

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State  
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For Office  
Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency Arkansas Crime Victims Reparations Board

Department \_\_\_\_\_

Contact Cory Cox E-mail Cory.Cox@arkansasag.gov Phone 501-682-2584

Statutory Authority for Promulgating Rules A.C.A. 16-90-706

Rule Title: 12.3: Application Review Procedure

Intended Effective Date (Check One)		Date
<input type="checkbox"/> Emergency (ACA 25-15-204)	Legal Notice Published .....	<u>03/31/2016</u>
<input checked="" type="checkbox"/> 10 Days After Filing (ACA 25-15-204)	Final Date for Public Comment .....	<u>05/04/2016</u>
<input type="checkbox"/> Other _____ (Must be more than 10 days after filing date.)	Reviewed by Legislative Council .....	<u>06/14/2016</u>
	Adopted by State Agency .....	<u>01/21/2016</u>

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Lacie Kirchner  
Contact Person

Lacie.Kirchner@arkansasag.gov  
E-mail Address

6/17/2016 6/17/2016  
Date

### CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act (ACA 25-15-201 et. seq.)

501-682-2584      Cory.Cox@arkansasag.gov  
Phone Number      E-mail Address

Legislative Director

Title

6/17/16  
Date

## Rule No. 12

### APPLICATION REVIEW PROCEDURE

1. A victim, dependent of a victim, or person legally acting in behalf of the victim, must first secure a copy of the official Victims Reparations Application Form from their local prosecuting attorney's office, law enforcement agency, victim/witness coordinator, service provider or from the Board. Assistance in completing the form may be provided by the victim/witness coordinator or the prosecuting attorney's staff in district that have no victim/witness coordinator. The Crime Victims Reparations Board staff will also be available to assist in the completion of the form.
2. A form must be completed in its entirety, and accompanied with an itemized statement and police offense report or other official documentation from the agency to which the incident was reported.
3. *A victim must submit a Victims Reparations Application as a necessary (but not sufficient) condition of directly receiving payment. The Board may directly reimburse a medical-care provider for costs associated with a sexual-assault testing-kit, even in the absences of a victim's application. Such costs, which include those associated with testing for sexually-transmitted diseases, may be reimbursed regardless of which fund or cost center is used to make the reimbursement.*
4. The staff of the Board shall log the application as being received and begin a thorough review and verification process.
5. The Board and staff have the authority to conduct investigations and/or request any additional information from the victim, the investigating law enforcement agency, medical personnel and/or facilities, witnesses, employers and others as may be deemed necessary for the proper review and verification of the application.
6. The staff shall make a thorough analysis of the application and attachments, then prepare staff comments relative to the application which shall be filed in the application folder along with supportive data that is pertinent to the investigation.
7. Except in cases where a conflict of interest exists as set forth in Rule No. 23, the administrative staff shall have the authority to review and decide crime victim reparations claims up to the maximum allowable amount of Ten Thousand Dollars (\$10,000) or Twenty-five Thousand Dollars (\$25,000) for victims whose injuries are catastrophic and result in a total and permanent disability.
8. The Board shall make a decision regarding the claim. The claimant/victim shall be mailed notification of the decision within fifteen (15) calendar days by mail. If the claim is denied the claimant/victim will be notified by certified mail, return receipt requested.
9. The claimant shall have the right to appeal decisions of the Board in the manner set forth in Rule No. 14, APPEALS PROCEDURE.

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