



Office of
Victim Services

OVS Case Manager Information Webinar Training

December 11, 2018

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Elizabeth Chrystler, CVS 1**



Office of
Victim Services

VOCATIONAL REHABILITATION UNIT

Mission Statement

It is the mission of the Office of Victim Services to provide compensation to innocent victims of crime in a timely, efficient and compassionate manner, fund direct services to crime victims via a network of community-based programs, and advocate for the rights and benefits of all innocent victims of crime.



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There are 3 steps in receiving OVS compensation

1. Complete the OVS claim application form.
2. Meet the eligibility requirements as defined by statute.
3. Incur a compensable out-of-pocket loss or have potential to incur one at a later time.



Who May Be Eligible

- Victims sustaining personal physical injury.
- Elderly (60 and over), children (under 18) or disabled victims of a crime who have suffered a loss or damage to articles of essential personal property.
- The surviving spouse, parent, grandparent, stepparent, child, stepchild, guardian, siblings, step-siblings or person dependent upon the victim who died as a direct result of a crime.



Who May Be Eligible (Cont.)

- A person who has paid or incurred the burial expenses of an innocent victim who died as a direct result of a crime.
- A child (under 18) victim or a child who witnesses a crime or their parent, guardian or sibling.
- Children under age 18 or incompetent dependents must have a parent, guardian, conservator, power of attorney file on their behalf.

Who May Be Eligible (Cont.)

- A victim of unlawful imprisonment in the first degree or kidnapping in the first or second degree.
- Victims of certain stalking offenses.
- Victims of Labor Trafficking PL 135.35 and Sex Trafficking PL 230.34 for crimes committed on or after November 1, 2007.



Eligibility Determination

Is based on aspects of both the victim and the crime.

Victim components may include:

- Conduct relating to the crime.
- Cooperation with law enforcement.
- Physical injury.
- Age.
- Disability.



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Eligibility Determination (Cont.)

- Crime components include:
- Report to police or other criminal justice agency within one week of the crime.
- File a claim within one year of the crime.
- Domestic Violence victims who did not file a police report can forward a copy of their signed Family Court Petition along with the signed Order of Protection (temporary or permanent).
- Justification for delay in reporting or filing may be accepted in certain limited cases.

Compensation Benefits

- Cost of repair or replacement of essential personal property lost, damaged or destroyed as the direct result of a crime up to \$500 (including \$100 maximum for cash).
- Expenses for medical or other related services not covered by other insurance or benefit programs.
- Counseling services.
- Occupational rehabilitation expenses.



Compensation Benefits (Cont.)

- Lost earnings (PI) for the victim and minor victim's parents or loss of support (Death) up to \$600 per week and up to a total maximum of \$30,000.
- Burial expenses up to \$6,000.
- Domestic violence shelter expenses.
- Court transportation.
- Crime scene cleanup expenses.
- Moving and storage expenses (maximum of \$2,500).



Statistics

Annually, OVS renders approximately 15,000 original decisions, which includes awards and denials made by the Office. Claims were reinvestigated or reopened as necessary.

Investigations Q & A

Now we'll take a few moments to answer any outstanding questions.

Feel free to submit any questions in the chat box.

There will also be another opportunity to answer questions at the end of today's presentation.



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Victim Assistance Programs

These agencies and organizations provide assistance such as counseling and crisis intervention, advocacy and legal help to those in times of need.

Professionals who work for victim service providers can access documents, advisory bulletins, informational e-mails and other information.



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VAP Authorization Update Form

- Used to authorize disclosure of information upon initiation of case manager services



ANDREW M. CUOMO
Governor

Office of Victim Services

ELIZABETH CRONIN, ESQ.
Director

Authorization by OVS Claimant

Pursuant to New York State Executive Law, §633, I, _____ would like to authorize a new Victim Assistance Program to assist me with my claim.

My claim number is: _____

Please change my records to reflect that I am now working with the following program:

Program Name: _____
Advocate Name: _____
Address: _____

I understand OVS may speak with any advocate at the above-named program. This authorization shall be valid until revoked by me in writing.

(Please check one box:)

Additionally, I ☐ do ☐ do not wish to have my original Victim Assistance Program continue to be associated with my claim.

Signature of OVS Claimant

Date

Additional Medical: Criteria for Reimbursement

- Medically necessary.
- Crime related.
- Physician script or note documenting need and duration and frequency of services if applicable.
- If patient has insurance, an EOB with a denial or patient's responsibility.



Additional Medical

- OVS can reimburse for medical or other related services not covered by insurance or benefit programs, e.g. Neuromuscular retraining, Cognitive behavioral therapy.
- OVS can reimburse for supplies covered by insurances but are limited, e.g. non-sterile and sterile gloves Q-tips, extra dressing supplies, incontinent supplies.
- OVS can reimburse for additional Rehabilitation services when visits have reached their maximum, e.g. PT, OT, Speech therapy.

Additional Medical (Cont.)

- OVS can reimburse for homecare needs, HHA, PCA and nursing services.
- Medical necessity and causal relationship needs to be established.
- OVS will coordinate with licensed agencies or private hire. Claimants are able to choose their providers.



Additional Medical (Cont.)

- OVS can reimburse for medical transportation and medications, e.g. Ambulance and ambulette transport.
- Medications not covered by Insurance, e.g. Medications or Compounds for bowel regimes and over the counter medications or supplies.



Durable Medical Equipment

- OVS will reimburse for Durable Medical Equipment, e.g.
 - Custom wheelchairs, standers, rolling shower chair.
 - Wheelchair accessories that accommodate patient's specific needs and enhance functioning.



Vocational Rehabilitation Services

- Process of identifying a Vocational Rehabilitation candidate:
 - Claimant requests Vocational Rehabilitation.
 - Investigator or Add Med Specialist refers to Vocational Rehabilitation unit.
 - Vocational Rehabilitation letter is sent to claimant.

Vocational Rehabilitation Services

- SAMPLE Vocational Rehabilitation Letter:



Office of Victim Services

ANDREW M. CUOMO
Governor

ELIZABETH CRONIN ESQ.
Director

Jane Doe
123 Main St.
New York, N.Y.

12/3/2018
Claim #: 123456
Crime Date: 1/1/2016
Claimant: Jane Doe
Victim: Jane Doe

Dear Jane Doe:

Our Vocation Rehabilitation Unit has recently evaluated your claim with the Office of Victim Services. It appears that you may benefit from additional rehabilitation services. The following services are available through our Rehabilitation Unit.

Homecare Services- Per a Physician's order homecare services, including Home Health Aid and or Nursing services, to assist with medically necessary care and treatment not covered by health insurance.

Occupational Rehabilitation- Includes vocational counseling; rehabilitation therapeutic treatment (i.e. physical, speech and occupational therapy); home and vehicular modification; and Centers for Rehabilitation.

Medical Rehabilitation- Includes prosthesis and orthotic devices; and adaptive equipment (i.e. wheelchairs, shower chairs; special transportation).

Vocational Rehabilitation Training – Access VR offers in depth training and assistance to individuals who plan on entering or returning to the work force. Assistance and referral for rehabilitation services about re-training are also available through Access VR. Their telephone number is: 1-800-222-5627 or for further information, you may contact them at their website: acesadm@mail.nysed.gov.

Please contact 1-800-579-9541 or (518) 457-2507 to discuss what services may be beneficial for you.

Sincerely,

Ann Marie Calabrese, RN
Vocational Rehabilitation Unit

Vocational Rehabilitation Services

- Examples of a Vocational Rehabilitation Candidate:
 - Paralysis
 - Traumatic Brain Injury
 - Loss of limb, loss of eyesight, hearing
 - Crime related PTSD



Vocational Rehabilitation Services

- Examples of Vocational Rehabilitation Services:
 - Vehicle modifications and driver training.
 - Home modifications - modifications to home to accommodate patients needs-ramps, bathrooms.
 - Coordination and referral to Access VR for rehabilitative training and education.
 - Assistive technology devices.



Voc Rehab Q & A

Now we'll take a few moments to answer any additional questions about Voc Rehab or any of today's covered material. Please submit any questions in the chat box.



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OVS Locations

Alfred E. Smith Building
80 South Swan Street
Albany, NY 12210

55 Hanson Street, 10th Floor
Brooklyn, NY 11217

800-247-8035



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Assistance

If you need assistance or more information please contact:

Ann Marie Calabrese, RN

(518) 457-2507

annmarie.calabrese@ovs.ny.gov



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Thank You



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