

## **INTRODUCTION:**

### **Pennsylvania's Victims Compensation Assistance Program** *A national leader in customer service, technology and process*

As we look to constantly improve our Program, we have partnered with you, the advocate, and could not have served as many people as efficiently and effectively without your feedback and participation in the claims process. We are committed to helping victims and their families through the emotional and physical aftermath of a crime by easing the financial impact of the crime.

Our staff is well-trained and understands the issues that crime victims face. They are dedicated to helping crime victims and are available to assist you with any questions you may have about filing a claim. Victims will always be treated with dignity, compassion and respect as we assist them through the claim process.

Your assistance with helping victims file compensation claims with our program is a vital resource for victims. This manual was created to be your resource as you deliver that assistance.

Thank you for choosing to be a part of the victim services field.

## ORGANIZATION AND MANUAL USE

This manual represents a comprehensive reference, and guide for both staff of the Victims Compensation Assistance Program (VCAP) and Victim Advocates statewide. It represents the collection of knowledge available regarding the current method and procedures necessary to ensure that each claim received by VCAP is handled in a fair and expedient manner and in accordance with the governing statute and regulations. This manual is not intended to supplement, expand or contradict the applicable statutes and regulations. This manual is divided into chapters by benefit type with a *Who, What, How* layout, to help you determine ‘*Who*’ is eligible to file a claim for a particular benefit, ‘*What*’ the person is eligible for, and ‘*How*’ to file, with a complete list of all the supporting documents necessary to submit with and process a claim. There are a few exceptions to this format, such as the *Eligibility Chapter* and the *Appeals Section*. A *Helpful Information Section* is located in the back of the manual providing information on Appeals, Attorney Fees, Contribution/Denials and other important aspects of compensation. Additionally, each chapter contains a *Question and Answer Section* designed to anticipate some questions you may have. You will notice that the terms ‘VCAP’ and ‘the Program’ are used interchangeably throughout this manual to describe the Victims Compensation Assistance Program. The questions and answers used throughout this manual should only be used as a general guideline. As we are all aware, there are many different aspects to determining eligibility, verification and the processing of a claim. Other conditions may exist within each situation that could easily change the answer to the question.

PLEASE NOTE: *Both the Pennsylvania Coalition Against Domestic Violence and the Pennsylvania Coalition Against Rape have created manuals that specifically address compensation and domestic violence and sexual assault, respectively. For more information on either of these curriculum, or to request a copy please contact:*

### **PCAR**

717-728-9740

800-692-7445 Toll Free

717-728-9781 Fax

877-585-1091 TTY

[www.pcar.org](http://www.pcar.org) Website

**Sexual Assault/Victims Compensation Assistance Program Manual**

### **PCADV**

717-545-6400

800-932-4632 Toll Free

717-671-8149 Fax

800-553-2508 TTY

[www.pcadv.org](http://www.pcadv.org) Website

**Crime Victims Compensation for Battered Women: Advocating for Economic Justice**

Statute - [Pennsylvania Crime Victims Act](#)

Regulations - [Crime Victims Compensation Regulations](#)

## ACTION TIPS FOR ADVOCATES

**PROVIDE ASSISTANCE:** Assist the victim in completing and mailing the claim form. Do not just mail out the claim form. If necessary, schedule a telephone appointment with the victim. For example, for a hospitalized or otherwise incapacitated victim. Encourage victims to bring all bills and documents when meeting with you. Complete as much of the form as you can and highlight the areas the victim needs to complete. If a victim does not respond within 10 days, call the victim to see what assistance you can provide. Explain the difference between restitution and compensation to victims up front. Stay in contact with both the victim and the compensation claims specialist throughout the compensation process for claims already filed.

**KEEP UP-TO-DATE WITH COMPENSATION:** Attend trainings (opportunities are always listed at [www.pccd.pa.gov](http://www.pccd.pa.gov)), sign-up for the OVS Newsletter if you are not already on this list serve and make sure you are aware of all expenses VCAP can reimburse and all crimes that are eligible for compensation. Compensation is always changing and improving, so it is important to stay up-to-date.

**ASK:** If there was a delay in reporting, work with the claimant to find out why. See the [“ELIGIBILITY”](#) chapter for guidelines explaining good cause, have the claimant document the reason and submit it to the Program.

**REMEMBER:** Police Incident numbers are important. If you are unable to obtain a copy of the police report to submit with the claim form, you can help by providing the Program with the name of the police department and the police incident number. The Program needs the number when requesting investigative reports from the police. Providing the police incident number to the police departments assists them in locating the police report in a timely manner to send to VCAP.

**PROVIDE:** Case numbers for juvenile defendants are important. If there is a known juvenile offender, you can help by providing the VCAP staff with that information. When staff verifies whether restitution has been ordered, having that number helps.

**REACH THE \$100 MINIMUM:** Work with the victim to find other eligible expenses to reach \$100, such as mileage or public transportation for counseling (at your agency)/pharmacy/medical services, and for crimes occurring on or after 12/12/09 mileage or public transportation to criminal justice or PFA proceedings; replacement services (mowing the yard, shoveling snow, cleaning the house, childcare, babysitting, meals and hotels when traveling 50 miles or more for medical appointments, etc.); lost wages due to reporting the crime/filing PFA or cooperating with the police or courts; over-the-counter medications purchased as a result of the crime; etc. The vast majority of claims that do not initially reach the \$100 minimum can with just a bit of work. Of course, if the victim is age 60 or older, no minimum loss is required.

**ESTABLISH PARTNERSHIPS:** Offer compensation training to law enforcement officers, educating them on their notification responsibility, their own potential compensation eligibility and provide support materials for them to give to victims. Organize a county-wide training on compensation and invite any allied professionals that may come into contact with crime victims, such

as counselors, health care providers, and funeral directors. At the county-wide training, showcase your agency's services, as well as compensation benefits.

**CREATE CHECKLISTS:** If you have filed any claims you are probably familiar with the checklists VCAP sends to victims requesting additional information. Consider creating your own checklists for victims with everything they will need to file the claim. For example, if a victim is filing for loss of earnings, the checklist items you would hand out would include two paystubs, disability statements, etc.

**GET TRAINED ON DAVE:** Sign-up for a DAVE training (via Web-Ex @ <http://www.pccd.pa.gov>) and learn how to enter claims directly online. By entering claims electronically through DAVE, your claim can be received by VCAP the same day that you input the information. Through DAVE, you can check claim status and you can produce multiple reports on claims filed by your agency. You can also check on the documents that are still needed and contact those agencies who have been sent letters requesting information to expedite the claims process.

**HAND OUT ENVELOPES:** Because a victim or claimant is unlikely to know the requirements of the Compensation Program at the time of the crime, they may not keep receipts, bills or other pertinent documentation. To help alleviate this problem, give victims an envelope at your first contact and ask them to put any receipts or insurance statements related to the crime in the envelope and bring it with them when filing for compensation.

*Are you thinking I don't have time to make all of these changes? If so, you will be surprised to learn that most of these changes will save you time. For instance, giving victims a checklist and handing out envelopes will result in less work for you after the claim is filed as the needed documents are more likely to be included. How long do you think it takes to highlight the applicable parts of a claim form for a victim? One agency who does it estimates it only takes five seconds! Now, imagine how long it will take when the victim completes a claim form that is not highlighted that you will have to correct and obtain needed information. So what are you waiting for? See what changes you can make to save time and provide compensation assistance to more victims. You will be glad that you did!*