



New Law Changes: Increasing Access to Financial Support for Survivors of Violence through the Crime Victim's Reparations Program

Summary of LB 372 and LB 497

Legislative Bills 372 and 497 were passed during the 2021 legislative session,¹ and their provisions will be in effect starting August 27, 2021. This document summarizes the changes to the Crime Victim's Reparations Program to make it more accessible for victims of domestic and sexual violence, child abuse and sex trafficking.

Created in 1979, the Crime Victim's Reparations (CVR) program is administered by the Nebraska Crime Commission and provides compensation to crime victims for costs resulting from the crime experienced, providing up to \$25,000 to a victim. These funds can be used for a variety of needs, including:

- Medical expenses (hospital, doctor, dental, prescriptions);
- Lost wages while under a doctor's care as a direct result of the crime;
- Funeral expenses;
- Loss of earning power as a direct result of the crime; and,
- Counseling expenses.

Individuals wishing to access funds must apply to the program with any supporting documentation, potentially including medical bills, copies of payroll stubs or employer verification of work hours missed because of the crime. To apply for CVR funding in the aftermath of violence, go to <https://cvrncc.grantvantage.com/account/Announcement>.



Anyone experiencing domestic or sexual violence should contact the Nebraska Coalition to End Sexual and Domestic Violence at https://www.nebraskacoalition.org/get_help/ to find assistance near you.

In 2021, laws were passed at the Nebraska Legislature to increase access to CVR funds for survivors and reduce economic burdens in the aftermath of violence.

LB 372: Changing Eligibility Requirements for Survivors of Domestic and Sexual Violence, Child Abuse and Sex Trafficking

WHAT'S NEW

- **Removes Three-Day Reporting Requirement.** Prior to LB 372, Crime Victim's Reparation (CVR) funds were only available to survivors who reported the crime to law enforcement within three days of the crime occurring. Recognizing survivors may need to safety plan and take steps to ensure immediate protection before engaging with law enforcement and recognizing that the impacts of trauma may prolong reporting processes for survivors, this three-day reporting requirement previously prevented many survivors from accessing funds. LB 372 removes this reporting requirement for survivors of domestic violence, sexual assault, child abuse or sex trafficking.
- **Removes Notarization Requirement on Applications.** Prior to LB 372, survivors needed to obtain notarization of their application when applying for CVR funds. This requirement posed additional barriers to survivors and delayed the process of obtaining economic relief. LB 372 removes notarization requirements when applying for CVR funds.

HOW IT WORKS

- Survivors may continue to pursue CVR funds through the traditional application process, however, they will no longer be limited by three-day reporting requirements or notarization needs. The CVR program continues to require applications to be made within two years of the crime occurring and still requires applicants to have either: 1) reported the crime to law enforcement, 2) obtained a protection order related to the crime, or 3) presented for a forensic medical exam to be eligible for CVR funds.

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LB 497: Direct Reimbursement of Survivors' Medical Costs

WHAT'S NEW

- **Allows Health Care Providers to Apply Directly for Medical Cost Reimbursements.** Previously, when survivors sought medical attention in the aftermath of violence, they were often faced with large medical bills for the treatment as a result of the violence. Although CVR funding has always been available to cover these costs, the previous process required hospitals to first bill survivors, and then for survivors to navigate the CVR application for reimbursement of these costs. The process may have compounded trauma as survivors were forced to revisit violence in the application process, as well as face financial stress of seeing large medical bills and potentially being sent to collections as they waited for reimbursement from the CVR program. LB 497 allows health care providers to seek CVR reimbursement for medical costs directly, with the permission of the survivor.

HOW IT WORKS

- Eligible health care providers must obtain permission of the victim to apply for CVR funds and may only apply for medical costs that are not otherwise covered by private insurance, Medicaid, the Sexual Assault Payment Program or any other source of funding. Covered medical costs are those incurred from treating or examining injuries of victim resulting from sexual assault, domestic violence, sex trafficking or child abuse.
- Eligible health care providers who may apply for CVR fund reimbursement include any person licensed or certified by the State of Nebraska under the Uniform Credentialing Act to provide health care or any health care facility licensed under the Health Care Facility Licensure Act. A professional corporation or other professional entity comprised of these health care providers may also make applications directly for CVR reimbursement.

¹ Legislative bill 372, *The 107th Nebraska Unicameral Legislature*, (May 5, 2021). <https://nebraskalegislature.gov/FloorDocs/107/PDF/Slip/LB372.pdf>; Legislative bill 497, *The 107th Nebraska Unicameral Legislature*, (May 5, 2021). <https://nebraskalegislature.gov/FloorDocs/107/PDF/Slip/LB497.pdf>