

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

Issued: January 13, 2014
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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)

Telephone: 517-388-5773 Claims Technician
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SUMMARY

The Claims Technician 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-P Prisoner Claim Against the State of Michigan for Personal Losses Less than \\$1,000 \(Claim Form\)](https://www.michigan.gov/dtmb/-/media/Project/Websites/dtmb/Law-and-Policies/SAB/DTMB1104P_Prisoner_Claim_Against_the_State_of_Michigan_protected.docm?) (https://www.michigan.gov/dtmb/-/media/Project/Websites/dtmb/Law-and-Policies/SAB/DTMB1104P_Prisoner_Claim_Against_the_State_of_Michigan_protected.docm?)

PROCEDURES

Claims Against the State by DOC Prisoners

- The Ad Board has discretionary authority, upon the advice of the attorney general, to decide claims for property loss/damage against the State, its departments/agencies, officers, or colleges and universities in an amount under \$1,000. (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.

- Claims by DOC prisoners for loss require:
 - Submittal of a claim within 365 days of the date of loss.
 - An itemized description of the loss or damage must be stated on the Claim Form. If additional space is needed, the prisoner may attach an additional sheet using 8 ½" x 11" blank paper.
 - A copy of documentation verifying possession, ownership, original cost of the item, cost to repair the item, and/or itemized bill(s) must accompany the Claim 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.
 - Precious metal jewelry, and cash claims are not subject to depreciation.
 - If the DOC prisoner cannot provide a receipt or proof of the original purchase amount to assist in the determination of the present value of the item, the residual balance may be calculated using the Average Cost Schedule located in DOC's policies and procedures.

Claimant

- Submits the Claim Form with a copy of relative supporting documents in accordance with DOC procedures for the submission of claims to the Ad Board.
- The Claim Form must be typewritten or hand written legibly in ink.
- The Claim Form must be completed in full, signed by the prisoner and notarized.

Claims Technician

- Returns any Claim Form received directly from the DOC prisoner to the sender.
- Returns any prisoner claim inquiries received directly from the DOC prisoner to the sender.

Department of Corrections

- Investigates and submits DOC prisoner claims and supporting documentation to the Ad Board with an appropriate recommendation for payment or denial. Claims may be submitted to the Ad Board electronically.

Claims Technician

- Logs each DOC prisoner claim, DOC and Ad Board claim recommendation(s), F&C date, and Ad Board date in the DOC Prisoner Claim Database.
- Handles correspondence and other communications relative to the claims.
- Places the DOC prisoner claim information and final recommendation on the F&C agenda.
- Prepares and forwards the claim section of the agenda to the Ad Board Secretary for F&C action.

Ad Board Secretary

- Prepares and forwards F&C agenda to the F&C committee for review of agenda and recommendations
- 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 final approval.

Claims Technician

- Prepares the claim decision letter.
- After the Ad Board meeting, notifies DOC of the Ad Board's decision by letter. Decision letters may be sent electronically to the DOC.

Department of Corrections

- Distributes signed claim decision letters to pertinent DOC representatives for informational purposes and/or payment processing.
- Distributes signed claim decision letter to DOC prisoner.
- Is responsible for timely payment to the prisoner of awarded claims.
