

ADVISORY BULLETIN

TRANSMITTAL NO. 2022-10

**TO: ALL FUNDED PROGRAMS
ADVISORY COUNCIL MEMBERS**

**FROM: ELIZABETH CRONIN, ESQ.
DIRECTOR**

SUBJECT: FRE Update

DATE: Nov 9, 2022

Dear Colleague:

On October 12, 2022, the New York State Office of Victim Services (OVS) adopted regulations related to the direct reimbursement to medical providers for services to sexual assault survivors. The full text of the rule can be found here: <https://dos.ny.gov/system/files/documents/2022/08/080322.pdf>, page 26. These rules and procedures should be familiar to all those who have been submitting Forensic Rape Exam (FRE) Direct Reimbursement claims over the past two years; they are essentially a codification of our current practices.

One item that has changed, however, is that the time to submit such claims has been shortened from one year to 180 days, inclusive of the date of exam. Timely submission is necessary to ensure efficient program operations. When providers wait until the one-year mark to submit a batch of FRE claims to OVS, a backlog is created. The backlog leads to processing delays as claims processing staff become inundated. Shortening the submission period to 180 days will promote efficient and timely provider reimbursement as OVS staff can better manage claim workloads.

OVS understands that this is a new change and adjustments to internal procedures will need to be implemented for many providers across the State, so our enforcement of this provision will be delayed until the end of the calendar year. **OVS will implement this provision for claims submitted on or after January 1, 2023.**

If the exam spans multiple dates of service, the claim must be submitted within 180 days of the date of service listed on the FRE claim form. Any FRE claims received by OVS beyond 180 days from the date of service will be rejected.

This policy applies to an FRE claim's initial submission. If an FRE claim is rejected upon its initial submission, providers are expected to correct erroneous information and resubmit the claim in a timely manner. The submission date may then exceed 180 days from the date of service.

The original FRE claim form must be signed by the claimant and mailed to OVS:

NYS Office of Victim Services
AE Smith Bldg.
80 South Swan Street, 2nd Floor
Albany, NY 12210

If you have questions, please contact the Medical Reimbursement Unit at 518-473-0630 or OVS.sm.FRE@ovs.ny.gov.

A handwritten signature in black ink, appearing to read "Elizabeth Cronin". The signature is fluid and cursive, with a prominent initial "E".

Elizabeth Cronin, Esq.
Director