

2 AAC 80.010(a) is amended to read:

(a) All applications for compensation shall be made on the form authorized by the board **or by using the on-line application on the board's official website or through MyAlaska.** **Authorized application forms may be obtained by visiting the board's website at** **<http://doa.alaska.gov/vccb> or by calling the board at (800) 764-3040.** In order for the board to consider the claim, the claimant must supply in full the information required by the board, including the claimant's social security number. Additional sheets may be used, as necessary to complete descriptions of the injury, incident, or expenses. For minors, the mentally incompetent, or persons unable to make applications for compensation themselves, claims may be filed by a parent, guardian, or other individual authorized to administer the injured person's estate. (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am 10/29/99, Register 152; am 9/30/2009, Register 191; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 18.67.030 AS 18.67.060 AS 45.78.470

2 AAC 80.010(b) is amended to read:

(b) **The applicant shall provide the following information relative to each category of assistance claimed:**

(1) **If medical or mental health expenses are claimed, an itemized statement from the professional provider for all medical or mental health expenses incurred as of the date of the application. The applicant may satisfy this requirement by providing details of the provider seen and the dates of service such that the board can request the itemized statement from the professional provider. The board may require the submission of mental health treatment notes or progress notes in order to determine whether the treatment is necessary as a result of the violent crime. Notes are confidential**  
[THE APPLICANT SHALL SUBMIT THOSE MEDICAL REPORTS AND EXAMINATION RESULTS THAT ARE REASONABLY AVAILABLE]. On the basis of their [POTENTIAL RELATIVE IMPORTANCE OR] material aid to the determination of the board, the board **may** [WILL] order additional medical reports by an impartial medical expert concerning the previous medical history of the claimant, the injuries sustained by the claimant, or the death of the claimant, as well as any examinations of the claimant.

(2) If loss of income is claimed, the applicant shall produce evidence of income loss as well as a statement of disability or work excuse from the treating medical or mental health provider

(3) If funeral or burial expenses are claimed, an itemized statement for all funeral or burial expenses incurred.

(4) If relocation expenses are requested, a completed relocation plan with estimates of expenses to be incurred, or receipts for expenses already incurred

(5) If security measures are requested, a detailed estimate of expenses to be incurred or receipts for expenses already incurred.

(6) If loss of support for a dependent of a homicide victim is claimed, proof of prior maintenance and verification of the victim's income.

(7) For any other type of expense, sufficient documentation substantiating the expense incurred or that is to be incurred. (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am 10/29/99, Register 152; am 9/30/2009, Register 191; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:** AS 18.67.030      AS 18.67.060      AS 45.48.470

**2 AAC 80.010(c)** is repealed:

(c) Repealed \_\_\_/\_\_\_/\_\_\_.

**2 AAC 80.010(d)** is repealed:

(d) Repealed \_\_\_/\_\_\_/\_\_\_ (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am 10/29/99, Register 152; am 9/30/2009, Register 191; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_)

**Authority:**      AS 18.67.030                      AS 18.67.060                      AS 45.48.470

2 AAC 80.015 is repealed and readopted to read:

**2 AAC 80.015. Investigation and Consideration.** (a) Upon receipt of the application, the executive director and administrative staff shall investigate the claim.

(b) The applicant shall comply with any request by the executive director and administrative staff for

(i) employment information, invoices, estimates, receipts and all other information and documentation relevant to the expenses being claimed;

(ii) a copy of the police report for the relevant crime incident. In cases in which the applicant is unable to obtain such police report, the board shall obtain the police report. No application shall be deemed complete until the board has received a copy of the police report, unless the board is otherwise able to verify that a violent crime occurred.

(d) All applications for compensation together with all documents forming part of such applications are confidential.

(e) Upon completion of investigation, the executive director shall present the claim to the board at its next meeting. The board will grant an award, deny the claim, or request further investigation or information and will notify the claimant or the claimant's attorney of its decision. (Eff. 12/20/75, Register 56; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 18.67.060 AS 18.67.080

2AAC 80.020(b) is amended to read:

(b) When a hearing is requested by an applicant, the hearing will be conducted by an Administrative Law Judge employed by the Office of Administrative Hearings, acting as hearing officer in accordance with AS 44.64.060 and 2 AAC 64 [ORDERED, NOTICE OF THE HEARING, GIVING THE TIME, DATE, AND PLACE SET BY THE BOARD, WILL BE SENT TO THE CLAIMANT OR THE CLAIMANT'S ATTORNEY (BY REGISTERED MAIL NO LESS THAN 20 DAYS BEFORE THE DATE ON WHICH THE HEARING IS SCHEDULED)].(Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 18.67.040 AS 18.67.060

2AAC 80.020(c) is repealed:

(c) Repealed \_\_\_\_/\_\_\_\_/\_\_\_\_.

2AAC 80.020(d) is repealed:

(d) Repealed \_\_\_\_/\_\_\_\_/\_\_\_\_.

2AAC 80.020(e) is repealed:

(e) Repealed \_\_\_\_/\_\_\_\_/\_\_\_\_.

2AAC 80.020(f) is repealed:

(f) Repealed \_\_\_\_/\_\_\_\_/\_\_\_\_.

2AAC 80.020 (g) is repealed:

(g) Repealed \_\_\_\_/\_\_\_\_/\_\_\_\_. (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:**    AS 18.67.040                      AS 18.67.060

2AAC 80.020(h) is amended to read:

(h) [A HEARING OFFICER, LICENSED TO PRACTICE LAW IN THE STATE, WILL BE APPOINTED TO PRESIDE AT HEARINGS WHEN THE BOARD IS UNABLE TO DO SO.] Within a reasonable period of time after a hearing at which a hearing officer presided, the hearing officer shall report the hearing officer's findings of fact and conclusions of law, together with the reasons for them, to the board. The board may request a personal narrative from the hearing officer if such a narrative would be helpful in making a determination on a claim. (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:**    AS 18.67.040                      AS 18.67.060

2 AAC 80.050(b) is amended by adding a new paragraph to read:

(5) claims from residents of this state who are victims of violent crime other than terrorism occurring in a foreign country that does not have a crime victim's compensation

program that will compensate the victim. (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am 10/29/99, Register 152; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:**    AS 18.67.060                      AS 18.67.070

2AAC 80.060 is amended to read:

**2 AAC 80.060. Awarding Compensation.** (a) If the board decides to award compensation, the compensation will be sent to the claimant **as soon as reasonably practicable following the board's determination** [NO MORE THAN 20 DAYS FOLLOWING THE FILING OF THE FINAL ORDER BY THE BOARD].

(b) **If the victim has outstanding unpaid bills that were incurred as a result of the incident on which the claim is based, the board may issue a warrant payable directly to the victim's creditor** [THE BOARD IN DETERMINING AN AWARD MAY INCLUDE IN THE AWARD THE PAYMENT OF OUTSTANDING UNPAID BILLS THE VICTIM INCURRED DUE TO THE INCIDENT ON WHICH THE CLAIM IS BASED, ISSUING A JOINT WARRANT PAYABLE TO THE CLAIMANT AND THE CLAIMANT'S CREDITORS]. (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:**    AS 18.67.060                      AS 18.67.080

2 AAC 80.060 is amended by adding a new subsection to read:

(c) In determining an award, the board may pre-authorize the payment of compensation for anticipated expenses which are directly related to the incident on which the claim is based or the injuries resulting from that incident. Such pre-authorized expenses may be: counseling, relocation (including travel expenses), future known medical and dental expenses, and costs associated with attending criminal prosecution proceedings. Once authorized by the board, expenses will be paid upon submission of supporting documentation as they are incurred. (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:**    AS 18.67.060                      AS 18.67.080

2AAC 80.080(b) is amended to read:

(b) If additional recovery is received by the claimant after compensation is awarded, it is the responsibility of the claimant to advise the board of the amount, source, and nature of the additional recovery. The board will **consider a request by the claimant or their attorney to waive the requirement to repay the compensation awarded, in full or in part. The board will consider such a request at the next board meeting following receipt of the request and will notify the claimant or their attorney of the board's decision as soon as practicable following such meeting** [NOTIFY THE CLAIMANT IF THE ADDITIONAL RECOVERY RESULTS IN THE CLAIMANT OWING A REPAYMENT OF THE COMPENSATION AWARDED OR ANY PORTION OF IT. THIS NOTIFICATION WILL BE SENT TO THE CLAIMANT BY REGISTERED MAIL, WITHIN 20 DAYS AFTER THE BOARD'S RECEIPT OF NOTICE THAT ADDITIONAL MONEY HAS BEEN RECEIVED BY THE CLAIMANT]. (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am 12/30/77, Register 64; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_\_)

**Authority:**    AS 18.67.060                      AS 18.67.090

2 AAC 80.090 is amended to read:

**2 AAC 80.090. Emergency Compensation.** Application for emergency compensation shall be **made as part of the general application for compensation by indicating in the appropriate place that an emergency award is requested** [FILED WITH THE GENERAL APPLICATION FOR COMPENSATION]. The **application** form is available at all offices handling materials for the Violent Crimes Compensation Board. If the general application **form** is not fully complete, it will be considered an incomplete application which will not be processed, but will be returned to the claimant for completion, and the emergency award will not be considered until the completed application is returned to the board office. **Online applications cannot be submitted unless complete. Application for emergency compensation can be applied for online as part of the general submission process.** (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am \_\_\_/\_\_\_/\_\_\_, Register \_\_\_\_)

**Authority:**    AS 18.67.060                      AS 18.67.120

2 AAC 80.110 is amended to read:

**2 AAC 80.110. Definitions.** In this chapter (1) “board” means the Violent Crimes Compensation Board;

(2) “claim” means the formal, completed application with all supportive documentation included as a part of the file in the board office;

(3) “claimant” means the person in whose name the claim is filed; in a case of death, a claim may be filed by the dependents of the deceased or on behalf of the deceased; in a case of a minor child, a claim may be filed by the parent or guardian as claimant;

(4) “offender” means the persons whose conduct resulted in the injury, illness or death of the victim;

(5) “executive director” [“ADMINISTRATOR”] means the person appointed to assist the board [BY THE BOARD] in carrying out its function under the statute;

(6) “terrorism” has the meaning given the term “international terrorism” in 18 U.S.C. 2331(1), as amended as of October 29, 1992 and adopted by reference;

(7) “victim of violent crime” has the meaning given to “victim” in AS 18.67.180. (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am 10/29/99, Register 152; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 18.67.060

2 AAC 80.110 is amended by adding a new subsection to read:

(8) “violent crime” is one or more of the compensable crimes listed under AS 18.67.101(2). (Eff. 6/30/73, Register 46; am 12/20/75, Register 56; am 10/29/99, Register 152; am \_\_\_\_/\_\_\_\_/\_\_\_\_, Register \_\_\_\_)

**Authority:** AS 18.67.060