

1 Department of Public Safety

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

5

6 Rules as Adopted

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.

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

10 When home health care is needed by a victim who is less
11 than 21 years old and when a determination is made that a parent
12 of the victim is an appropriate person to provide care to the
13 victim, the board shall authorize payment to one the parent of a
14 ~~child-victim-for-up-to-two-weeks-of-lost-income-incurred-as-a~~
15 ~~result-of-obtaining-care-for-the-victim.--The-victim-must-be~~
16 ~~less-than-21-years-old.--Only-the-parent-who-is-the-primary~~
17 ~~caretaker-may-receive-payment-for-lost-income~~ \$10 an hour for up
18 to eight hours per day to reimburse the parent for care which is
19 provided. Total payment to a parent for-lost-income under this
20 provision must not exceed \$2,000.

21 7505.3700 COST CEILING ON HOSPITAL AND PHYSICIAN EXPENSES.

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

33 7505.3800 MENTAL HEALTH TREATMENT RATE LIMITS.

34 The board must not pay more than \$75 an hour for individual

1 mental health therapy nor more than \$40 an hour for group mental
2 health therapy.

3 7505.3900 MAXIMUM PAYMENT FOR SEXUAL ASSAULT EVIDENTIARY
4 EXAMINATION.

5 The board must not pay more than \$500 for a sexual assault
6 evidentiary examination. Any payment by the county for the
7 examination shall be deducted from that \$500 and the board must
8 not pay more than the remaining amount.

9 7505.4000 MAXIMUM PAYMENT FOR CHILD CARE.

10 When a claim for substitute child care is submitted, the
11 board must not pay more than \$250 per week for substitute child
12 care for one child nor more than \$350 per week for two or more
13 children.

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