



## SEXUAL ASSAULT FORENSIC EXAMINATION PROGRAM (SAFE)

The Crime Victims Compensation Board administers the SAFE program, which makes payments directly to medical professionals and facilities that conduct sexual assault examinations. Medical providers bill the SAFE program directly as state law prohibits billing patients solely for this expense.

This program does not require reporting by the victim to law enforcement.

### ■ ALLOWABLE EXPENSES RELATED TO THE CRIME

- Medical expenses
- Mental health counseling for up to 2 years
- Funeral expenses
- Eyeglasses or corrective lenses
- Loss of earnings resulting from the crime, not to exceed \$150 per week (must be employed during time of incident)
- Loss of financial support resulting from the crime, not to exceed \$150 per week

### ■ EXPENSES NOT COVERED

- Property damage or loss
- Expenses related to court proceedings
- Household living expenses
- Moving expenses
- Pain and suffering, emotional distress, loss of consortium
- Appeal of a denied claim

## CONTACT

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## OFFICE OF CLAIMS AND APPEALS

PPC Public Protection Cabinet

## Compensation for Innocent Victims of Crime

# Crime Victims Compensation

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PPC Public Protection Cabinet

This pamphlet is a summary of the statutory provisions applicable to the Crime Victims Compensation Fund and is not in itself binding to the Board. For the actual provision and rules, refer to KRS 49.

Available in Spanish.

TEAM KENTUCKY

The Office of Claims and Appeals – Crime Victims Compensation Board (CVCB) administers the Crime Victims Compensation Fund and considers payment or reimbursement for expenses related to crimes occurring in Kentucky when no other resources are available.

#### A claimant must:

- Be an innocent victim of a crime or some conduct that could be charged as a crime, or a third party who is required to pay for the victim's crime-related bills, and have no other means of payment. Conviction is not required.
- Report incident to law enforcement within 48 hours; if not reported, provide a justifiable reason.
- Cooperate with law enforcement and the prosecution except in cases of domestic violence and sexual assault.
- Provide a social security number or other U.S. government-issued ID.

#### REDUCTION OF BENEFITS

The CVCB is the payer of last resort. Awards are reduced by amounts already received or to be received from other sources like insurance or workers' comp claims, legal settlements, and/or restitution.

#### EXCEPTIONS

Injuries resulting from an automobile accident are not eligible for consideration unless it can be determined that the driver causing the accident did so intentionally or violated DUI laws.

## CLAIM PROCESS

- Claim forms are downloaded from the website at kycc.ky.gov.
- Forms are reviewed to ensure all necessary information is included.
- The Claimant is notified if additional information or documentation is required.
- Staff review, gather pertinent information and verify submitted claim.
- The claim is assigned to a board member who makes a recommendation for either approval or denial of an award to the full board.
- Staff notifies claimant of recommendation. Claimant has 15 days to register disagreement.
- Commission renders a final decision
- Claimant receives a copy of the final order.

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The CVCB pays providers directly on behalf of the claimant for crime-related expenses, and can consider reimbursement to the claimant for crime-related out-of-pocket expenses.

The maximum award per victim cannot exceed \$25,000; the maximum award for funeral/burial expenses cannot exceed \$5,000, which is included in the \$25,000 cap.

## PAYMENT PROCESS

The time required for processing claims depends on numerous factors, including the cooperativeness of the claimant, timely receipt of requested documentation, the complexity of issues related to the crime, as well as any issues resulting from the criminal trial.

The CVCB can consider additional bills after an initial claim has been filed, as well as emergency payments up to \$500. When applicable, emergency awards are subtracted from the \$25,000 cap on all awards.

Collection agencies are prohibited from activities while a claim is under consideration.

#### APPEAL OF A DENIED CLAIM

An appeal may be filed in Franklin Circuit Court or the circuit court in the county where the claim occurred.