

State Appeal Board of Iowa

Financial Report

June 30, 2009

McGladrey & Pullen

Certified Public Accountants

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Contents

Independent Auditor's Report	1 – 2
Financial Statements	
Statement of Assets and Liabilities – Modified Cash Basis	3
Statement of Cash Receipts and Disbursements – Modified Cash Basis	4
Notes to Financial Statements	5 – 6
Supplementary Information	
Schedule of Tort Claims and General Claims (Unaudited)	7
Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	8 – 9

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Certified Public Accountants

Independent Auditor's Report

Members of the State Appeal Board of Iowa
Des Moines, Iowa

We have audited the accompanying financial statements – modified cash basis of the State Appeal Board of Iowa, as of and for the year ended June 30, 2009, as listed in the table of contents. These financial statements are the responsibility of the State Appeal Board of Iowa's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, these financial statements were prepared on a prescribed basis of accounting that demonstrates compliance with the modified cash basis and budget laws of the State of Iowa, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

As described in Note 1, the financial statements of the State Appeal Board of Iowa are intended to present the assets and liabilities arising from the modified cash basis transactions and modified cash receipts and disbursements of only that portion of the General Fund of the State of Iowa that is attributable to the transactions of the State Appeal Board of Iowa. They do not purport to, and do not, present fairly the financial position of the State of Iowa as of June 30, 2009 and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America. Because the financial statements present only the State Appeal Board of Iowa, and do not purport to, and do not present the financial statements of the General Fund of the State of Iowa, management has chosen not to present a management's discussions and analysis for the State Appeal Board of Iowa.

As described in Note 1, the State Appeal Board of Iowa changed its method of accounting for settlements and judgments.

In our opinion, the financial statements referred to above present fairly, in all material respects, the assets and liabilities arising from the modified cash basis transactions of the State Appeal Board of Iowa, as of June 30, 2009, and its modified cash receipts and disbursements for the year then ended in conformity with the basis of accounting described in Note 1.

In accordance with *Government Auditing Standards*, we have also issued our report dated March 24, 2010, on our consideration of the State Appeal Board of Iowa's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

We did not audit the Schedule of Tort Claims and General Claims included as supplementary information. This information has not been subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

McGladrey & Pullen, LLP

Des Moines, Iowa
March 24, 2010

State Appeal Board of Iowa

Statement of Assets and Liabilities - Modified Cash Basis
June 30, 2009

Assets	<u>\$ -</u>
Liabilities	\$ -
Contingencies (Note 3)	
Equity	<u>-</u>
Total liabilities and equity	<u><u>\$ -</u></u>

See Notes to Financial Statements.

State Appeal Board of Iowa

Statement of Cash Receipts and Disbursements - Modified Cash Basis
Year Ended June 30, 2009

Receipts, standing unlimited appropriation	\$ 19,984,701
Disbursements, claims paid	19,984,701
Cash balance, beginning and end of year	<u><u>\$ -</u></u>

See Notes to Financial Statements.

State Appeal Board of Iowa

Notes to Financial Statements

Note 1. Reporting Entity and Significant Accounting Policies

Reporting Entity:

The State Appeal Board of Iowa (the Appeal Board) consists of the Auditor of State, the Treasurer of State and the Director of the Department of Management. The Appeal Board's actions are governed by various chapters of the State Code of Iowa (the Code). Chapters 25 and 669 of the Code require the Appeal Board to determine the disposition of general and tort claims against the State of Iowa (the State) or its employees, based on recommendations of the State Attorney General's office. An annual report of tort claims and judgments paid and general claims denied is made to the General Assembly.

The Appeal Board is considered an integral part of the State reporting unit. The accompanying financial statements present only that portion of the General Fund of the State that is attributable to the transactions of the Appeal Board.

Significant Accounting Policies:

Basis of Presentation – Fund Accounting: The accounts of the Appeal Board are organized on the basis of a fund. The operations of the fund are accounted for by providing a separate set of self-balancing accounts which comprise its assets, liabilities, fund balance, receipts and disbursements. The fund of the Appeal Board is as follows:

Governmental Fund Type: This is the fund type through which most governmental functions typically are financed. Expendable assets are assigned to the Governmental Fund according to the purpose for which they may or must be used, current liabilities are assigned to the fund from which they are paid and the difference between Governmental Fund assets and liabilities, fund equity, is referred to as "fund balance." The measurement focus is on receipts and disbursements rather than on net income determination.

General Fund: The General Fund comprises the Appeal Board's Governmental Fund Type. This fund is the general operating fund of the Appeal Board. All State legislative appropriations and other receipts not allocated by law or contractual agreement to another fund are accounted for in this fund.

State Appeal Board of Iowa

Notes to Financial Statements

Note 1. Reporting Entity and Significant Accounting Policies (Continued)

Basis of Accounting and Appropriation: The Appeal Board uses a modified cash receipts and disbursements basis of accounting. The Appeal Board appropriation revenues are received on the basis of a standing unlimited appropriation from the State Legislature. Such an appropriation provides receipts for the payment of all disbursements approved by the Appeal Board. Therefore, appropriation receipts are recorded when disbursements are recorded. General and tort claims are recorded as disbursements when paid. Administrative claims are recorded as disbursements in the fiscal year if ratified within 60 days after the fiscal year. Effective July 1, 2008, the Appeal Board changed its method of accounting for disbursements and receipts arising from settlements and judgments. Prior to this fiscal year, settlements and judgments were recorded as disbursements and receipts in the fiscal year if ratified by the Board within 60 days after the fiscal year. The Appeal Board changed its policy to record settlements and judgments as disbursements and receipts when ratified. The effect of this change was to increase disbursements and receipts by \$14,354,021 for settlements in July and August 2008 and to exclude \$608,218 of settlements approved by the Board in July and August 2009. Accordingly, the accompanying financial statements do not purport to present the information therein in accordance with U.S. generally accepted accounting principles, which requires the use of the accrual or modified accrual basis of accounting.

Note 2. Officials

The following is a summary of officials as of June 30, 2009:

Name	Title
Appeal Board Members:	
David A. Vaudt - Chairperson	Auditor of State
Michael L. Fitzgerald - Vice Chairperson	Treasurer of State
Richard C. Oshlo - Member	Interim Director, Department of Management
Executive Secretary, Judy K. Meyer	

Note 3. Contingencies

The Appeal Board has the authority to approve or deny general claims less than five years old and ratify tort claims not over \$5,000. Further, all tort claims, whatever the amount, must be filed through the Appeal Board.

The Attorney General's office, on behalf of the State of Iowa, has the authority to approve or deny all tort claims.

State Appeal Board of Iowa

**Schedule of Tort Claims and General Claims (Unaudited)
Year Ended June 30, 2009**

As of June 30, 2009, the following tort claims and general claims are pending before the Appeal Board (unaudited):

Tort claims:

Contingent highway tort claims	\$	3,521,138
Contingent highway tort lawsuits		13,968,663
Contingent tort claims for the State General Fund (1)		181,533,668

General claims, contingent general claims of various
State departments

75,000

Total

\$ 199,098,469

- (1) This balance represents the total claim amount of all pending tort and other statutory or constitutional claims and cases against the State. In the aggregate, tort claims liability is estimated at approximately \$18 million.

In addition to the above claims and lawsuits, there are also claims and lawsuits against the State for which no dollar amount has been specified.

McGladrey & Pullen

Certified Public Accountants

Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

Members of the State Appeal Board of Iowa
Des Moines, Iowa

We have audited the financial statements of the State Appeal Board of Iowa as of and for the year ended June 30, 2009, and have issued our report thereon dated March 24, 2010. Our report was modified for a change in method of accounting for settlements and judgments. Our report was also modified to describe the basis of accounting which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America and to describe the reporting entity is only that portion of the General Fund of the State of Iowa attributable to the transactions of the State Appeal Board of Iowa. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control over Financial Reporting

In planning and performing our audit, we considered the State Appeal Board of Iowa's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the State Appeal Board of Iowa's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the State Appeal Board of Iowa's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Board's ability to initiate, authorize, record, process or report financial data reliably in accordance with accounting principles generally accepted in the United States of America such that there is more than a remote likelihood that a misstatement of the entity's financial statements that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the Board's internal control.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the State Appeal Board of Iowa's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of the State Appeal Board of Iowa and is not intended to be and should not be used by anyone other than the State Appeal Board.

McGladrey & Pullen, LLP

Des Moines, Iowa
March 24, 2010