



KEN PAXTON
ATTORNEY GENERAL *of* TEXAS

Crime Victims' Compensation Program

Presumptive Eligibility

Views expressed are those of the presenters, do not constitute legal advice,
and are not official opinions of the Office of the Texas Attorney General.



Crime Victim Services Division Mission Statement

To assist in the compassionate and effective delivery of crime victim services by offering information, resources, financial assistance, and education to crime victims and the organizations assisting them.



Crime Victims' Compensation Program

- ▶ Office of the Attorney General (OAG) administers Crime Victims' Compensation Program (CVC).
- ▶ Dedicated to ensuring that victims of violent crime are provided financial assistance for crime-related expenses
- ▶ Statutorily defined reimbursement
- ▶ State law and federal grant conditions require reimbursement first be sought from other sources.



CVC Fiscal Year 2024 Highlights

- ▶ \$ 77.8 million in payments

- ▶ Received a total of 39,216 applications and sexual assault exam reimbursement claims
 - 24,018 were victim compensation applications
 - 15,198 were sexual assault exam reimbursement claims



CVC Funding

- ▶ It is not a tax-based or general-revenue-funded program.
No tax dollars are used.

- ▶ Sources of funding in FY 2024 were:
 - Court fees
 - Federal VOCA grant
 - Restitution
 - Subrogation
 - Other receipts
 - Gifts



Restitution

- ▶ The CVC Program pays assistance to, or on behalf of, a victim
- ▶ At some point, an offender is apprehended and convicted.
- ▶ At sentencing, the judge can order the defendant to pay restitution to the CVC Fund for the assistance the victim received.



Subrogation

- ▶ The CVC Program pays assistance to, or on behalf of, a victim.
- ▶ Victim files and wins a civil lawsuit for damages or receives a settlement from perpetrator.
- ▶ Victim reimburses funds to CVC for lawsuits and settlements related to the crime.
- ▶ Victim and his/her attorney are subject to prosecution for failure to notify CVC.



Enabling Legislation

- ▶ Article 56B
- ▶ Crime Victims' Compensation Act
- ▶ The CVC Program began January 1, 1980



Legislative Mandates (Slide 1 of 2)

- ▶ A victim has the **right** to request and receive information about the Crime Victims' Compensation Program.
- ▶ Texas Code of Criminal Procedure, 56A.051(a)(6)(recodifies art. 56.02(a)(6)) (2021).



Legislative Mandates (Slide 2 of 2)

T.C.C.P. Art. 56A.401 (recodifies art. 56.07) (2021) Law Enforcement Mandate

- Initial contact with victim
- Written notice

T.C.C.P. Art. 56A.451 (recodifies art. 56.08) (2021) District and County Attorneys

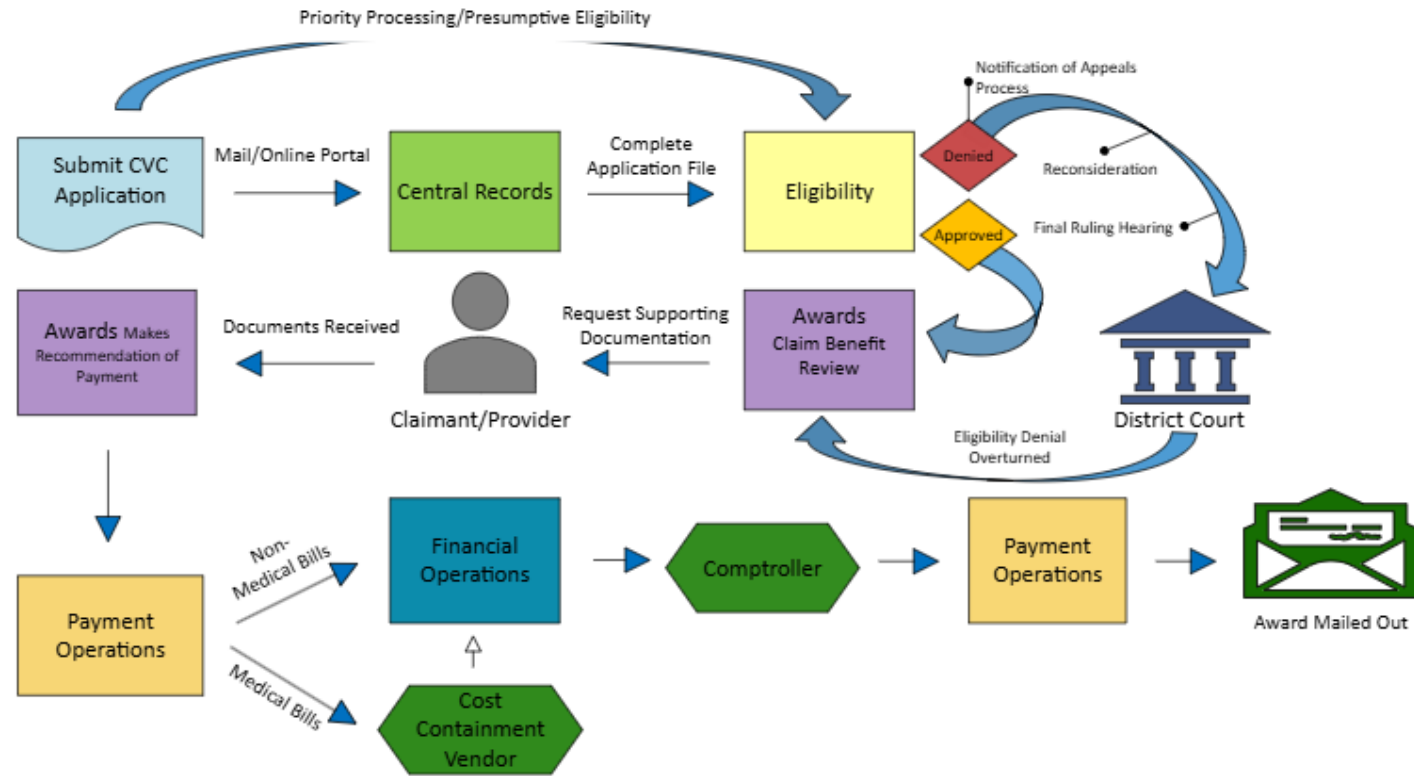
- 10-day written notice
- Assistance with application

T.C.C.P. Art. 56B.006 (recodifies art. 56.60) (2021) Public Notice

- Posters in hospital emergency rooms



Business Process





Victim

Who is a victim?

- ▶ An individual who suffers physical or mental harm or death as a result of criminally injurious conduct
- ▶ Note that every application is required to have one victim, and only one victim.
- ▶ Includes peace officers, firefighters or individuals whose employment duty is to protect the public



Claimant

Who is a claimant?

- ▶ An authorized individual acting on behalf of a victim
- ▶ An individual who legally or voluntarily assumes the obligation to pay expenses
- ▶ A dependent of a deceased victim
- ▶ A family or household member who incurs certain expenses as a result of the crime
- ▶ An application can have multiple claimants, but only one victim.



Eligibility (Slide 1 of 2)

Who is eligible to receive CVC?

- ▶ A Texas or U.S. RESIDENT who becomes a victim of crime in Texas
- ▶ A Texas resident who becomes a victim in a country with no compensation program.
- ▶ A Texas resident who becomes a victim of a crime defined as an act of terrorism committed outside the United States (as of September 1, 1997)



Eligibility (Slide 2 of 2)

A Social Security number is not required for a victim to apply and be eligible for the CVC Program.

A tax ID or Social Security number is a requirement to receive a payment.



Criminally Injurious Conduct

“Criminally injurious conduct” refers to crimes that:

- ▶ Are attempted or occur
- ▶ Pose a substantial threat of personal injury
- ▶ Would be punishable by fine or imprisonment



CIC Crimes Eligible for Reimbursement

- ▶ Criminal injurious conduct (CIC) crimes are violent crimes against persons.

- ▶ CIC crimes range from simple assault to homicide and include such crimes as family violence, child sexual assault, kidnapping, arson, robbery, and car jacking.

- ▶ CIC vehicular related crimes are:
 - Crimes of intentional injury with an automobile, boat, or plane
 - Failure to stop and render aid (hit and run)
 - Vehicular crimes involving drugs or alcohol
 - Intoxication-related crimes (assault, manslaughter or criminally negligent homicide)



Applications Received by Type of Crime FY 2024

Assault/Aggravated Assault	49.88%
Sexual Abuse of a Child	8.49%
Sexual Assault	10.36%
Homicide	6.73%
Robbery	3.59%
DWI	3.26%
Failure to Stop and Render Aid	3.18%
All other types of crime	14.51%

Examples of other types of crime include:

- | | |
|-----------------|-------------------------------|
| Stalking | Human Trafficking |
| Kidnapping | Physical Abuse of a Child |
| Arson | Criminally Negligent Homicide |
| Vehicle Assault | Vehicle Manslaughter |



Denial or Reduction Behavior Factors

If the person

- Was engaged in illegal activity (human trafficking exception) (deny or reduce)
- Shares in the responsibility for the crime (deny or reduce)
- Fails to cooperate with law enforcement and prosecution efforts (deny)

NOTE: a victim receiving a forensic medical exam meets cooperation requirement with regard to sexual assault or other sex offense

Possible factors

Entire situation is reviewed



CVC Requirements

There **is no** requirement that a suspect be

- Identified
- Apprehended
- Charged
- Convicted

...for a victim to apply for and be awarded compensation.

There **is** a requirement for the victim to cooperate throughout the criminal justice process.



CVC Reporting Requirements

- ▶ Reporting the crime to law enforcement:
 - 72 hours prior to September 1, 1997.
 - On or after September 1, 1997, a reasonable period of time, but not so late as to interfere with or hamper the investigation and prosecution.

- ▶ The program has the discretion:
 - The victim is a child.
 - Extraordinary circumstances hampered the reporting.



CVC Filing Requirements

- ▶ Filing requirements for the CVC program
 - Prior to September 1, 1997, one year
 - On or after September 1, 1997, three years

- ▶ Exceptions
 - Good cause
 - Child victim through age 18 (pre-1997)
 - Child victim aged 18 to 21 (1997-present)
 - Victim physically incapacitated



CVC Application

Slide 1 of 3

Apply to the CVC Program by:

- Completing an application online via a web portal account (English and Spanish)
- Completing a PDF fillable application (English and Spanish) and mailing it in.

The application is always reviewed after a legislative session to ensure it meets statutory requirements.



CVC Application (Slide 2 of 3)

An application is considered complete and will be processed when it:

- ▶ Is filled out in its entirety
- ▶ Is signed by a victim or a valid adult claimant
- ▶ Provides law enforcement information
- ▶ Provides any other information requested by the OAG



Application (Slide 3 of 3)

Acknowledgement and Authorization

This authorization is part of your application and must be completed and signed to process this application.
By your signature below, you agree to the following terms:

Authorization for Release of Information. As deemed necessary by the Crime Victims' Compensation (CVC) Program for the processing of my requests for compensation, I hereby authorize any financial institution, social service agency, government agency, medical service provider, mental health care provider, employer, insurer, or any other person with information relating to my financial, health, or employment status to release to the CVC Program information concerning this application for compensation.

Yes No

Notice of Verification Authority. I understand that the CVC Program has the right to possess, review, investigate, and verify the information provided. I understand that if false, misleading, or intentionally incomplete information is provided, my application may be denied and I may be subject to criminal, civil, or administrative penalties under state and federal law.

Yes No

Refund Agreement. I understand and agree that the CVC Program may require a refund of any compensation obtained by fraud, mistake or if newly discovered evidence shows that I am ineligible for the compensation under the CVC Act.

Yes No

Subrogation Agreement. I understand and agree to notify the CVC Program before I file a lawsuit against another party because of this crime. I agree not to settle or resolve any such action without prior written authorization from the CVC Program. If I have already filed, settled, or otherwise resolved a civil suit or other claim because of this crime, I agree to provide information regarding the civil suit or other claim to the CVC Program.

Yes No

Collateral Source Notice. If I recover or anticipate recovery of any money at any time, by judgment, settlement, restitution, a collateral source or any other income received because of the crime, I agree to notify the CVC Program. I acknowledge that I may be responsible for repayment to the CVC Program for any and all amounts that CVC may have paid under this application prior to such recovery.

Yes No

VICTIM

Printed Name	Date
Signature	Date of Birth

CLAIMANT

Printed Name	Date
Signature	Date of Birth



3 CVC Application Types

- ▶ Regular (via mail)
- ▶ Priority Processing Request (via email)
- ▶ Presumptive Eligibility (via email)



Regular Processing

- ▶ Application received by CVC
- ▶ Mail routed to Documentation Section for processing
- ▶ Offense report requested and received
- ▶ Additional documentation requested if necessary
- ▶ Claim routed to Eligibility Section for decision on eligibility



Priority Processing Request

- ▶ Priority Processing request letter from victim or advocate stating “undue hardship”
- ▶ Complete application
- ▶ Offense report
- ▶ If offense report is not available or it’s an ongoing investigation, please state that in your PP letter and include:
 - Detective name
 - Detective contact information
- ▶ Information needed to pay a bill
- ▶ Priority Processing Designated Email: CVCPP@oag.texas.gov



Priority Processing Request – Important Note

- ▶ Priority Processing Requests (PP) should be emailed. If sent by other means it slows the processing.
- ▶ Please do not mail the PP request or submit it via the portal, these methods are not monitored for PP requests and will delay processing.
- ▶ Priority Processing Designated Email: CVCPP@oag.texas.gov.



Priority Processing Contacts for Application Submission

Lidia Navarro Rodriguez, Central Records Manager
(512) 936-1374

lidia.navarrorodriguez@oag.texas.gov



Priority Processing Contacts for Eligibility Decisions

Denise Hoelting, Eligibility Manager

(512) 936-1255

denise.hoelting@oag.texas.gov

Jeremy Cantu, Assistant Eligibility Manager

(512) 936-2958

Jeremy.cantu@oag.texas.gov

Cynthia Aranda, Eligibility

(512) 936-1259

cynthia.aranda@oag.texas.gov



Presumptive Eligibility

What is Presumptive Eligibility (PE)?

- ▶ Streamlined application process
- ▶ Partnership with advocates submitting necessary documents for review
- ▶ Routes directly to one email inbox
- ▶ Not a delegation of decision authority outside the Office of the Attorney General



Who Can Use PE and How?

Who?

- ▶ Law enforcement and criminal justice advocates
- ▶ Advocates and victim services agency staff

How?

- ▶ Direct submission by those in LE/CJ who have access to complete offense reports
- ▶ Partnership relay between advocates (without O.R. access) and LE/CJ in the local community (with O.R. access)




Presumptive Eligibility Package

- ▶ PE Coversheet
- ▶ Application
 - Completed and signed
- ▶ Offense Report
 - Full offense report
- ▶ Support Documents
 - Requirements needed to process and pay a bill



Presumptive Eligibility Coversheet

- ▶ Advocate information
- ▶ PE User ID
- ▶ Answer all questions
- ▶ Crime summaries
- ▶ Open Records caution

 **PRESUMPTIVE ELIGIBILITY COVERSHEET**
PLEASE PRINT LEGIBLY

Claim Number: _____ (CVC Use Only) Application is complete.
Victim Name: _____ Offense report accompanies application.
Claimant Name and Relation to Victim: _____ Supporting documents for eligibility are included.
_____ Bills and/or other documents are included.

Type of Crime: _____
Advocate's Name: _____ I verify that the identified information is complete and attached:
Advocate's Agency: _____
Advocate's Phone #: _____ Advocate's Signature
Advocate's Email: _____
Detective's Name: _____ Advocate's Presumptive Eligibility User ID Number
Detective's Phone #: _____ EMAIL PACKET TO: CVCPE@oag.texas.gov
Detective's Email: _____

Please answer the following questions. Additional definitions may be found on the reverse of this page.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<small>Victim reported crime to police or public safety within a reasonable time so as not to hinder the investigation (crimes on or after 9/1/1997) or within 72 hours of crime (occurring prior to 9/1/1997).</small>	
<input type="checkbox"/>	<input type="checkbox"/>
<small>Victim filed application with CVC within three years of date of crime (occurring on or after 9/1/1997) or within one year (date of crime before 9/1/1997). If victim was a minor, must report within above times after 18th birthday.</small>	
<input type="checkbox"/>	<input type="checkbox"/>
<small>The victim is cooperative with law enforcement. If not, please explain below.</small>	
<input type="checkbox"/>	<input type="checkbox"/>
<small>The crime occurred in Texas or to a Texas resident visiting another state or country or was an act of international terrorism.</small>	

Summary of the Crime:

1. Circumstances of the crime suspect(s), if known, victim(s) and relationships, and what happened:

2. Injuries and how they were received (unless sexual assault, then reference Offense Report):

3. Other information/comments (please be specific and include disposition of suspect(s), e.g. incarcerated, outstanding warrant, no prosecution intended, etc.):

Information to include:

- ▶ Case status
- ▶ Information of special circumstance
- ▶ Investigator contact number
- ▶ Suspect disposition



Presumptive Eligibility Coversheet

PE Coversheet

- ▶ Advocate information
- ▶ Open records caution
- ▶ Include
 - Case status
 - Information of special circumstance
 - Investigator contact number
 - Suspect disposition
- ▶ PE number = PE training date plus advocate initials



Benefits of Presumptive Eligibility

- ▶ PE number = PE training date plus advocate initials.
- ▶ PE is a “Complete Application.”
- ▶ Submitted by email and goes directly into workflow, eliminating data entry steps in processing.
- ▶ Partnership through relay is a “win-win” for all concerned; it benefits advocates and better serves victims.
- ▶ Both victims and advocates see results promptly.



Presumptive Eligibility Request – Important Note

- ▶ Presumptive Eligibility (PE) Requests should be emailed. If sent by other means it slows the processing.
- ▶ Please do not mail the PE request or submit via the portal. These methods are not monitored for PE requests and will delay processing.
- ▶ Presumptive Eligibility Designated Email: CVCPE@oag.texas.gov.



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Latarsha Addison

(512)936 -1269

latarsha.addison@oag.texas.gov



Costs Covered by the CVC Program

- ▶ Up to:
 - \$25,000 for crimes prior to September 1, 1997
 - \$50,000 for crimes on or after September 1, 1997

- ▶ For reimbursement of medical costs, counseling, lost wages, funeral costs, and other costs resulting from the crime

- ▶ Does not include property loss or damage



Applications Paid by Type of Crime FY 2024

▶ Assault/Aggravated Assault	60.09%
▶ Homicide	12.13%
▶ Failure to Stop and Render Aid	7.64%
▶ Robbery	5.89%
▶ DWI	5.17%
▶ Sexual Abuse of a Child	1.53%
▶ Sexual Assault	2.25%
▶ Other types of crime	5.30%



Costs Covered by the CVC Program

- ▶ Medical
(includes psychiatric care/counseling and dental)
- ▶ Loss of earnings
- ▶ Loss of support
- ▶ Funeral and burial
- ▶ Relocation and rental
- ▶ Child or dependent care
- ▶ Crime scene clean-up
- ▶ Property seized as evidence
- ▶ Travel



Payer of Last Resort

All readily available collateral sources must pay first.

- ▶ Medicaid
- ▶ Health insurance
- ▶ Medicare
- ▶ Texas Workers' Compensation
- ▶ Auto insurance



Medical Expenses (Slide 1 of 2)

Includes:

- ▶ Hospital expenses
- ▶ Doctors' fees
- ▶ Prescriptions
- ▶ Emergency room
- ▶ Ambulance
- ▶ X-rays
- ▶ Rehabilitation
- ▶ Nursing home and home health care costs
- ▶ Dental



Medical Expenses (Slide 2 of 2)

- ▶ Medical expenses are paid according to the Division of Workers' Compensation medical fee guidelines and are based on the dates of services rendered and geographic location.
 - If the victim pays for the medical bills, they will be reimbursed their actual cost.

- ▶ The victim is not responsible for the difference, unless the victim had a behavior-reduced claim, or the claim is found to be a "med max."
 - Example: medical bills total cost that exceed the amount available for a claim.

- ▶ Medical expenses are only limited by the funding available in the claim.

- ▶ Reimbursements for medical expenses must be submitted within three years of the dates of service, unless good cause is found.



Mental Health

- ▶ Inpatient psychiatric care or counseling
 - Usually victim only, but in some cases could be claimant, please review claimant inpatient care with CVC staff
 - \$600 per day (before September 1, 2014)
 - After September 1, 2014, expenses paid at the medical fee guideline
 - Maximum 30-day stay; unless good cause is shown
 - Should be pre-authorized

- ▶ Outpatient psychiatric care or counseling
 - 60 sessions for victim
 - 60 sessions for claimant



Licensed Mental Health Providers

- ▶ Eligible providers must be licensed mental health providers limited to the following professions, which are updated on the CVC web page:
 - Psychiatrist, and other M.D.
 - Clinical Psychologist
 - Clinical Nurse Specialists in Psychiatry (CNS)
 - Licensed Professional Counselor (LPC)
 - Licensed Marriage and Family Therapist (LMFT)
 - Licensed Clinical Social Worker (LCSW)

- ▶ CVC does not make referrals to victims seeking treatment; they are referred to their local resources.



Loss of Earnings (Slide 1 of 2)

- ▶ Loss of earnings related to *medical*:
 - Physical or emotional disability (victim)
 - While seeking medical treatment for crime-related injury (victim)
 - Care for a medically incapacitated adult/minor child (claimant)
 - Attending counseling for crime-related injury (victim or claimant)

- ▶ Loss of earnings related to the *criminal justice system*:
 - Police investigation appointments (victim or claimant)
 - Protective order court appointment
 - Criminal proceedings
 - Post-conviction
 - Post-adjudication proceedings (executions)

- ▶ Loss of earnings related to victim's *funeral*



Loss of Earnings (Slide 2 of 2)

- ▶ If employed, weekly net earnings are multiplied by the disability period.
- ▶ Limited to \$700 per week
- ▶ If unemployed, the CVC program will consider situations that demonstrate the victim would have been employable.
- ▶ Assistance would be based on anticipated loss of future earnings.



Loss of Support

- ▶ To dependents of a murder victim
 - Up to \$50,000

- ▶ To dependents of surviving victims
 - Usually, family violence
 - Limited to 13 continuous weeks

- ▶ To dependents of a medically disabled victim
 - During disability period

- ▶ Limited to \$700 per week

- ▶ Verification of dependency, support lost and collateral sources



Funeral and Burial

- ▶ Funeral and burial expenses, maximum of \$6,500
- ▶ Additional funds available to transport the body
- ▶ What is covered:
 - Funeral services
 - Casket, urn
 - Graveside services
 - Cemetery expenses
 - Marker/ headstone
 - Cremation charges
 - Additional costs such as flowers, burial clothing for the deceased, exhumation and reburial



Relocation (1 of 3)

For victims of : Family violence (June 19, 1999)

Dating violence (September 1, 2023)

Sexual assault in their residence (September 1, 2001)

Human trafficking (September 1, 2013)

Stalking (September 1, 2015)

Attempted Murder of a child in their residence
(September 1, 2019)

Dating violence (September 1, 2023)

For victims or claimants with:

A health or safety need to relocate (September 1, 2023)



Relocation (2 of 3)

For crimes before 9/1/2023:

- \$2,000 is available for relocation deposits and expenses.
- Three months of rent, not to exceed \$1,800.

For crimes on or after 9/1/2023:

- \$5,000 is available **per claim** for rent and relocation expenses.
- Two persons per claim may relocate:
 - A victim and a claimant
 - Two claimants, if the victim is deceased
 - The amount available for dates on or after 9/1/2023 does not change if two relocation requests are approved.



Relocation (3 of 3)

- Relocation must occur within three years of the date of crime for crimes after 10/29/2007.
- If the victim has previously been relocated away from the suspect, the CVC Program is unable to provide relocation again, even if there are additional crime incidents.
- Suspect cannot move with the victim. Assistance will be denied if it is determined the suspect moved in with the victim.
- CVC highly recommends the victim or claimant request Direct Deposit set-up prior to processing if they have a bank account.



Child or Dependent Care

- ▶ Only available as a **new, ongoing expense** resulting from the crime
- ▶ Children (14 years and under) or dependent adults
- ▶ Care must be provided by a licensed or registered provider
- ▶ \$300 per week, per child or dependent
 - Crime dates after May 7, 2005, childcare is limited to 90 days
 - Crime dates on or after July 15, 2016, childcare is limited to 1 year
 - One-year childcare exception for dependents of deceased victims



Crime Scene Clean-Up

- ▶ Reasonable and necessary costs of cleaning the crime scene
- ▶ \$2,250 limit
- ▶ Commercial cleaning company
- ▶ Will reimburse for cleaning supplies when work is done by volunteers



Property Seized as Evidence

- ▶ Reasonable replacement costs for clothing, bedding, or property of the victim seized as evidence or rendered unusable as a result of the criminal investigation
- ▶ \$1,000 limit
- ▶ This is the only property for which reimbursement can be paid by CVC.



Travel (Slide 1 of 2)

- ▶ Travel expenses due to participation in or attendance at:
 - The investigation, prosecution, or judicial processes; also, post-conviction and post-adjudication involvement
 - The execution of the perpetrator
 - Seeking necessary medical treatment and counseling services
 - The funeral of the victim for family and household members



Travel

(Slide 2 of 2)

- ▶ Exceeds 20 miles (one way)
 - Necessary and reasonable transportation
 - Commercial transportation
 - Personal vehicle / state mileage reimbursement rate

- ▶ Exceeds 60 miles (one way)
 - Meals and lodging expenses
 - Meals and lodging are per diem state rate
 - Commercial transportation
 - Personal vehicle / state mileage reimbursement rate

- ▶ Different travel rates apply for different years and are based on the state rate at the time.



Extraordinary Pecuniary Loss

- ▶ Extraordinary Pecuniary Loss is a *total and permanent disability*.

- ▶ Above the base award, EPL benefits are
 - Additional \$25,000
(for crimes occurring September 1995-97)

 - Additional \$50,000
(for crimes occurring on or after September 1, 1997, to August 31, 2001)

 - Additional \$75,000
(for crimes occurring on or after September 1, 2001)



Extraordinary Pecuniary Loss Total and Permanent Disability

- ▶ Durable medical equipment
- ▶ Rehabilitation technology
- ▶ Nursing home care
- ▶ Home and Auto adaption
- ▶ Vocational Rehabilitation
- ▶ Home health care
- ▶ Training in the use of special appliances
- ▶ Loss of earnings
- ▶ Job training



Emergency Award

- ▶ \$1,500 maximum
- ▶ Must be paid from an existing or anticipated crime-related cost; *it is not a "free award"*
- ▶ May be considered for situations that pose an undue hardship
- ▶ Decision made by CVC staff based on "best interest of the victim"



Appeals Process

- ▶ The victim or claimant has the right to appeal a decision (eligibility or awards)
 - Reconsideration
 - Final ruling hearing
 - District court



Claim Closure Due to Fraud (Slide 1 of 3)

- ▶ **Texas Code of Criminal Procedure, Article 56B.057(b)(7)**
(b) The attorney general shall deny an application for compensation under this subchapter if:
 - (7) the claimant or victim knowingly or intentionally submits false or forged information to the attorney general.

- ▶ **Texas Code of Criminal Procedure, Article 56B.054(d)**
The attorney general may investigate an application.

- ▶ **Texas Code of Criminal Procedure, Article 56B.108(a)**
The attorney general, on the attorney general's own motion, or on request of a claimant or victim, may reconsider;
 - (1) a decision to make or deny an awards; or
 - (2) the amount of the award



Claim Closure Due to Fraud (Slide 2 of 3)

▶ Loss of earnings

Scenario 1

- Victim was awarded loss of earnings.
- CVC received information that victim submitted two false employment verification documents and also forged HR director's signature to falsely show they were employed.
- Victim was charged and arrested for tampering with a governmental record.

Scenario 2

- Victim submitted false medical documentation in order to continuing receiving loss of earnings.
- Victim, a nurse, had been terminated from his/her job due to felony forgery convictions, but falsely indicated that it was due to a crime-related injury.



Claim Closure Due to Fraud (Slide 3 of 3)

► Relocation

Scenario 1

- Victim awarded relocation but claimed she never received the check.
- CVC processed a stop payment and issued a second check.
- Comptroller's records revealed both checks had been cashed.
- Victim was charged with theft.

Scenario 2

- Victim submitted a falsified lease.
- CVC called apartment complex and was advised victim was not approved.
- Victim was charged with Tampering with a Governmental Record.



Sexual Assault Exam Reimbursement

Effective 9/1/19, CVC will pay Health Care facilities, SANEs, and Sexual Assault Examiners for the reasonable costs of a sexual assault examination of a victim, up to \$1,000.

- ▶ Full details and application at OAG website
- ▶ A separate claims process from victim CVC claim
- ▶ Contact person: Roxanne Ramon (512) 936-1920



Emergency Medical Care Application (1 of 2)

Emergency Medical Care (EMC) is the care provided at a hospital at the time a sexual assault exam is requested. This covers the medical care necessary to stabilize, treat, or transport the victim at the time of the exam. The medical care may be provided before an exam begins or at any time during the exam.

To receive compensation for these costs, the victim need not meet all CVC eligibility requirements. With this option, the victim will not be considered for compensation for any other crime-related costs, such as follow-up medical care, mental health care, or lost wages.



Emergency Medical Care Application (2 of 2)

Apply through the same application for CVC

Compensation limits:

- Before September 1, 2023, the EMC limit was part of the \$50,000 limit for CVC.
- Starting September 1, 2023, EMC has a separate \$25,000 limit.

Effective September 1, 2023, a victim seeking reimbursement for EMC associated with an exam provided by a Sexual Assault Nurse Examiner or Sexual Assault Examiner employed by or under contract with a SAFE Program is not required to utilize a collateral source.



Address Confidentiality Program

- ▶ Texas Code of Criminal Procedure Chapter 58, Subchapter B
- ▶ ACP assists victims of family violence, sexual assault or abuse, stalking, child abduction, and human trafficking aiding in effort to keep victim's address confidential.
- ▶ Works in conjunction with victim's existing safety plan
- ▶ For more information contact:

Office of the Attorney General
Address Confidentiality Program (ACP)
P.O. Box 12199 MC Program
Austin, Texas 478711-2199
crimevictims@oag.texas.gov
(888) 832-2322



CVC Claims Management System (Slide 1 of 2)

- ▶ Remote User Access in the CVC Claims Management System is now referred to as the CVC Web portal.
- ▶ CVC Secure Web portal is a tool applicable users can access to view basic CVC claim information via the Internet.
- ▶ There are two levels of security access to CMS:
 - Advocate/ Law Enforcement
 - Medical Service Providers



CVC Claims Management System (Slide 2 of 2)

- ▶ All CMS users are able to view general case information.
- ▶ Medical Service provider accounts allow the user to view only those claims for which they have provided services based on their tax ID.
- ▶ Law enforcement and advocate accounts allow the user to view general billing information and case notes.
- ▶ If you would like to access the web portal for your organization, the contact person must complete a new organization application.
- ▶ Once the organization has been approved, individual users can complete a new user application.



For More Information

Visit our website: www.texasattorneygeneral.gov/crime-victims

What is available on the website?

- ▶ General Program Information
- ▶ Forms and Applications
- ▶ Online applications (web portal)
- ▶ Services for Crime Victims
- ▶ Information for Victim Service Providers



Contact Information

Office of the Attorney General
Crime Victim Services Division
CVC Program
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Austin, TX 78711-2198

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