



Office of Victim Services

Friday, May 15, 2020

COVID-19 Frequently Asked Questions

These FAQs will be updated as needed. Please check the FAQs regularly for any changes.

These FAQs are provided for guidance. If you need further information, please email us at info@ovs.ny.gov, contact your Contract Management Specialist (contract manager), or call us at 1-800-247-8035. If you need to leave a message, please ensure you provide adequate contact information in your voicemail so we can return your calls. While these FAQs will apply to all OVS contracts, please note that if specific budget requirements were set forth in a procurement and subsequent contract, those budget requirements still apply.

Please follow the most recent updates from [Governor Andrew Cuomo](#) and the [New York State Department of Health](#).

General

1. Is OVS open and operating?

Yes, OVS staff are working remotely. A limited number of essential staff members going into the office are working in accordance with all recommended guidelines. All OVS essential functions are being carried out and OVS is available to assist with your needs. OVS staff are working diligently to continue processing compensation claims; continue supporting VAPs, and to assist with any questions or concerns you might have.

2. Do we need to wear facemasks?

Governor Cuomo issued an Executive Order requiring all people in New York to wear masks or face coverings in public, including when taking public or private transportation or riding in for-hire vehicles. Masks or face coverings should be worn when social distancing is not an option.

See the Executive Order [here](#).

3. Do we have to provide our staff with facemasks?

Yes, Governor Cuomo issued an Executive Order directing employers to provide essential workers with masks free of charge to wear when interacting with the public. Employers are to provide at their own expense.

For additional information as it relates to your ability to accommodate this expense within your existing OVS contract, please contact your contract manager

See the Executive Order [here](#).

4. Our Program is hospital or healthcare-based entity, what are our options when Personal Protective Equipment (PPE) is in short supply or is not available?

Healthcare entities should submit requests for PPE through their local Office of Emergency Management. New York State continues to fulfill requests for PPE, as available. However, NYSDOH has become aware of instances in which healthcare providers, facilities, or practices are using or considering alternative means to manage PPE shortages.

See more information [here](#).

VOCA Allowable Expenses

1. If staff are working remotely, can we use VOCA funds to purchase their technological needs such as laptops, cell phones, tablets, etc.?

OVS is allowing for Budget Amendment Requests (BARs) in order to make purchases related to servicing victims under the current circumstances. This includes but is not limited to laptops, tablets, cell phones. BARs due to COVID-19 are not limited to technological needs. While OVS will now accept BARs being submitted outside of the current quarter, they must be submitted no later than 30 days after the end of the current budget period. Please contact your program's contract manager for additional information and for guidance relating to specific questions concerning the allowability of expenses. Additionally, the following links which were included in the most recent RFA, are provided here for your reference of allowable and unallowable expenses:

Federal Register Rules and Regulations:

<https://www.gpo.gov/fdsys/pkg/FR-2016-07-08/pdf/2016-16085.pdf>

Side-by-Side Comparison of VOCA Victim Assistance Guidelines:

<https://ovs.ny.gov/sites/default/files/advisory-bulletin/voca-comparison.pdf>

2. Can we shift VOCA funds into outreach programming so we can safely serve survivors?

Yes, if the outreach is to inform victims of crime of your services. Please contact your contract manager for additional information.

3. **Can we use VOCA funds for additional expenses to promote social-distancing requirements such as DocuSign fees, additional hotel rooms for victims, privacy software for teletherapy and mobile appointments?**

If the expenses incurred are to promote social-distancing requirements and are related to directly servicing victims, they may be potentially allowable. Please contact your program's contract manager for additional information.

4. **Can we use VOCA funds to assist victims with their financial hardship due to COVID-19?**

If the victim's financial hardship is due to their victimization, this may be a potential allowable expense. For example, a Victim Assistance Program may assist victims of crime with emergency food or gift cards to get meals. Please contact your contract manager for additional information.

If a victim is experiencing financial hardship due to being laid off due to COVID-19, they can apply for unemployment benefits [here](#).

5. **Can we use VOCA funds to purchase gift cards for groceries or fast food establishments for victims for emergency food?**

Yes, and other emergency expenses. Please contact your contract manager for additional information.

6. **Can we use VOCA funds to provide for the technological needs of victims in order to ensure their safety? Such as tablets, phones, Wi-Fi, etc.?**

Yes, if the expense is for the sole purpose of providing direct services to victims of crime and you can accommodate this expense within your existing contract amount. Please contact your contract manager for additional information.

Federal and State Updates and Resources

1. **Can VOCA funds be utilized to pay for any costs included under Federal legislation such as the Families First Coronavirus Response Act (FFCRA), the Corona Virus Aid, Relief, and Economic Security Act (CARES), and/or the Paycheck Protection Program (PPP)?**

Programs should consult with their contract manager to ensure any federal or state coronavirus aid or economic relief is not duplicating or supplanting VOCA funding.

2. **What is the difference between duplication and supplantation as it relates to the PPP?**

***Duplication** occurs when the subrecipient uses VOCA Assistance funds to pay for specific costs already covered by other sources. For example:*

If the subrecipient pays a staff position from the PPP loan then draws down VOCA funds to cover the same staff position, but never pays the

loan back because it was forgiven, the subrecipient may have duplicated costs (or otherwise made an improper payment, see 2 C.F.R. 200.53), unless the forgiven loan funds are allocated to a different cost item. For example:

The PPP loan paid salary for employee 1, but then reallocated to pay salary for employee 2, and then used the VOCA funds to pay for employee 1.

*If the subrecipient pays back the loan, it would **not** be duplication.*

Supplanting occurs when a subrecipient intentionally replaces its other state or local victim service funding sources with VOCA funding. For example:

*If a subrecipient uses VOCA funds to replace a PPP loan, then repays that loan instead of keeping the loan funds under the forgiveness provisions, it would **not** be supplanting.*

*If a subrecipient uses VOCA funds to replace a PPP loan, then uses those loan funds for another expense (whether the loan is forgiven or not), it typically would **not** be supplanting because PPP funding is not specifically designated for victim service purposes.*

3. Where can VAPs find OVS' latest information and updates on COVID-19?

OVS will continue to send important updates via Broadcast Email and Advisory Bulletins. Click [here](#) to subscribe for updates or visit the [OVS Victim Assistance Program Webpage](#) to access previous emails. In addition, VAPs should continue to monitor changes to any official guidance through the Governor's daily briefings and routinely check for updates on the OVS website at ovs.ny.gov.

Grant Requirements & Reimbursement

1. Will OVS postpone/reschedule site visits?

Yes, your contract manager will be in contact with you regarding rescheduling any cancelled site visits. Also, OVS will continue to do desk audits.

2. How can we account for an interruption in performance of work?

OVS pays for capacity and programs will be reimbursed for any VOCA eligible expense within their contract. We are aware of the current situation and will take this into consideration when reviewing program and fiscal reports.

3. Will OVS allow an adjustment in performance measures in accordance with programming changes due to COVID-19?

Yes. Please contact your contract manager with any additional questions.

- 4. Are we allowed to make changes to the Performance Measurement Tool (PMT) to record COVID-19 related services?**

*Programs are not allowed to change or add Service Unit Descriptions to the PMT. However, programs can keep track of services that are not captured in the PMT in their own records for future referral if needed. **Programs will not be impacted negatively for being unable to meet anticipated goals due to the COVID-19 health emergency.***

- 5. Do I still need to submit my Performance Measurement Tool (PMT) Report, Quarterly Progress Reports, and Financial Reimbursement Requests for January-March 2020 on time?**

The deadline for the PMT has been extended until June 1, 2020. Quarterly progress reports and Financial reimbursement requests will not be considered late but should be submitted as soon as possible.

- 6. Do we still need to complete an amendment for any changes made to our grant?**

Yes, any budget changes will still require a Budget Amendment Request (BAR).

- 7. What if we are unable to or cannot continue to meet the match requirement?**

OVS is currently working with the federal government to develop a match waiver policy. OVS will provide notification of this new policy once submitted and approved by the Federal Government. Please notify your contract manager as soon as you experience difficulties meeting match requirements.

- 8. Will my requests for reimbursement still be processed?**

Yes, please continue submitting requests and appropriate documentation to your contract manager. In order to ensure a timely turn around, please submit electronically and ensure you are submitting all available documentation. Timely response to communications from your contract manager will result in quicker resolution.

- 8. Will we be reimbursed through the grant for travel and training funds for cancelled events that I could not receive a refund for?**

Yes.

- 9. Are programs allowed to pay their staff “risk or hazard pay”?**

Yes. Programs that want to pay some of their staff additional wages or stipends for the additional risk that they are taking due to the COVID-19 health crisis are allowed to do so. Where a program has a policy that provides staff stipends due to additional risk, it is considered a reimbursable expense. If a program’s policy does not currently allow for this, it is encouraged that the program updates and revises their policies as necessary.

Compensation Claims

1. Is OVS still processing compensation claims?

Yes. Claims that have been entered through the Victim Service Portal (VSP) that have the Claimant Authorization form uploaded continue to be assigned and processed. New paper applications received are entered and assigned, however, these may experience a slight delay under the circumstances.

2. Is OVS still processing emergency awards?

Yes. The same process is in place. It is best to enter the claim and upload the supporting documentation through the VSP and then send an email to ea@ovs.ny.gov to request that the claim be processed as an emergency award.

3. Is OVS still paying Additional Medical expenses?

Yes. The Additional Medical payments are still being processed and paid. However, these may experience a slight delay under the circumstances.

4. If we are unable to obtain signatures on the claim, will OVS accept alternatives such as a photo of the signed signature page?

In order to verify necessary information to complete the claim, OVS requires a copy of the signature page by any means available. The signature page is utilized to ensure that the claimant is aware the claim is being filed, and the claimant acknowledges our lien against any proceeds received (subrogation, restitution) for the crime upon which the claim is based.

OVS will accept an electronic signature created by using your mouse, or a printed and signed document that is scanned or photographed. You can submit via email or uploaded into the portal.

Other FAQs

1. Where can VAPs go to find additional support or coaching when facing unique covid-19-related issues?

OVS has launched a “Resilience Webinar Series” with the goal of helping VAPs tackle pressing issues. Please go to ovs.ny.gov/training for more information on webinars offered, links to previously recorded trainings and to register for upcoming opportunities.

In addition, OVS is offering increased access to our [Training and Technical Assistance Request Program](#) leadership coaches/consultants, making them available for individual and small group coaching open to all VAP agency leaders without having to submit a proposal.