



Office of Victim Services

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Emergency Award Guidelines

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 \$3000 for funeral, and \$2500 for all other types of awards.

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 payer of last resort. An advocate should find out if a claimant has insurance, including Medicaid or Medicare, and advise them to use insurance before filing the EA.

After you have gathered all the necessary documentation to submit an EA request, contact OVS.

The following inbox and fax number are for EA requests only, and they are the only inboxes regularly monitored for EA's:

Email: ea@ovs.ny.gov
Fax: (518) 402-0921

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
- Crime Scene Clean Up/ Securing a Crime Scene

All EA requests must include:

- Police precinct and complaint number or a copy of police report or an OVS acceptable equivalent (FRE proof, etc.)
- The Assistant District Attorney, 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
- Copy of the death certificate (if available)

NOTE:

- If OVS' inquiry with law enforcement and/or the District Attorney's Office does not result in confirmation that the claimant was cooperative the EA request may be denied.
- 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 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
 - A letter from the FRE examiner or medical professional who conducted the exam indicating that an FRE exam was done.
- Medical records indicating FRE performed OR If Workers Comp is awarded, victim will be required to reimburse OVS for the EA to the extent any overpayment may have been made.

Relocation/Moving/Storage* Requirements

- An estimate from the selected provider.
- 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, signed by the claimant.

- A contract from the moving/storage provider signed by claimant as responsible party must be provided as soon as available.

*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 Compensation Unit for reimbursement to the claimant. Upload the new receipts to the claim or email them to: ovsstorage@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).
- Between 3-6 paystubs (if an Employment Questionnaire is not submitted or is incomplete)
- A doctor's letter stating the dates you were unable to work due to your crime related injuries. The doctor's letter must include a clear sentence that states you are disabled from working, that the disability is related to your crime related injuries, and lastly the beginning and end date (if possible) of your disability period.
- 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.
- If renting, a copy of the lease.
- 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.

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 the causal relation of the emergency medical item.
- Itemized estimate for replacement.
- Verification of insurance benefits for the emergency medical item
- Eyeglasses and contacts need a valid, current prescription.
- A doctor's note is required on the medical necessity of the specialized item or feature of the emergency medical item.

Securing a Crime Scene

- Itemized repair/replacement bills.
- Proof of homeowner/renter's insurance, if applicable.
- If renting, a copy of the lease establishing that the claimant is responsible for the damages.

Crime Scene Cleanup

- Receipts or Estimates for the cleanup or repair of damages incurred because of the crime.
- Proof of homeowner/renter's insurance, if applicable.
- If renting, a copy of the lease establishing that the victim is responsible for the damage.
- Proof of residency- examples of acceptable proof would be driver's license, bank statement or credit card statement with victim/claimant's name and address.
- Vehicle Cleanup
 - Cleaning bills.
 - Copy of Registration covering the date of the crime.
 - Copy of Vehicle Insurance declaration page covering the date of the crime.

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.