

OFFICE OF THE COMMISSIONER
211 Transportation Building
395 John Ireland Boulevard
Telephone: _____



STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY
SAINT PAUL 55155-1889

November 20, 1992

Ms. Maryanne V. Hruby, Executive Director
Legislative Commission to Review Administrative Rules
55 State Office Building
100 Constitution Avenue
St. Paul, Minnesota 55155

Re: In the Matter of Proposed Rules of the State Crime Victims Reparations Board
Relating To Claim Procedures And Payment Limits

Dear Ms. Hruby:

The Minnesota Crime Victims Reparations Board intends to adopt rules relating to claim procedures and payment limits. We plan to publish a Notice Of Intent To Adopt Rules in the December 7, 1992, State Register.

As required by Minnesota Statutes, sections 14.131 and 14.23, the Department has prepared a Statement of Need and Reasonableness which is now available to the public. Also as required, a copy of this Statement is enclosed with this letter.

For your information, we are also enclosing a copy of the Notice Of Intent To Adopt Rules and a copy of the proposed Rules in this matter.

If you have any questions about these rules, please contact me at 296-2631.

Yours very truly,

A handwritten signature in cursive script that reads "Dave Orren".

Dave Orren
Rules Coordinator

enclosures: Statement of Need and Reasonableness
 Notice Of Intent To Adopt Rules
 Rules

12/7/92

STATE OF MINNESOTA
DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed
Adoption of Amendments to the
Rules of the Minnesota
Crime Victims Reparations Board
Governing Claims Procedures and
Eligibility for Reparations

STATEMENT OF NEED
AND REASONABLENESS

I. General

The Minnesota Crime Victims Reparations Board provides compensation to victims of crime who have suffered physical or emotional injury. Victims, and in some cases their immediate family, may receive compensation for medical or dental care, psychological counseling, loss of income, child care or household services, funeral expenses or loss of support for a victim's spouse and children. Claimants must meet the Board's eligibility requirements which include filing a claim within one year, reporting the crime to the police, and cooperating fully with law enforcement. The Board is composed of five members who meet once a month to review claims and to approve or deny awards.

The Board is governed by a set of statutes and rules which specify the Board's eligibility criteria. The proposed amendments will supplement the existing rules. The Board needs the proposed amendments to control costs, prevent overcharging by providers, and allow the Board to stay within its budget. The proposed amendments are based on the experiences of the Board in implementing Minnesota Statutes, sections 611A.51 - .67 and are consistent with those statutes.

II. Statutory Authority

The Board is required by Minnesota Statutes, section 611A.56, subdivision 1, paragraph (b), to:

adopt rules to implement and administer sections 611A.51 to 611A.68 including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations shall be made, and providing for discovery proceedings.

The Board first adopted rules in the mid-1970's in response to this statutory mandate and has, at times, amended the rules or added new rules. The most recent amendments to the Board's rules became effective March 16, 1992. The statute clearly authorizes the Board to adopt new rules setting rate limits on expenses and clarifying the Board's procedure for calculating claims.

The Legislative Commission to
Review Administrative Rules

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III. Small Business Considerations

Minnesota Statutes, section 14.115, requires agencies, when proposing a new rule or amending existing rules, to consider certain methods for reducing the impact of the rule on small businesses. The Board has considered these methods for reducing the impact of the rules on small businesses.

The proposed amendments which include rate limits will have a slight impact on small businesses that provide services to victims. However, if the Board's rate of compensation is not adequate, medical and mental health providers can choose not to provide services to claimants using only Board funding. The Board considered the impact of the amendments on small providers and determined that no feasible alternative to the rules exists.

IV. Fees Imposed by the Rule

Minnesota Statutes, section 16A.128, subdivisions 1a and 2a, do not apply because the proposed amendments do not set fees.

V. Fiscal Impact

Minnesota Statutes, section 14.11, subdivision 1, does not apply because adoption of the rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption of the rules.

VI. Other Statutory Requirements

Minnesota Statutes, section 14.11, subdivision 2, regarding agricultural effect, is inapplicable because the proposed amendments will not have any direct and substantial adverse impact on agricultural land.

Minnesota Statutes, sections 115.43, subdivision 1, and 116.07, subdivision 6, regarding pollution control and Minnesota Statutes, section 144A.29, subdivision 4, regarding nursing homes are not applicable.

VII. Rule-By-Rule Analysis

7505.3000 CLAIMS PRORATING

It is necessary to repeal the current rule which requires the Board

to prorate claims on a monthly basis because it is unworkable. The rule directs the Board to pay only a portion of each claim if the dollar amount of claims eligible for payment in a given month is greater than the funds available to pay reparations for that month. The Board has been unable to implement this rule because it is not possible to accurately determine the amount of reparations available for a given month. The Board regularly recoups funds through refunds from insurance companies, restitution from the offender and subrogation of civil awards. These funds are credited to the Board only if they are received in the same fiscal year they are paid out. The amount which is credited to the Board is not known until a few months after the funds are received. Also, the Board does not have adequate staff to calculate the dollar amount of eligible claims ready for payment each month and then to recalculate each claim with the appropriate reduction.

Finally, implementation of this rule would have produced unfair results. For example, if the Board met earlier in the month than usual due to a holiday or other circumstances, there would be fewer claims ready for payment and those claimants would therefore receive full payment on their claims. However, if the Board met later than usual in the month, then there would be more claims ready for payment, and those claimants would receive only a small percentage of payment on their claims. Also, since the Board is unable to factor into its budget the amounts recouped until later in the year, those claimants paid at the end of the fiscal year might receive full payment, whereas those claimants whose files were paid at the beginning of the year may receive only a small percentage of their award. Under the current prorating rule, the amount of the reduction on a victim's award would be completely arbitrary. The Board's proposed rules provide cost-cutting measures which should help the Board achieve the goal of avoiding a deficit while treating claimants in a more equitable manner.

7505.3100 LOSS OF SUPPORT

Subp. 4. Three Year Review

The Board's statutes provide for compensation for "loss of support" to a deceased victim's dependents. The statute states that claims for loss of support may be resubmitted after 3 years and directs the board to consider the claimant's financial need and the availability of funds to the Board. There is no definition provided in the statute of "financial need." This is the only part of the reparations statute that calls for a needs assessment. The Board needed to establish some consistent formula to assess need. The Board wanted a formula which showed some fiscal restraint, but still allowed additional benefits to be paid to claimants who really need them.

The proposed rule provides that, for purposes of the three year review, if the claimant's gross annual income is more than 185% of the federal poverty level, the claimant is not considered to have a continuing financial need. Under this rule, the levels for financial need in 1992 would be as follows: \$17,001 gross income for 2 persons,

\$21,404 for 3 persons, \$25,807 for 4 persons, \$30,210 for 5 persons, \$34,613 for 6 persons, \$39,016 for 7 persons and \$43,419 for 8 or more persons.

Basing the rule on the federal poverty level is reasonable because it provides a consistent and objective means of determining financial need, and prevents arbitrary and subjective decisions about the claimant's eligibility for further benefits. The federal poverty level is used by other government agencies to determine a baseline for eligibility for services. Federal poverty levels are set for various family sizes and are adjusted each year to account for inflation. Since the proposed rule is tied to the poverty level, the Board's decisions will also automatically take into account the number of children in the family and the inflation rate.

The rate of 185% of poverty level is also reasonable. The federal poverty level by itself is not really enough for a family to meet the most basic needs. The Board chose 185% because that seemed to allow benefits to those who really would need additional funding. This subpart also meets the need for fiscal restraint by denying additional compensation to those claimants above 185% of poverty level. These claimants probably do not need additional compensation to meet their basic needs. This rule will preserve the Board's funding for those victims most in need of assistance.

7505.3200 LOSS OF INCOME.

Subpart 2a. Estimated Tax.

The Board reimburses claimants for net lost income which equals their gross income minus taxes and deductions. To verify a claim for lost income, the Board obtains a form from the victim's employer stating the gross lost wages and the amount of taxes and deductions. Employers usually indicate the gross wage on the form, but often do not indicate the amount of tax taken out of the victim's wage. Sometimes they do not have this information as, for example, in the case of a contract employee who pays their own taxes. In these situations, the Board needs an estimated tax rate to use in determining the victim's net wage. In the past, the Board's policy has been to use rates similar to those in this proposed rule.

The rule states that if the employer does not indicate on the certification form the amount of taxes deducted from the victim's gross income, the Board shall estimate the tax at a rate of 15% for victims with a gross annual income less than \$20,000 and 25% for victims with a gross annual income greater than \$20,000.

This procedure is reasonable because it results in a good estimation of the victim's net wage. The exact amount of tax a victim actually pays of course depends on a variety of factors such as the amount of deductions. It would require investigation beyond the capability of present staff for the Board to determine the exact amount of tax for each claimant. The Board's proposed estimated tax rates do

not penalize claimants unfairly because they are probably a little less than what the vast majority of claimants actually have to pay. The proposed rule provides an efficient way for the Board to calculate and pay awards in a timely manner in cases where the employer refuses to submit or cannot submit tax information to the Board.

Subpart 4. Paid Leave

Victims who have sick leave, vacation leave, compensation time or holiday pay available through their job have another source of coverage for lost income resulting from the crime. It is necessary to state in the rules that the Board shall not pay for lost wages covered by the victim's paid leave to prevent victims from receiving double coverage for the same loss. This is a reasonable way to make sure the Board is only paying for actual out-of-pocket losses. Also, it preserves the Board's limited resources for those victims who do not have benefits available through their employer.

7505.3400 SECONDARY VICTIMS.

The Board's current rules provide coverage for witnesses of violent crime who suffer a physical or emotional injury. However, the rules do not specify the type of coverage provided. The Board has limited funding and cannot afford to offer unlimited coverage to all witnesses. There may be several witnesses to one crime. For example, there have been several recent assaults in Minneapolis that were witnessed by large groups of people. For fiscal reasons, an amendment to the rule is necessary to limit witness coverage to 10 counseling sessions.

This amendment is reasonable because the Board's main purpose has been to cover expenses for primary victims of crime. Other areas of coverage for witnesses or secondary victims have been added, but certain limitations have been put on the coverage to keep costs under control. It is reasonable to provide less coverage for witnesses because, although witnesses may be affected emotionally by the experience, it is less traumatic to witness a crime than to be the primary victim.

7505.3500 PARENTS OF CHILD VICTIMS

The Board has received claims from parents of assault victims seeking payment for the parent's lost wages incurred as a result of taking care of the victim. The Board's statute, Minnesota Statutes section 611A.52, subdivision 8 (4), refers to income the victim would have earned had the victim not been injured. Where a child is the victim, usually it is the parents who must miss work while taking the child to receive treatment or caring for the child at home. Therefore, an amendment to the rules is necessary to allow coverage for parents so they can obtain treatment for the victim.

The proposed amendment extends limited coverage--up to two weeks lost wages, not to exceed a total of \$2000, for the parent who is the primary caretaker. The victim must be less than 21 years old.

The amendment is reasonable because the payment provided directly benefits the child victim who needs parental assistance to obtain care. The amendment also shows fiscal restraint by setting a limit on the amount of lost wages to be paid. Allowing coverage only for parents of child victims is reasonable because adult victims would presumably be more independent and able to obtain care without parental assistance.

7505.3700 COST CEILING ON HOSPITAL AND PHYSICIAN EXPENSES

In fiscal year 1992, medical expenses, including hospital and physician bills, accounted for 41% of the Board's expenditures. This increased from 33% in fiscal year 1990. This increase is due to a number of factors. One primary factor is the escalating cost of health care nationwide. Also, the number of claims submitted to the Board has grown significantly as a result of increased knowledge among criminal justice personnel about the availability of reparations. The cost of paying additional claims has unfortunately outpaced any increases in the Board's funding. The number of new claims filed per year jumped from 989 in fiscal year 1990 to 1560 in fiscal year 1992. The amount of funding available for claims in fiscal year 1990 was \$1,449,659. The amount available for fiscal year 1993 is \$1,882,000.

The Board needs some mechanism to control costs in order to avoid an increasing deficit. Currently, there is a processing time for claims of 5-6 months due to lack of adequate funding. While the Board hopes to receive a small increase in its budget, it cannot realistically expect to obtain the amount of funding which would be necessary to pay 100% of all expenses on all eligible claims. It is much more likely that growth in the number of claims submitted will continue at a faster rate than growth in the amount of allocated funds.

The proposed rule states that the Board shall determine a percentage it will pay of medical expenses, including physician and hospital bills. Under the rule, the Board shall consider the amount of revenue available during the upcoming year and set a percentage on or about July 1, the first day of each fiscal year. The Board would then pay only that percentage, for example 80%, of the total physician and hospital expenses. The percentage set by the Board would apply to each claim submitted for crimes which occur during that fiscal year.

This rule is a practical and reasonable cost control mechanism. The Board chose to draft a rule which impacts only medical providers because medical expenses make up the largest percentage of the Board's expenses. The rule also focuses on medical expenses because health care costs are increasing at a rapid rate. In 1991, health care costs were up 7.9%, according to Money Magazine, March 1992, p. 138. The Board's rule must target medical expenses in order to keep expenditures at a manageable level. The proposed rule is also reasonable because, according to Money Magazine, March 1992, p. 140, studies done by health insurance companies and auditing firms have found that the majority of medical providers routinely overcharge patients 5 - 7%. Typical types of overcharging include billing for products not used and services not

rendered.

Part of this proposed rule requires providers to accept the Board's reduced payment as payment in full. This is a necessary provision because most victims would be unable to pay the balance of their bills which will not be covered by the Board under this new rule. This is reasonable because the victim is less able to absorb the cost of the uncovered expenses than the provider. Other states, including Arkansas and Louisiana, have a similar rule.

7505.3800 MENTAL HEALTH TREATMENT RATE LIMITS

The Board provides coverage for mental health counseling for victims and in cases of death, counseling for immediate family members of victims. Mental health care constitutes 10.5% of the Board's expenditures. The hourly rates charged by service providers have been varied, and in some cases, excessive. The variation in rates charged by providers does not necessarily correspond to the qualifications of the therapist or quality of care. The rates charged by therapists in private practice are higher than those charged by therapists employed by a clinic or HMO. Although the Board reviews treatment plans to determine whether the length of the treatment period is reasonable, it currently has no limit on the amount a therapist may charge for services.

Under the proposed rule, the Board shall not pay more than \$75 an hour for individual mental health therapy or more than \$40 an hour for group mental health therapy. If a victim chooses to see a therapist who charges more than these rates, the victim would be responsible for the remainder of the bill.

The proposed rule is reasonable because the maximum rates established reflect the average rates charged by providers of mental health care who work with crime victims. Victims should have no problems locating a therapist who is willing to accept these rates. Any rates significantly higher than those set in this rule are greater than the average rate for the type of service rendered. The rates set by the Board in this rule are slightly higher than the maximum rates allowed by other government programs such as Medical Assistance.

7505.3900 MAXIMUM PAYMENT FOR SEXUAL ASSAULT EVIDENTIARY EXAM

In Minnesota, sexual assault exams are normally paid for by the county which is handling the prosecution of the criminal case. However, some counties have set a cap on the amount they will pay for a sexual assault exam. The cap in Hennepin County is \$330. The Board has been paying the balance on sexual assault bills. The Board recently reviewed some of the charges for sexual assault exams and found that bills varied from \$200 up to \$1500. Some facilities, such as Minneapolis Children Medical Center were regularly charging \$600 - \$1500 for a sexual assault exam. The Board found that some of the testing which is included in the

sexual assault exam protocol at some facilities actually is not necessary to the victim's care and treatment. The Board also found that it was routinely being overcharged for emergency room charges and consultation fees. At least one facility, MCMC, admitted that changes might be needed to reduce unnecessary costs, however, no action was taken by them to correct the problem.

Therefore, the Board proposes a new rule which states the Board shall not pay more than \$500 for a sexual assault evidentiary exam. The rule also specifies that any payment by the county for the exam shall be deducted from the \$500 and the Board shall not pay more than the remaining amount. For example, if the charge for a sexual assault exam is \$700 and Hennepin County pays \$330, the Board will only pay \$170 toward that expense. The remaining balance of \$200 would either have to be written off by the facility or charged to the victim.

The cap proposed in this rule is a reasonable one. The Board consulted with the director of the Sexual Assault Resource Service, Linda Ledray, and she informed Board staff that it is possible to do a sexual assault exam for less than \$500 in almost all cases. She also advised the Board that some of the facilities include more testing in their exam protocol than is necessary for the victim's treatment. This practice results in very high bills. Also, some sexual assault exam bills are excessive because of an emergency room charge. It is reasonable for the Board to set a cap on the amount it will pay because it is unnecessary to have a sexual assault exam done at the emergency room. Also, Minneapolis Children's Medical Center admitted that the consultation fees charged are unnecessary. They could bring in nurse from the Sexual Assault Resource Service to do the consultation with the victim without any expense.

7505.4000 MAXIMUM PAYMENT FOR CHILD CARE

The Board's statutes set an hourly limit on rates for child care. However, there is no limit established in the statute for long-term 24 hour child care. The Board has received claims for 24 hour child care for children of victims who have been seriously injured. Normally, one of the victim's relatives provides this care. The Board wanted to continue to reimburse these claimants, but establish some control on the rates charged. At an hourly rate, 24 hour care quickly becomes very expensive. There was a need to provide a maximum rate per week for 24 hour care.

The proposed rule states that the Board shall not pay more than \$250 per week for substitute childcare for one child, or more than \$350 per week for two or more children.

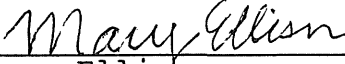
To determine the appropriate maximum rate, the Board discussed charges at various child care facilities and babysitting services. The Board determined that 24 hour child care, including both daytime care and overnight care, could be obtained for a cost of about \$35 per day. This is approximately \$250 per week. The Board added an extra \$100 for

more children since most facilities increase their rates depending on the number of children. These rates are reasonable, particularly because most providers in this type of situation are relatives rather than licensed facilities.

CONCLUSION

Based on the foregoing, the Minnesota Crime Victims Reparations Board's proposed amendments are both necessary and reasonable.

Dated: 11/9/92



Mary Ellison
Executive Director
Minnesota Crime Victims Reparations Board



**State Of Minnesota
Department Of Public Safety
Crime Victims Reparations Board**

Proposed Permanent Rules Relating To Claim Procedures And Payment Limits

Notice Of Intent To Adopt Rules Without A Public Hearing

NOTICE IS HEREBY GIVEN that the Crime Victims Reparations Board intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the proposed rules is Minnesota Statutes, section 611A.56, subdivision 1, paragraph (b).

All persons have 30 days, until 4:30 p.m., January 6, 1993, in which to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the 30-day comment period. Any requests or comments must be received by the Crime Victims Reparations Board no later than 4:30 p.m. on January 6, 1993. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing must include his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed. If a public hearing is required, the Board will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to: Marie Bibus, Minnesota Crime Victims Reparations Board, Griggs Midway Building, Room N465, 1821 University Avenue, St. Paul, MN 55104. Telephone (612)-649-5993.

The proposed rules may be modified if the modifications are supported by data and views submitted to the Board and do not result in a substantial change in the proposed rules as noticed.

A copy of the rules is published with this Notice in the December 7, 1992, State Register. A free copy of the rules is available upon request from Marie Bibus at the address and telephone number listed above.

The Board is amending its rules to control costs, prevent overcharging by providers, and allow the Board to stay within its budget. The rule amendments provide a number of ways of doing these things. The amendments limit payments to hospitals and physicians for medical services and require hospitals and physicians to accept the Board's partial payments as payment in full for medical services to a claimant. The amendments also limit the number of counseling sessions and the amount of payments in certain situations. Further, the amendments require the Board to review claims for loss of support every three years to determine if a claimant is still eligible.

A Statement Of Need And Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and

information relied upon to support the proposed rules has been prepared and is available upon request from Marie Bibus at the address and telephone number listed above.

In preparing these rules, the Board has considered the requirements of Minnesota Statutes, section 14.115, in regard to the impact of the proposed rules on small businesses. The proposed amendments, which include rate limits, will have a slight impact on small businesses that provide services to victims. However, if the Board's rate of compensation is not adequate, medical and mental health providers can choose not to provide services to claimants using only Board funding. The Board considered the impact of the amendments on small providers and determined that no feasible alternative to the rules exists.

Minnesota Statutes, section 14.11, subdivision 1, does not apply because adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption of the rules.

Minnesota Statutes, section 14.11, subdivision 2, does not apply because adoption of these rules will not have an impact on agricultural land.

Minnesota Statutes, section 16A.128, subdivisions 1a and 2a, do not apply because the rules do not fix fees.

If no hearing is required, upon adoption of the rules, the rules and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to Marie Bibus at the address and telephone number listed above.

11-17-92
Date

Mary Ellison
Mary Ellison, Executive Director
Crime Victims Reparations Board

1 Department of Public Safety

2

3 Proposed Permanent Rules Relating to Claim Procedures; Payment
4 Limits

5

6 Rules as Proposed

7 7505.3100 LOSS OF SUPPORT.

8 [For text of subps 1 to 3, see M.R.]

9 Subp. 4. Three-year review. The board shall review a
10 claim for loss of support every three years to determine whether
11 the claimant is still eligible for benefits. The board shall
12 evaluate the claim giving consideration to the claimant's
13 financial need and to the availability of funds to the board.
14 If the claimant's gross annual income is more than 185 percent
15 of the federal poverty level, the claimant is not considered to
16 have a continuing financial need.

17 7505.3200 LOSS OF INCOME.

18 [For text of subps 1 and 2, see M.R.]

19 Subp. 2a. Estimated tax. If the tax rate cannot be
20 determined from the information received by the board under
21 subpart 1 or 2, the board shall estimate the tax at a rate of 15
22 percent for victims with a gross annual income less than \$20,000
23 and 25 percent for victims with a gross annual income greater
24 than \$20,000.

25 [For text of subp 3, see M.R.]

26 Subp. 4. Paid leave. The board must not pay for lost
27 wages covered by a claimant's accumulated sick leave, vacation
28 leave, compensatory time, or holiday pay.

29 7505.3400 SECONDARY VICTIMS.

30 For the purposes of this chapter, the term "victim"
31 includes, in addition to those meanings specifically provided in
32 Minnesota Statutes, section 611A.52, the following:

33 [For text of item A, see M.R.]

34 B. a witness to a violent crime who suffered physical

1 or emotional injury. Payment for a witness is limited to ten
2 counseling sessions;

3 [For text of items C and D, see M.R.]

4 7505.3500 PARENTS OF CHILD VICTIMS, ~~DOMESTIC CHILD ABUSE OR~~
5 ~~CHILD SEXUAL ASSAULT.~~

6 The board shall authorize payment for up to five counseling
7 sessions for a parent who is a primary caretaker of a victim of
8 domestic child abuse or child sexual assault, if the treatment
9 plan filed under and complying with part 7505.2700 indicates
10 that the sessions directly benefit the victim.

11 The board shall authorize payment to one parent of a child
12 victim for up to two weeks of lost income incurred as a result
13 of obtaining care for the victim. The victim must be less than
14 21 years old. Only the parent who is the primary caretaker may
15 receive payment for lost income. Payment to a parent for lost
16 income must not exceed \$2,000.

17 7505.3700 COST CEILING ON HOSPITAL AND PHYSICIAN EXPENSES.

18 Within 30 days of the beginning of each fiscal year, the
19 board shall determine the percentage of hospital and physician
20 expenses to be paid on all claims submitted for crimes occurring
21 during that fiscal year. The board shall consider the
22 availability of funds to the board when setting the percentage
23 it will pay. The board must not pay more than this percentage
24 of a victim's total hospital and physician expenses after
25 payment by collateral sources. Acceptance of payment for
26 medical services from the Minnesota Crime Victims Reparations
27 Board shall be considered acceptance of payment in full and bars
28 any legal action against the victim for collection.

29 7505.3800 MENTAL HEALTH TREATMENT RATE LIMITS.

30 The board must not pay more than \$75 an hour for individual
31 mental health therapy nor more than \$40 an hour for group mental
32 health therapy.

33 7505.3900 MAXIMUM PAYMENT FOR SEXUAL ASSAULT EVIDENTIARY

34 EXAMINATION.

1 The board must not pay more than \$500 for a sexual assault
2 evidentiary examination. Any payment by the county for the
3 examination shall be deducted from that \$500 and the board must
4 not pay more than the remaining amount.

5 7505.4000 MAXIMUM PAYMENT FOR CHILD CARE.

6 When a claim for substitute child care is submitted, the
7 board must not pay more than \$250 per week for substitute child
8 care for one child nor more than \$350 per week for two or more
9 children.

10 REPEALER. Minnesota Rules, part 7505.3000, is repealed.

Office of the Revisor of Statutes

Administrative Rules

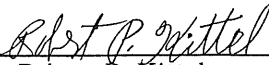


TITLE: Proposed Permanent Rules Relating to Claim Procedures;
Payment Limits

AGENCY: Department of Public Safety

MINNESOTA RULES: Chapter 7505

The attached rules are approved for
publication in the State Register



Robert P. Kittel
Assistant Deputy Revisor