

CHAPTER 09 – DIVISION OF VICTIM SERVICES

SECTION .0100 - ASSISTANCE PROGRAM FOR VICTIMS OF RAPE AND SEX OFFENSES

- 14B NCAC 09 .0101 PURPOSE AND INTENT**
- 14B NCAC 09 .0102 ELIGIBILITY FOR FINANCIAL ASSISTANCE**
- 14B NCAC 09 .0103 ALLOWABLE COSTS AND BENEFITS**
- 14B NCAC 09 .0104 LIMITATIONS OF COVERAGE**
- 14B NCAC 09 .0105 METHOD OF PAYMENT**
- 14B NCAC 09 .0106 APPEAL**

History Note: Authority G.S. 143-479; 143B-477; 143B-480.1; 143B-480.2(a), (c); 143B-480.3(a);
Eff. December 1, 1984;
Transferred from 14A NCAC 11 .0301-.0306 Eff. June 1, 2013;
Expired Eff. February 1, 2018 pursuant to G.S. 150B-21.3A.

SECTION .0200 - COMMUNITY PENALTIES PROGRAM

- 14B NCAC 09 .0201 PURPOSE AND INTENT**

History Note: Authority G.S. 143B-500 through 143B-507;
Eff. January 1, 1988;
Transferred from 14A NCAC 11 .0401 Eff. June 1, 2013;
Expired Eff. February 1, 2018 pursuant to G.S. 150B-21.3A.

- 14B NCAC 09 .0202 ELIGIBILITY FOR FINANCIAL ASSISTANCE**

History Note: Authority G.S. 143B-500 through 143B-507;
Eff. February 1, 1988;
Transferred from 14A NCAC 11 .0402 Eff. June 1, 2013;
Expired Eff. February 1, 2018 pursuant to G.S. 150B-21.3A.

- 14B NCAC 09 .0203 ALLOWABLE COSTS**
- 14B NCAC 09 .0204 DISALLOWABLE COSTS**
- 14B NCAC 09 .0205 INDIRECT COSTS**
- 14A NCAC 09 .0206 MINIMUM DOLLAR AMOUNT FOR APPLICATION ACCEPTANCE**
- 14B NCAC 09 .0207 GRANT APPLICATION FORM AND REQUIREMENTS**
- 14B NCAC 09 .0208 APPLICATION SUBMISSION PROCEDURES**
- 14B NCAC 09 .0209 COST ASSUMPTION PLANS: FUND MATCHING REQUIREMENTS**
- 14B NCAC 09 .0210 GRANT PERIOD**
- 14B NCAC 09 .0211 PROCESSING MERITORIOUS APPLICATIONS**
- 14B NCAC 09 .0212 SELECTION CRITERIA**
- 14B NCAC 09 .0213 EVALUATIONS CRITERIA**
- 14B NCAC 09 .0214 METHOD OF PAYMENT**
- 14B NCAC 09 .0215 GRANT TERMINATION**
- 14B NCAC 09 .0216 NON-SUPPLANTING**

History Note: Authority G.S. 143B-500 through 143B-507;
Eff. January 1, 1988;
Transferred from 14A NCAC 11 .0403-.0416 Eff. June 1, 2013;
Expired Eff. February 1, 2018 pursuant to G.S. 150B-21.3A.

SECTION .0300 - CRIME VICTIMS COMPENSATION COMMISSION

- 14B NCAC 09 .0301 ADMINISTRATION**

- (a) The offices of the Crime Victims Compensation Commission are located in the Archdale Building, 512 North Salisbury Street, in Raleigh, North Carolina, 27611. The office hours of the Crime Victims Compensation Commission is Monday to Friday from 8:00 a.m. to 5:00 p.m.
- (b) The use of any printed forms other than those approved and adopted by this Commission is prohibited. Approved forms may be obtained from the Commission. The forms may be found at: <https://www.ncdps.gov/document/victim-compensation-application>.

History Note: Authority G.S. 15B-6;
Temporary Rule Eff. November 24, 1987 For a Period of 171 Days to Expire on May 13, 1988;
Eff. April 1, 1988;
Transferred from 14A NCAC 11 .0501 Eff. June 1, 2013;
Readopted Eff. September 1, 2020.

14B NCAC 09 .0302 PROCESSING AND PAYMENT OF CLAIMS

- (a) An application for a claim shall be accepted only when submitted on an approved claim application form and a determination is made by the Director that the application is complete with the required information in accordance with G.S. 15B-7.
- (b) Claims will be processed in the order in which the completed applications are received, deliverable by United States mail. In any consideration of competing claims, with respect to priority order of processing, the filed date stamped on the claim shall be controlling.
- (c) Every claim filed is subject to investigation to determine eligibility in accordance with G.S. 15B-8 by the Director. Failure of the claimant to cooperate in the investigation may result in a denial of the claim or a reduction in the amount awarded.
- (d) The Director or the Commission may reopen the investigation of any claim upon a finding that the claimant has provided additional information.
- (e) The Director shall mail a written statement of the award decision to the claimant along with the check for the award, if any, within 15 days of the Director's or the Commission's decision or verification of current collateral source information, whichever occurs last. This written statement shall notify the claimant: whether this check is a partial or complete payment of the award; of any payments made directly to a service provider; and of appeal rights.
- (f) Claims shall be docketed for determination of payment in an order determined by the Director.
- (g) All payments of compensation shall be made in strict accordance with the award issued by the Director or the Commission.
- (h) A claimant who fails to cooperate with or supply requested information including medical expenses, current contact information, details regarding circumstances of crime to the Director or who supplies inaccurate or incomplete information may have the claim denied or the award reduced, in the discretion of the Director or the Commission.
- (i) The claimant shall inform the Director at any time before any action brought to recover damages for the criminally injurious conduct that is the basis of any claim or award and the availability of any collateral source. The failure to provide such information may be considered as fraud, allowing the Director or the Commission to reduce or deny an award or to recover monies previously paid.
- (j) All notifications and payments or other documents transmitted by mailing will be sent to the address submitted by the claimant. The claimant shall notify the Director in writing of any change of address.

History Note: Authority G.S. 15B-3; 15B-6;
Temporary Rule Eff. November 24, 1987 For a Period of 171 Days to Expire on May 13, 1988;
Eff. April 1, 1988;
Transferred from 14A NCAC 11 .0501 Eff. June 1, 2013;
Readopted Eff. September 1, 2020.

14B NCAC 09 .0303 MEETINGS OF THE COMMISSION

14B NCAC 09 .0304 CONTESTED CASES

History Note: Authority G.S. 15B-3; 15B-6, 15B-12; 150B, Article 3; S.L. 1987, c. 819, s. 35;
Temporary Rule Eff. November 24, 1987 For a Period of 171 Days to Expire on May 13, 1988;
ARRC Objection Eff. January 21, 1988;
Eff. April 1, 1988;

*Transferred from 14A NCAC 11 .0504-.1505 Eff. June 1, 2013;
Repealed Eff. November 1, 2020.*

14B NCAC 09 .0305 AWARDS

The Director or the Commission may award a partial payment to the claimant, the acceptance or presentment of which shall not be deemed to constitute a waiver of any further rights.

*History Note: Authority G.S. 15B-6; 15B-10;
Temporary Rule Eff. November 24, 1987 For a Period of 171 Days to Expire on May 13, 1988;
Eff. April 1, 1988;
Transferred from 14A NCAC 11 .0506 Eff. June 1, 2013;
Readopted Eff. September 1, 2020.*