



APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business [REDACTED]	First	Middle
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	\$0
	Risk Transfer Premium	.25
	Prior Payment Offset	\$0
<input checked="" type="checkbox"/> Claimant's Final Proposal	Compensation Amount	\$228,824.57
	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):

reasons uploaded

CLAIMANT:
CLAIM ID:

[REDACTED]

This is a BEL claim filed by a [REDACTED], Louisiana imaging center. The Claims Administrator awarded \$228,824.57 (pre 0.25 RTP). BP filed this appeal.

BP raises three issues on appeal, all involving mis classification of expenses.

First, BP complains that "Professional Collections to [REDACTED] should have been classified as a variable expense. Second, BP complains that "Billing and Management Expense" should have been classified as variable. Finally, BP complains that "Contract Labor" should have been classified as variable. It should be noted here that BP did not favor this Panelist with BP's estimate of the award if the three foregoing expenses were classified a variable. Instead, BP seeks a remand or a \$0.00 award.

This claim did not activate any of the seven triggers under Policy 495. Further, in reviewing the file materials, it is clear that the Claims Administrator's accountants discussed all three expenses with Claimant's counsel and accountants and analyzed the expenses in detail. The program accountants utilized their professional judgment and classified the expenses accordingly. This Panelist cannot make a determination that the accountants erred. While BP's arguments have some merit, it is unfortunate that BP chose not to provide an alternative award for this Panelist to ponder. Given the choice between the two final proposals, it is clear that Claimant's final proposal is the correct result.