

0620.06 Submission of Claims by Michigan Department of Corrections Prisoners to the Finance and Claims Committee of the State Administrative Board

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PURPOSE

To communicate the procedures for the filing and resolution of claims by DOC prisoners to the Finance and Claims Committee (F&C) of the State Administrative Board.

APPLICATION

Michigan Department of Corrections (DOC) and DOC Prisoner Claimants

CONTACT AGENCY

Department of Technology, Management and Budget (DTMB)
State Administrative Board (Ad Board)

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SUMMARY

The Ad Board Secretary processes claims for personal property losses submitted by DOC prisoners for Ad Board approval and prepares the DOC claims portion of the agenda for the meetings of the F&C.

APPLICABLE FORMS

DTMB-1104 Claim Against the State of Michigan for Personal Losses Less than \$1,000 (Claim Form)

PROCEDURES

Claims Against the State by DOC Prisoners

- The Ad Board is authorized to decide claims for property damage against the State, its departments/agencies, officers, or colleges and universities in an amount under \$1,000.00. (See MCL 600.6419).
- Claims from DOC prisoners fall within the Ad Board's authority to decide claims against the State in an amount less than \$1,000.00.
- A description of the loss or damage must be stated on the form or on an attached page.
- Documentation of ownership, original cost of the item, repair of the item, or itemized bills must accompany the form.

- The claim must be based on the present value of the property and not the replacement cost. The present value is calculated based on the following depreciation schedule:
 - Depreciation is calculated with a 20% straight-line depreciation rate per year starting with year two and continuing until a residual balance of 10% remains.
 - Eyeglasses, precious metal jewelry, and cash claims are not subject to depreciation.
 - If the DOC prisoner cannot provide a receipt to assist in determination of the present value of the item, the value from the Average Cost Schedule in the DOC policies and procedures may be used.

Claimant

- Submits the Claim Form with copies of pertinent information in accordance with DOC procedures for the submission of claims to the Ad Board.
- The claim form must be fully completed and notarized.

Ad Board Secretary

- Forwards any claim received directly from a prisoner to DOC for investigation and recommendation for payment or denial, and
- Sends a receipt to claimant informing the claimant that the claim has been forwarded to DOC.

Department of Corrections

- Investigates and submits claims and supporting documentation to the Ad Board Secretary with an appropriate recommendation for payment or denial to the F&C with an unstapled, one-sided copy of the recommendation.
- Is responsible for payment to claimant of awarded claims.

Ad Board Secretary

- Places the claim information and DOC's recommendation on the F&C agenda.
- Logs the recommendation, F&C Date, and Ad Board date in the DOC Prisoner Claim Database.
- Prepares the proposed claim decision letter.
- Adds Secretary's report of any claims over 90 days old to the F&C Agenda (monthly).
- Prepares and forwards F&C Agenda to the F&C for action.
- After the F&C meeting, prepares F&C meeting Report and forwards the F&C Report and F&C Agenda containing the claim recommendations to the Ad Board for action.

- After the Ad Board meeting, notifies DOC and the claimant of the Ad Board's decision by letter.
- Handles correspondence and other communications relative to the claims.
