

Expenses not covered

- Property damage or property loss
- Expenses related to court proceedings (mileage, parking, lodging, etc.)
- Household living expenses
- Moving expenses
- Pain and suffering; emotional distress, loss of consortium

Appeal of a denied claim

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

Sexual Assault Forensic Examination Program (SAFE)

To facilitate the prosecution of sexual assault/abuse and the timely basic treatment of victims, the Crime Victims Compensation administers the SAFE program, making payments directly to those who conduct sexual assault examinations, i.e., doctors, hospitals, Children's Advocacy Centers, Sexual Assault Nurse Examiners (SANEs), or other qualified medical professionals. State law prohibits the billing of patients solely for this expense. Providers bill the SAFE program directly. Reporting by the victim to law enforcement is not required by this program.

The Kentucky Claims Commission, Crime Victims Compensation is under the Public Protection Cabinet of the Commonwealth of Kentucky. The Cabinet provides accommodations necessary to afford an individual with a disability an equal opportunity to participate in all services, programs and activities. To request material in an alternative format, please call (502) 782-8255.

This brochure is also available in Spanish.



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KRS 49

The Crime Victims Compensation Fund exists to assist "those needy persons who are victims of criminal acts and who suffer bodily or psychological injury or death as a consequence....To that end, it is the General Assembly's intent that aid, care and support be provided by the state, as a matter of grace, for such victims of crime."



As a matter of grace...

C r i m e V i c t i m s
C o m p e n s a t i o n

500 Mero St., 2SC1
Frankfort, KY 40601
Phone: 502-782-8255
Fax: 502-573-4817

Email: crimevictims@ky.gov
Website: kvcc.ky.gov

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

Compensation for Innocent Victims of Violent Crime

Crime Victims Compensation



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Frankfort, KY 40601
502-782-8255

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Crime Victims Compensation

The Kentucky Claims Commission, Crime Victims Compensation (CVC) is a state agency that administers the Crime Victims Compensation Fund and considers payment of or reimbursement for expenses related to crimes occurring in Kentucky, when no other resources are available. The CVC is not part of the criminal prosecution, is not involved in criminal police investigations, and does not provide victim advocates.

Requirements for compensation

- Claimant must be an innocent victim of a crime or some conduct that could be charged (conviction not required) 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.
- Incident must be reported to law enforcement within 48 hours; if not reported within the required timeframe, a justifiable reason must be provided.
- Claimant must cooperate with law enforcement and the prosecution (testify and/or provide whatever truthful information required to prosecute the alleged offender), except in cases of domestic violence and sexual assault.
- Claimant must provide a social security number or other U.S. government-issued ID.



Claims Process

- Claim forms may be obtained from the CVC office, or by downloading from its Website at kycc.ky.gov.
- Upon submission, claim forms are reviewed to determine whether all necessary information is included.
- If the claim is incomplete, the claimant will be notified to provide the requested additional information / documentation.
- The claim is assigned to staff for review, gathering pertinent information and verifying what has been requested and submitted.
- The claim is assigned to a Commission member, who will make a recommendation to the full Commission to either deny or award.
- Claimant is notified of recommendation and given 15 days to register a disagreement with the recommendation.
- Commission renders a final decision
- Claimant receives a copy of the final order.



Reduction of benefits

The CVC is the payer of last resort, and will reduce awards by amounts already received or to be received from other sources, e.g. insurance, settlement of a lawsuit, Medicaid/Medicare, Worker's Comp, Social Security, 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.

Payment Process

As of July 2013, collection agencies, within statutory parameters, are prohibited from such activities while a claim is being considered by the CVC. The CVC 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 amount to be considered for funeral/burial expenses cannot exceed \$5,000, which is included in the \$25,000 cap. The time required for processing claims varies greatly, depending on the cooperativeness of the claimant, the timely receipt of requested information and documentation, the complexity of issues related to the crime, issues resulting from the criminal trial and/or the Commission's caseload.

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

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 and have actual loss of earnings)
- Loss of financial support resulting from the crime, not to exceed \$150 per week