

PUBLIC PROTECTION CABINET
Office of Claims and Appeals
Crime Victims Compensation Board
(Amended at ARRS Committee)

802 KAR 3:050. Emergency awards.

RELATES TO: KRS 49.260 - 49.490, 216B.015, 216B.400

STATUTORY AUTHORITY: KRS 49.010(4)(b), 49.020(7)(a), 49.300, 49.360

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: During the 2024 Regular Session, the General Assembly passed Senate Bill 319, which amends KRS 49.360 to increase the amount a claimant may receive if granted an emergency award and requires the board to decide whether to grant or deny the emergency award request within two (2) weeks of receiving the request. KRS 49.010(4)(b), 49.020(7)(a), and 49.300(1) authorize the Crime Victims Compensation Board and Office of Claims and Appeals to promulgate administrative regulations necessary to implement the provisions of KRS 49.270 through 49.490. This administrative regulation establishes the procedure for submitting a request for an emergency award and outlines the process and timeline for deciding an emergency award request.

Section 1. Emergency Award Requests. A claimant or victim submitting a request for an emergency award shall submit a:

- (1) Completed claim form; and
- (2) Written request for emergency assistance on the Emergency Award Request form, which shall :
 - (a) Outline the details and amount of the request for emergency assistance; and
 - (b) Provide an explanation as to why the emergency assistance is needed, including how the claimant or victim will incur undue hardship if emergency assistance is not awarded.

Section 2. Processing of Emergency Award Requests.

- (1) When the board receives an emergency award request, the claims investigator shall conduct a preliminary investigation to determine suitability for emergency assistance pursuant to KRS 49.360(1)(a) and (b). The preliminary investigation shall include:
 - (a) Review of the emergency request, including its veracity;
 - (b) Review of the incident report, police report, or other documentation confirming the crime's occurrence;
 - (c) Verification of any applicable expenses that were submitted at, or before, the time when the emergency request was received; and
 - (d) Assessment regarding whether the claimant or victim will experience undue hardship if emergency assistance is not granted.
- (2) Upon completion of the preliminary investigation, the claims investigator shall draft an investigative report outlining the findings of the preliminary investigation.
- (3) Board staff shall then assign the claim to a board member to review the preliminary investigative report and complete:
 - (a) A draft order; and
 - (b) A vote sheet on which the board member shall register their decision on the emergency award.
- (4) The board member's decision and order shall be issued no later than two (2) weeks after receipt by the board of the emergency request.
- (5) Following the decision on the emergency award request, board staff shall:

- (a) Serve the order on the claimant; and
- (b) If the request was awarded, provide payment to or on behalf of the claimant as soon as practicable.

Section 3. Incorporation by Reference.

(1) "Emergency Award Form", January 2025, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of Claims and Appeals, 500 Mero St 2SC1, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. and is available online at: https://kycc.ky.gov/newstatic_info.aspx?static_id=158.

(802 KAR 003:050. 51 Ky.R. 1618, 1944; eff. 9-2-2025.)

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CONTACT PERSON: Shelby Bevins-Sullivan, Staff Attorney, 500 Mero Street, 2 SC 1, Frankfort, Kentucky 40601, phone (502) 782-3556, fax (502) 573-4817, email sbevinsullivan@ky.gov.