U”	Physician Release to regular duty (12-10-06)
“V”	Note re: Surgery scheduled for 10-23-06 (10-19-06)
“W”	Report of Investigation (Redman) (9-27-06)
“X”	Memo to Lt. Mori re: 8/21 injury (Degman) (9-14-06)
“Y”	Report of Job Injury or Illness (Form 801) (8-23-06)
“Z”	Miscellaneous

The board approved the action item regarding Deputy KASTELIC meeting the statutory definition of a Public Safety Officer covered under the Public Safety Memorial Fund Statute.

Mark Prince moved the board does not approve the action item regarding Deputy KASTELIC suffering a “qualifying disability” as set forth in statute. The injury is not a qualifying permanent total disability. Richard Brown seconded that motion. The motion carried in a unanimous vote.

4. **Next Meeting Scheduled for April 22, 2010**
5. **Disability Recipient Letter**

An award recipient thanked the Public Safety Memorial Fund Board for the funds that were provided as a result of their permanent injury.

Todd Anderson moved the board adjourn the meeting at 10:17am. Richard Brown seconded that motion. The motion carried in a unanimous vote.