

1 Crime Victims Reparations Board

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3 Adopted Permanent Rules Relating to Crime Victims Reparations  
4 Board

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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 reported on the claimant's  
15 tax return for the prior year is more than 185 percent of the  
16 federal poverty level for that year, the claimant is not  
17 considered to have a continuing financial need and benefits must  
18 be discontinued. After benefits are discontinued, they cannot  
19 be resumed at a later time.

20 7505.3200 LOSS OF INCOME.

21 [For text of subpart 1, see M.R.]

22 Subp. 2. Computation of lost income: victim self-employed  
23 or unemployed. If the victim was self-employed or unemployed at  
24 the time of the crime for which the claim has been filed, loss  
25 of income must be calculated at a rate which is based upon the  
26 victim's average net income in the 12 months before the crime  
27 for which the claim was filed as evidenced by tax returns, W-2  
28 forms, check stubs, or other government agency records.

29 The board shall deny an award for lost wages when it is  
30 determined the victim failed to report those wages upon which  
31 the loss is based to state or federal revenue departments as  
32 required by law. No compensation may be provided for unreported  
33 wages.

34 No anticipated work may be considered for compensation,  
35 unless the victim had been hired by an employer and was unable

1 to begin employment as a result of the crime-related injuries.

2 [For text of subps 2a to 4, see M.R.]

3 Subp. 5. **Maximum number of weeks.** Compensation for loss  
4 of income usually may not exceed 26 weeks. If the victim's  
5 disability continues past 26 weeks, the victim may request an  
6 extension for up to 13 additional weeks. This request must  
7 include an evaluation by a physician that states continuing  
8 disability and explains any extenuating circumstances.

9 Subp. 6. **Maximum number of hours.** The board may not  
10 compensate for hours missed in excess of 40 hours per week.

11 Subp. 7. **Parent and spouse of deceased.** Payment of wage  
12 loss compensation for a parent or spouse of a victim who died as  
13 the direct result of a crime usually may not exceed six weeks.  
14 If the emotional disability of the parent or spouse continues  
15 past six weeks, the parent or spouse may make a request for an  
16 extension of the lost wages. The request must include an  
17 evaluation by a physician or psychologist stating that there is  
18 a continuing emotional disability due to the crime and a date by  
19 which the claimant is expected to return to work. The extension  
20 may not exceed 20 weeks.

21 Subp. 8. **Students.** The board must not reimburse a  
22 claimant for loss of tuition, scholarship, or student loan funds  
23 or loss of income due to a delay in completion of schooling  
24 related to the crime.

25 7505.3500 PARENTS OF CHILD VICTIMS.

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

31 When care is needed by a victim and when a determination is  
32 made by the board that a parent or any other guardian of the  
33 victim is an appropriate person to provide care to the victim,  
34 the board shall authorize payment to reimburse the parent for  
35 lost wages. Total payment to a parent under this provision must

1 not exceed \$2,000. Computation of lost wages shall be the same  
2 as under part 7505.3200.

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4 EFFECTIVE DATE. Minnesota Rules, parts 7505.0100, subpart 2a;  
5 7505.3100, subparts 1 and 4; 7505.3200, subparts 2 and 5 to 8;  
6 and 7505.3500, are effective for claims submitted as a result of  
7 crimes committed on or after five working days after notice of  
8 adoption is published in the State Register.