

APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business [REDACTED]	First [REDACTED]	Middle [REDACTED]
Claimant ID	[REDACTED]	Claim ID	[REDACTED]
Claim Type	Business Economic Loss		
Law Firm	[REDACTED]		

II. DECISION

Select the Compensation Amount set forth in either BP's Final Proposal or the Claimant's Final Proposal as the final outcome on the claim and check the appropriate box to signify your decision.

<input type="checkbox"/> BP's Final Proposal	Compensation Amount	\$21,580
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$32,970.57
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0

III. PRIMARY BASIS FOR PANELIST DECISION

Please select the primary basis for your decision. You may also write a comment describing the basis for your decision.

- Error in documentation review.**
- Error in calculation.**
- Error in RTP multiplier.**
- Error in Prior Spill-Related Payment Amount.**
- No error.**

Comment (optional):

BP appeals this BEL award in favor of [REDACTED]. It is argued that the Claims Administrator did not receive adequately detailed financial records to ensure that income was properly allocated to the correct months. However, a review of the record establishes that the financials provided were sufficient for the Settlement Program to perform the necessary calculations. BP also argues that, since payments to

physicians are often made by insurance companies, these payments are often tendered significantly after services are provided. According to this line of reasoning, BP contends the Professional Services Methodology should have been utilized. However, claimant suggests that most of the plastic surgery it performs is elective. Therefore, the charges are not paid by insurance and are paid at the time services are rendered. Moreover, [REDACTED] also correctly points out that, if physicians's revenues were supposed to be matched under the Professional Services Methodology, doctors would have been included in Attachment A of Policy 495 pertaining to the relevant NAICS codes. For the foregoing reasons, the appeal is denied and the award in favor of the claimant is affirmed.