



Counseling Eligibility Guidelines

DISCLAIMER: This material is provided for reference only; it is not meant to be legal advice of any kind. All decisions by OVS are based on the information gathered during the investigation of the claim and the law under which it operates. The approval or denial of any claim is determined on a case-by-case basis and meeting the minimum requirements outlined below does not guarantee a positive outcome.

Personal Injury Claims

Victim is 18 years old or older – the following are eligible for counseling:

- Victim, spouse, child, & stepchild

Victim is under 18 years old – the following are eligible for counseling:

- Victim, spouse, child, stepchild, parents, stepparents, grandparents, guardian, siblings, & stepsiblings

Death Claims

Victim is any age – the following are eligible for counseling:

- Spouse, grandparent, parent, stepparent, guardian, brother, sister, stepbrother, stepsister, child, stepchild or grandchild (Grandchildren eligible on claims filed on or after 8/13/2015.)

Emotional Injury - No Personal Injury Sustained

Victim is elderly (60 or over) or disabled (prior to date of crime) – the following are eligible for counseling:

- Victim only. Counseling must begin within one year of the date of the crime

Victim is under 18 years old– the following are eligible for counseling:

- Victim, parents, stepparents, grandparents, guardian, siblings, stepsiblings. Counseling must begin within one year of the date of the crime

Victim is under 18 including a child reported missing more than 7 days

- Victim, Spouse, Grandparent, Parent, Stepparent, Stepparent, Guardian, Brother, Sister, Stepbrother and Stepsister

Victim is over 18 and a victim of crimes enumerated in Executive Law Section 631(11)* and (12)* — the following are eligible for counseling:

- Victim only

* See “Exceptions to Personal Physical Injury Guidelines”