

TRANSPORTATION & TRAVEL EXPENSES (37 Pa Code §411.11; §411.16 and §411.42)

Who?

For Crimes Occurring on or After 12/12/09:

- A victim or eligible claimant who incurs expenses traveling to or from a place for medical care, counseling, or to a pharmacy to fill a prescription.
- A victim or eligible claimant who incurs travel expenses to attend or participate in criminal justice or protection from abuse proceedings, and for efforts that aid the investigation.* ONLY FOR CRIMES ON OR AFTER 12/12/09.
- In homicides, an eligible claimant who incurs travel related expenses in connection with the transporting of the body and making funeral home arrangements, and attending the funeral services, or to attend criminal justice proceedings.
- Special circumstances that are reasonable and directly related to the crime.

***Note: Criminal justice proceedings will include: trials; (preliminary, sentencing, PFA, juvenile justice, and parole hearings, etc.) Efforts to aid the investigation will include: to report the crime; police interviews; police line-ups; and mug shots supported by the police report or advisement from official police personnel. Preparation for trial may also be considered if verified by an appropriate court official or advocate.**

For Crimes Occurring Prior to 12/12/09:

- A victim or eligible claimant who incurs expenses traveling to or from a place for medical care, counseling, or to a pharmacy to fill a prescription.
- In homicides, an eligible claimant who incurs travel related expenses in connection with the transporting of the body or making funeral home arrangements.

***Example:** A child victim and her mother are receiving counseling as a result of the crime against the child. The transportation expenses for the mother to take her child to counseling would be eligible. However, the transportation expenses for the mother to take herself to counseling would not be eligible.*

***Example:** Same as above, however, child was killed. Mom would be eligible for her mileage to counseling. In homicides, an eligible claimant includes the parent, child, or spouse of deceased.*

***Example:** A witness to a crime is eligible for counseling, however, the witness is not eligible for transportation expenses because they would not be eligible for any other expenses under the \$35,000 cap.*

Example:** A grandmother of a homicide victim is eligible for up to \$5,000 in counseling. She would also be eligible for her transportation costs to the counseling **if she paid for funeral/burial expenses, since the \$35,000 cap opens up to her.

What?

The maximum award for transportation expenses falls under the \$35,000 cap.

Limitations Exist:

- Up to two (2) days (not to exceed five days depending on circumstances) travel reimbursement to attend the funeral service to an eligible claimant.
- Up to two (2) days (not to exceed five days depending on circumstances) travel reimbursement to make funeral arrangements to an eligible claimant.
- Up to ten (10) days travel reimbursement to attend court to a direct victim or an eligible claimant. (Exceptions may be considered depending on circumstances.)

NOTE: An Eligible Claimant in homicide is the parent, child or spouse of the deceased, or the person who assumed the financial obligation to pay for the funeral or burial expenses.

No more than two persons, including a person designated by the family or person who pays for the funeral, for transport of the body, or making funeral arrangements.

Transportation expenses are paid as follows:

1. Round-trip mileage: If the private car of the victim is used then the mileage is paid to the victim. If the private car of the driver is used then the mileage is paid to the driver. The rate paid per mile is the same rate as state employees were paid at the time of the service.
2. Round-trip driver reimbursement: A **non-family** member is eligible for up to \$8 per hour **or** the mileage rate in effect. A **family member** or **member of the victim's household** is eligible only for their lost wages (not the \$8.00 hourly rate) **and** mileage if they use their own vehicle. If they use victim's car, then the mileage is paid to the victim.
3. Public transportation, reimbursed in full.
4. Gas Reimbursement for Official Rental Vehicles, i.e., U-Haul, Rental Car, etc..
5. Car rental, up to \$30 a day. (NOTE: \$30 daily rental rate only. Mileage will not be paid.)
6. Taxi fares in full.
7. Parking expenses in full.

Remember: A claim must be filed by an eligible claimant. If the provider of service is not an eligible claimant, they may be paid as a provider under the eligible claimant's claim.

Additionally, if travel to a provider is 50 miles or more (one way) from the eligible person's home, the following is eligible for reimbursement:

- Meals. Up to \$28 a day, with no more than \$6 for breakfast, \$6 for lunch and \$16 for dinner. Receipts are required.
- Hotel, up to \$75 a night. Receipts are required.

NOTE: The VCAP is only able to consider travel expenses for someone other than the direct victim when the victim is a minor or an incapacitated adult and it is necessary that another individual accompanies the victim to medical appointments, counseling, court proceedings, or for efforts that aid the investigation. As well as those instances specific in homicide.

How?

1. A corresponding itemized medical, pharmacy, counseling bill showing the name and address of the provider for the date of transportation. If a bill is not submitted, a letter from the provider on letterhead listing the dates of service including a statement verifying all services are directly related to the crime. For trips to pharmacy, the actual prescription receipt or printout from pharmacy.
2. For reimbursement of travel costs to attend a court proceeding, to include in-person parole testimony (crimes occurring on or after 12/12/09 only) attendance can be verified by providing a copy of a subpoena or a letter from an appropriate court official or victim advocate who accompanied or can verify that the claimant attended the proceeding.
3. If public transportation or a taxi is used, the receipts, including date of service, must be submitted.
4. For travel over 50 miles, an itemized bill for overnight accommodations must be submitted for hotel reimbursement. For meal reimbursement for travel over 50 miles, the date/time of return home must be indicated for meal reimbursements, along with receipts..
5. Expenses incurred for the employment of a driver if the victim is unable to operate a vehicle will not exceed reimbursement of \$8 per hour. The following information must be provided:
 - The name and address of the individual who provided the service.
 - A statement from the driver listing dates of travel, the name and address of provider(s) where the victim was taken, and the number of hours incurred for each medical or pharmacy visit.
 - If the victim paid for the services, copies of receipts or cancelled checks must be submitted.
 - If a bill was not submitted from the provider, the Program must have a letter from the provider verifying the dates of treatment

Note: If the driver was a victim’s family or household member, who missed work as a result of driving victim, they may be eligible for their lost wages. (Refer to “[LOSS OF EARNINGS IN NON-HOMICIDES](#)”). They are not eligible for the \$8.00 hourly rate.

To assist in the processing, you may (although not required) print out a copy of the mileage from the victim/claimant’s home to the service provider from MapQuest, MapPoint or similar program.

Transportation and Travel Expenses Q & A

- Q** May a victim be compensated for travel expenses to court?
- A** *Yes, however, only for crimes occurring on or after 12/12/09. Travel to court was not an eligible benefit under the Program prior to 12/12/09. This includes in-person parole testimony.*
- Q** Should gas receipts be submitted?
- A** **Gas reimbursement is eligible for official rental vehicles only, i.e., U-Haul, car rental, etc. Receipts are required.**
- Q** Can transportation expenses be paid for counseling that is not 100 percent related to the crime?
- A** *Yes. If any percentage of the counseling is verified to be related to the crime, travel expenses will be paid in full. For example, a couple is seeking marital counseling before their home is burglarized. They continue counseling after the crime and the counselor verifies 50 percent of the counseling is directly related to the crime, their transportation expenses will be reimbursed at 100 percent (copays at 50%).*
- Q** Are the transportation expenses of someone driving to and from the victim’s home to provide home health care or replacement services eligible for reimbursement?
- A** *No.*
- Q** Are victims who attend counseling or a support group at a local victim service program eligible for transportation expense reimbursement even though there is not a psychiatrist, psychologist, licensed professional counselor, or licensed professional social worker employed by the program?
- A** *Yes, transportation expenses may be paid to the claimant for counseling at a victim service agency. Simply submit a list of the dates and locations of service on your letterhead.*

- Q** What transportation expenses may be paid in homicides?
- A** *In the case of a homicide, eligible expenses include the air tray casket or shipping container and fees for transporting the deceased, as well as airline tickets for individuals accompanying the deceased, and transportation charges for individuals to pick up the deceased at the airport and transport to the funeral home. These expenses are not included in the funeral/burial cap. No more than two individuals may be reimbursed for all of these expenses. Additionally, each parent, child or the spouse, as well as the person who assumed the financial obligation for the funeral home expense are eligible for transportation costs to attend the victim's funeral.*
- Q** Can a spouse of a victim be paid driver reimbursement as well as mileage to take her husband to medical appointments.
- A** *If she has to take off work to take the victim to an appointment, she is eligible for her lost wages. If she is unemployed, she is not eligible for the \$8.00 hourly rate. She is also eligible for mileage reimbursement and, if she uses her car, mileage is paid to her. If she uses the victim's car, mileage is paid to victim. If it is joint car, it can be paid to victim.*
- Q** The sister of a homicide victim lives in Colorado. She did not pay any funeral/burial expense. Is she eligible for her transportation expenses to come to Pennsylvania for the funeral?
- A** *No, only a parent, child, or spouse of a homicide victim or the person who assumes the obligation or pays for the funeral home/ burial expenses is eligible for transportation expenses to attend the funeral.*
- Q** Same scenario as above, however, the sister paid for flowers for the funeral. Is she eligible?
- A** *No, the intent is to pay transportation costs to attend the funeral for the person who assumed the obligation and/or paid for the majority of the funeral home and burial expense.*
- Q** Are transportation expenses covered for a claimant to travel for a hearing if a VCAP decision is appealed?
- A** *With preapproval by VCAP, mileage, public transportation, and lodging the night before or the night after a hearing (to a daily maximum of \$75) may be paid as well as \$20 per day for attendance.*
- Q** A man is murdered in Pennsylvania. His wife paid for the funeral. Are the victims parents, who live in Arizona, eligible for their transportation costs to come to Pennsylvania to attend the funeral?
- A** *Yes, each parent or child, or a spouse of a direct victim is eligible for transportation expenses to attend the funeral.*
- Q** Can the girlfriend of a victim who lives with the victim be paid the hourly rate to drive the victim to his medical appointments necessary as a result of the crime?

A *No. Family members as well as individuals who reside in the victim's household are not eligible for the hourly rate. They are only eligible for any lost earnings they may incur as a result of driving the victim. However, if she uses her own car, she can be paid the mileage rate (as a provider under the victim's claim).*

Q A woman was raped and moved to Florida several months later. She had to return to Pennsylvania to attend the trial, and brought her sister with her. Can the Program reimburse the sister's travel expenses to accompany the victim to court.

A *No. In personal injury claims, VCAP can only reimburse a direct victim for travel expenses to court. Additionally, if the victim is a minor child or an incapacitated adult, VCAP can reimburse travel expenses for the individual who accompanied them.*