

APPEAL PANEL DECISION FORM

I. CLAIMANT AND CLAIM INFORMATION

Claimant Name	Last/Name of Business ██████████	First ██████████	Middle ██████████
Claimant ID	██████████	Claim ID	██████████
Claim Type	Business Economic Loss		
Law Firm	██		

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	\$86,238
	Risk Transfer Premium	1.50
	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 seeks remand of a BEL award to the professional LLC of a practicing radiologist in ██████████. The Claims Administrator assigned Zone A based on Claimant's stated address of ██████████. The basis of BP's appeal is that the record is unclear as to the actual location at which the Claimant operates and manages its business.

Claimant provides diagnostic and interventional radiology services. BP points out that the Claimant's place of incorporation is listed as ██████████ (Zone D) and that the ██████████ location is a residential address, an unlikely site for the practice of radiology. BP also argues that Claimant has been affiliated with ██████████, ██████████ and ██████████, all located in Zone D. The Claimant responds that it both operates and manages its business from the ██████████ location. A statement signed by Claimant's principal owner explains that all aspects of management took place at the ██████████ address and that diagnostic radiology services were also delivered from that location on a teleradiology computer located at this address. Accordingly, Claimant argues that the Claims Administrator correctly assigned Zone A and its corresponding RTP.

On *de novo* review, this panelist is unable to conclude that Claimant's various hospital affiliations cast sufficient doubt on the ██████████ address as the location from which the business is operated and services provided. BP seeks remand for the Administrator to clarify where the Claimant provided services. The Claimant states that the business was operated from the ██████████ location. Contrary to BP's position, this statement is unrebutted in the record. No basis for remand has been demonstrated. Nor is there any basis to overturn the Claims Administrator's zone determination. The appeal is denied.