



Emergency Award 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.

OVS must find that (1) an award would likely be made in the claimant's case and, (2) an undue hardship would result if immediate payment were not made. Emergency Awards (EAs) are only granted before services have been rendered and/or paid for. **THE MAXIMUM AMOUNT GRANTED FOR AN EMERGENCY AWARD IS \$2500.**

If any crime takes place while victim is at work, a Worker's Compensation (WC) claim needs to be filed as well.

Claimants and providers should be aware that an EA can take several days to process. Law Enforcement must be contacted which may delay the process.

OVS is a last resort payer. Find out if a claimant has insurance, including Medicaid; and advise them to use it before filing for the EA. Children up to the age of 26 may be covered under their parents insurance.

Contact OVS Intake requesting the emergency award after you have provided all of the necessary documentation to process the EA.

For EA's ONLY, contact Claims Intake via:

Email: ea@ovs.ny.gov

Fax: (518) 402-0921

The above email and fax are the only ones monitored regularly for EAs.

EAs may be granted for:

- Funeral
- HIV Medication for Sexual Assault/Prescription Drugs
- Moving/Storage/Relocation
- Loss of Earnings
- Lock Replacement or Security System Installation
- Eyeglasses/Contacts/Emergency Medical Equipment

All EA requests must include:

- Claimant photo ID. If the claimant does not have a photo ID, then request two forms of non-photo ID at least one bearing a signature
- Police precinct and complaint number or a copy of police report or an OVS acceptable equivalent (FRE proof, etc.)
- The Detective or Police Officer in charge of investigation, their name and phone number

Funeral Requirements

- Itemized funeral contract having the liability section signed by the claimant
- Provider's Tax ID #
- Copy of the death certificate (if available)

NOTE:

- If OVS' inquiry with law enforcement does not result in immediate confirmation that the victim was innocent, the EA request may be denied pending further investigation of the claim.
- If a homicide takes place at work, certain Worker's Compensation Board (WC) benefits may be available including funeral expenses. The maximum funeral benefit from WC is \$12,500 in Metropolitan New York counties and up to \$10,500 in all others. As a result, OVS does not award emergency assistance for funeral expenses unless the costs exceed these allowances. If the funeral costs are higher than these maximums, OVS can pay the exceeding amount on an emergency basis.

HIV/Antibiotics/Medication Requirements

- Copy of prescription or equivalent proof that claimant has been prescribed the requested medication; either from the pharmacy or medical provider and contain the following: victim's name, medication name, name of the medical provider and the date prescribed (ex: a call to pharmacy to confirm the electronic transmission of the prescription would be proof)
- Cost estimate from pharmacy including the Store Number, Tax ID#, telephone number and contact person
- For sexual assault, if the victim did NOT go to police but went to a hospital or other health care provider, OVS will accept one of the following as evidence that the crime occurred:
 - Proof of completion* of rape kit if one is used which can be:
 - Medical Record Sexual Assault Form – found in kit
 - Authorization for Release of Information and Evidence to Law Enforcement Authorities Form – found in kit
 - A letter from the FRE examiner or medical professional who conducted the exam indicating a sexual assault kit was completed
 - Proof of completion* of FRE exam **AND** a diagnosis of a sexual assault if a rape kit was not used which can be:
 - A letter from the FRE examiner or medical professional who conducted the exam indicating that an FRE exam was done **AND** has a sexual assault diagnosis code
 - Medical records indicating FRE performed **AND** sexual assault diagnosis
- If Workers Comp is awarded, victim will be required to reimburse OVS for the EA to the extent any overpayment may have been made.

**An OVS FRE Direct Reimbursement Claim form is not acceptable proof for this purpose.*

Relocation/Moving/Storage* Requirements

- An estimate from the selected provider
- Tax ID # of all providers
- A written statement from DA/ADA or licensed treating counselor or treating physician indicating the necessity of the relocation/storage
- Exact address of the victim's destination on the Change of Address form, signed by the claimant

- A contract from the moving/storage provider signed by claimant as responsible party must be provided as soon as available. If the contract is not received prior to decision, the EA may need to be returned

*For recurring storage fees, only the initial payment and monthly charges incurred while the claim is still open (prior to a decision) will be handled as Emergency Award(s). Once the claim receives an Awarded decision, subsequent monthly payments must be made by the claimant in a timely manner. OVS will NOT reimburse late fees. The paid receipts should be submitted directly to the Additional Medical Unit for reimbursement to the claimant. Upload the new receipts to the claim or email them to: ovsaddmed@ovs.ny.gov .

Loss of Earnings Requirements

- Victim must be out of work for at least two weeks in order to apply for an EA
- Employment Questionnaire or if self-employed, a copy of federal tax return filed the year before the crime occurred (Including Schedule C)
- 3 to 6 paystubs
- Signed doctor's statement indicating nature of injury, diagnosis, prognosis, and a time period of disability (as exact as possible) or only one week can be paid without proof from a medical provider
- Disability Benefits or Workers' Compensation final decision, if available
- If Workers Comp is awarded, victim will be required to reimburse OVS for the EA to the extent any overpayment may have been made.

Lock Replacement/Security Device Requirements

- Receipt/estimate for installation of security device
- Letter from landlord if security device is to be installed in a rental
- Statement from a treating physician, a treating counselor or a letter from the DA indicating the necessity of a security system and without such a device the claimant's health is in imminent danger
- Tax ID # of all providers

Limitations

- Compensable costs are limited to the devices themselves and the installation, service charges or monthly costs are not compensable
- The devices must be for security, i.e., they are monitored and/or provide some sort of alarm. Devices that simply provide surveillance (recorded or not) are not considered security devices

Eyeglasses/Contacts/Emergency Medical Equipment Requirements

- Medical Records or doctor's note is required to determine causal relation of the emergency medical item
- Itemized estimate for replacement
- Verification of insurance benefits for the emergency medical item
- If reimbursement is above \$500. A doctor's note is required on the medical necessity of the specialized item or feature of the emergency medical item