



PUBLIC PROTECTION
CABINET

Office of Claims and Appeals

Crime Victims Compensation Board | kycc.ky.gov

What is the Crime Victims Compensation Board?

- Provides financial compensation to or on behalf of victims of violent crime or other qualifying individuals.
- Also administers the Sexual Assault Examination Program
- Legal authority: KRS 49 and 802 KAR Chapter 3
- CVCB is administratively attached to the Office of Claims and Appeals



Authority and Composition of the Crime Victims Compensation Board

- CVCB has power and authority to hear and determine all matters relating to a claim by a crime victim or a person with authority to act on behalf of a crime victim for compensation.
- Three members
 - Two members shall be a victim, a close family member of a victim, or a victim advocate.
 - One attorney member with at least two (2) years of experience.



Who is eligible and when must they file?

(KRS 49.280, 49.310 and 49.330)

- Victim of criminally injurious conduct
- Surviving parent, spouse, or child of a victim of criminally injurious conduct who died as a direct result of such conduct
- Any other person dependent for his or her principal support upon a victim who died as a result of the crime
- Any person who is legally responsible for the medical expenses or funeral expenses of a victim.
- Five (5) years from the date of the crime to file claim
 - Good cause exception

What and how much can survivors claim?

(KRS 49.370)

AWARD TYPE	MONETARY CAP
Overall award	\$30,000
Medical/dental expenses	No individual cap
Mental health counseling expenses	No individual cap (two-year limitation)
Funeral/burial expenses	\$7,500
Lost earnings	\$300/week
Loss of financial support	\$300/week

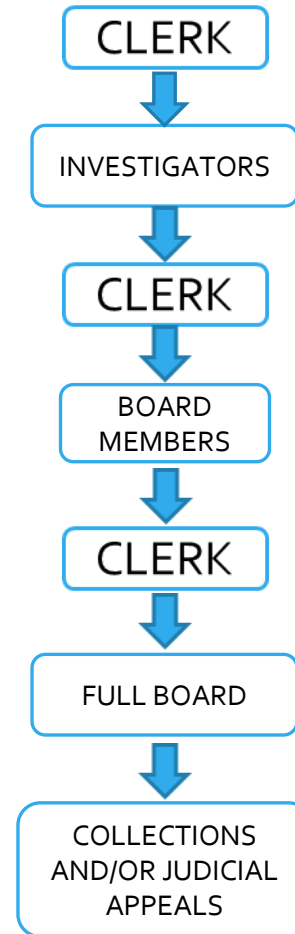
Reduction or Denial of a Claim

(KRS 49.280, 49.350 and 49.390)

- Failure to perfect claim or provide supporting documentation
- Contributory conduct
 - Unless such conduct involved Claimant or victim trying to prevent a crime or attempted crime from occurring
- Collateral sources



CVC Claims Process



What is the Sexual Assault Examination Program? (KRS 216B.400 and KRS 49.490)

- Pays for the collection of evidence during the sexual assault examination and basic medical treatment for patients who present for a sexual assault examination, including HIV prophylaxis.



SAEP Award Caps

- Actual cost, but not to exceed the following amounts pursuant to 802 KAR 3:020 and KRS 216B.400:
 - SAFE Exam: Facility - \$250, Lab - \$100, Examiner - \$200, Meds - \$100
 - HIV Prophylaxis: Initial exam; Lab - \$150, Starter Kit - \$200, Anti-nausea - \$30
 - 1st Follow up: Exam \$50, Labs \$50, Meds \$600
 - 2nd Follow up: Exam \$50, Labs \$90
 - 3rd Follow up: Exam \$50, Labs \$75

Denials of an SAEF Claim

- No bill submitted
- SAFE forms not properly completed
- Insurance pays above regulated amounts
- SAFE was not fully completed
- UB-04 or EOB not submitted



Recent Improvements to CVCB and SAEP

- Increased CVC award caps.
- When denying claims, CVCB grants more claimants leave to refile in the future rather than denying for failure to perfect, which includes a permanent bar to refiling claim.
- Streamlined claim processing.
- Annual trauma-informed training for CVCB members and staff.
- Secured federal grant to hire CVCB victim advocate.
- Increase in CAC reimbursement rate (\$538 to \$894).



CVCB Award Amounts and Total Victims Helped

- FY 2022
 - \$579,918 paid in awards
 - 165 victims receiving awards
- FY 2023
 - \$964,205 paid in awards
 - 246 victims receiving awards



CVCB Claims Received, Awarded, and Denied

- FY 2022

- 313 claims received
- 165 claims awarded
- 74 claims denied
- 69% awarded
- 31% denied

- FY 2023

- 361 claims received
- 249 claims awarded
- 70 claims denied
- 78% awarded
- 22% denied



Elimination of CVCB Claim Backlog

- August 2016:
 - 3-4 year average processing time
 - \$2.2 million of awardable claims that could not be paid
 - 350-400 stagnating claims (not including claims being actively investigated)
- Present:
 - Average 128-day claim processing time over past three calendar years (despite increase in filed claims)
 - Paying claims at 100%
 - All open claims prior to 2022 are abeyance claims

Revenue from Restitution and Donations

- Revenue from restitution and donations:
 - FY 2022: \$82,650 total
 - FY 2023: \$358,471 total
 - Outlier due to large \$230,054 restitution payment to CVCF ordered by U.S. District Court for the Eastern District of Kentucky in large narcotics prosecution.



SAEP Claims Received, Awarded, and Denied

- FY 2022:
 - 889 claims received
 - 513 claims awarded
 - 235 claims denied
 - 68% awarded
 - 32% denied
- FY 2023:
 - 1,153 claims received
 - 717 claims awarded
 - 363 claims denied
 - 66% awarded
 - 34% denied



SAEP Award Amounts and Total Victims Helped

- FY 2022:
 - \$210,643.
 - 513 awards paid on behalf of victims
- FY 2023:
 - \$326,629
 - 717 awards paid on behalf of victims



CVCB Fiscal Details and Budget

FUNDING	FY 21	FY 22	FY 23	FY 24 BUDGET
CVC Amount Paid (General Funds)	\$371,653	\$263,338	\$100,445	\$0.00
CVC Amount Paid (Restricted Funds)	\$8,103	\$13,003	\$664,000	\$536,000
CVC Amount Paid (Federal Funds)	\$142,925	\$303,577	\$199,760	\$664,000
TOTALS	\$522,682	\$579,918	\$964,205	\$1,200,000

OCA Revenues (Agency Funds)

		FY19	FY20	FY21	FY22	FY23
R404	General Fees From Public	82,033	73,396	96,525	76,541	63,623
R467	Co Atty Operated Traffic School Fees	91,944	59,820	63,376	61,178	74,393
R703	Court Cost	674,783	586,248	465,304	645,172	689,345
R802	Misc. Donations	22,414	23,670	12,663	38,747	262,537
R881	Refund of Prior Year Expend			13,490	3,666	5,662
R827	Other Receipts	651	6,581			
	Totals	871,827	749,717	651,361	825,306	1,095,561

Fiscal Impact Analysis

SB282 (RS 2023)

	CVC Claims Paid	CVC Claims Total Amount Paid	Effect of SB282	CVC Claims Total Possible Paid (SB282)
FY22	164	585,903	762,789	3,028,489
FY23	249	1,021,932	1,266,667	4,644,485

- “Effect of SB282” column considers all CVC claims paid, raises burials to \$7,500 (if met the previous max of \$5,000), doubles loss of earnings/support from \$150/week to \$300/week, and raises any claim total to \$30,000 if met previous max of \$25,000.
- “CVC Claims Total Possible Paid (SB282)” considers all CVC claims paid & raises them all to new maximum of \$30,000, unless burials only.

TEAM KENTUCKY®

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