

**CHAPTER 3050**  
**DEPARTMENT OF PUBLIC SAFETY**  
**CRIME VICTIMS REPARATIONS BOARD**  
**CRIME VICTIMS REPARATIONS**

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**3050.0700 COOPERATION WITH BOARD, ASSIGNMENT, SUBROGATION.**

Failure by a claimant or claimant's representative or claimant's service provider to complete forms or submit requested reports or records, or otherwise to cooperate with the board's investigation, may constitute a ground for denial or reduction of a claim

The claimant shall assign his or her rights to recover benefits or advantages from any source which is, or if readily available to the claimant would be, a collateral source and which is not deducted from the final award, provided that the assignment shall not exceed the amount of the final award. The claimant shall further agree to cooperate fully with the board in any subrogation action brought by the board or the claimant.

If a defendant is convicted of a crime and ordered to pay restitution, the board may seek to recover any or all of the restitution paid. Any excess amount recovered over the reparations amount awarded and paid shall be paid to the victim or claimant.

**Statutory Authority:** *MS s 611A.56*

**History:** *23 SR 519*

**3050.2700 TREATMENT PLANS.**

Subpart 1 **Applicability.** The board, when necessary to evaluate the reasonableness of treatment provided claimants under parts 3050 2700, subpart 5, and 3050 2800, may require suppliers of mental health, physical therapy, chiropractic, medical, and home care services to submit treatment plans before consideration of their charges as a part of a reparations claim

*[For text of subps 2 to 5, see M R ]*

Subp 6. **Extension beyond termination dates.** If treatment is likely to continue more than 30 days beyond the projected date of termination submitted in the treatment plan, the provider is responsible for submitting a new treatment plan and a revised termination date. No compensation must be authorized for services rendered more than 30 days beyond a projected termination date without staff approval of an extension.

**Statutory Authority:** *MS s 611A 56*

**History:** *23 SR 519*

**3050.3200 LOSS OF INCOME.**

*[For text of subps 1 to 4, see M R ]*

Subp 5 **Maximum number of weeks.** Compensation for loss of income usually may not exceed 26 weeks. If the victim's disability continues past 26 weeks, the victim may request an extension for up to 26 additional weeks. This request must include an evaluation by a physician that states continuing disability and explains any extenuating circumstances.

*[For text of subp 6, see M R ]*

Subp 7 **Parent and spouse of deceased.** Payment of wage loss compensation for a parent or spouse of a victim who died as the direct result of a crime usually may not exceed six weeks. If the emotional disability of the parent or spouse continues past six weeks, the parent or spouse may make a request for an extension of the lost wages. The request must include an evaluation by a physician or psychologist stating that there is a continuing emotional disability due to the crime and a date by which the claimant is expected to return to work. The extension may not exceed 46 weeks.

*[For text of subp 8, see M.R.]*

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Subp 9 **Timeliness of request.** A request for replacement of lost income must be made to the board within two years after the claim is filed

**Statutory Authority:** *MS s 611A.56*

**History:** *23 SR 519*

NOTE Subparts 5, 7, and 9 as amended and adopted at 23 SR 519 are effective for claims submitted as a result of crimes committed on or after September 8, 1998

### 3050.3400 SECONDARY VICTIMS.

For the purposes of this chapter, the term "victim" includes, in addition to those meanings specifically provided in Minnesota Statutes, section 611A 52, the following

A a parent, spouse, or minor child of a victim who died as the direct result of a crime,

B a witness to a violent crime who suffered physical or emotional injury Payment for a witness is limited to 20 counseling sessions,

C a grandparent, sibling, or adult child of a victim who died as the direct result of a crime, if the grandparent, sibling, or child has suffered emotional injury Payment for a grandparent, sibling, or adult child is limited to 20 counseling sessions,

D a person who discovered the body of a victim who died as the direct result of a crime, if the person has suffered emotional injury Payment for a person who discovered a body is limited to 20 counseling sessions, and

E a spouse of a victim who was injured as a direct result of a crime. Payment for a spouse of an injured victim is limited to 20 counseling sessions

**Statutory Authority:** *MS s 611A 56*

**History:** *23 SR 519*

NOTE This part as amended and adopted at 23 SR 519 is effective for claims submitted as a result of crimes committed on or after September 8, 1998

### 3050.3500 PARENTS OF INJURED VICTIMS.

The board shall authorize payment for up to 20 counseling sessions for a parent who is a primary caretaker of a victim who was injured as a direct result of a crime, if the treatment plan filed under and complying with part 3050 2700 indicates that the sessions directly benefit the victim

When care is needed by a victim and when a determination is made by the board that a parent or any other guardian of the victim is an appropriate person to provide care to the victim, the board shall authorize payment to reimburse the parent for lost wages, and reasonable expenses for transportation and lodging. Total payment to a parent under this provision must not exceed \$2,000 Computation of lost wages shall be the same as under part 3050 3200

**Statutory Authority:** *MS s 611A 56*

**History:** *23 SR 519*

NOTE This part as amended and adopted at 23 SR 519 is effective for claims submitted as a result of crimes committed on or after September 8, 1998

### 3050.3750 FUNERAL RATE LIMITS.

Within 30 days of the beginning of each fiscal year, the board shall determine the maximum amount allowable for funeral, burial, or cremation The claimant may use up to \$1,000 of the maximum funeral benefit to pay for airfare or other transportation for family members to attend the funeral

**Statutory Authority:** *MS s 611A 56*

**History:** *23 SR 519*

NOTE This part adopted at 23 SR 519 is effective for claims submitted as a result of crimes committed on or after September 8, 1998

### 3050.3800 MENTAL HEALTH TREATMENT RATE LIMITS.

Within 30 days of the beginning of each fiscal year, the board shall determine the maximum hourly rate allowable for mental health therapy. The board shall also determine the

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maximum amount allowable for the total accumulated expenses for a victim's outpatient counseling

**Statutory Authority:** *MS s 611A 56*

**History:** *23 SR 519*

NOTE This part as amended and adopted at 23 SR 519 is effective for claims submitted as a result of crimes committed on or after September 8, 1998

## 3050.4100 INMATE WAGE DEDUCTIONS.

The board is authorized to accept financial support from correctional facilities through the transfer of inmate wage deductions

**Statutory Authority:** *MS s 611A 56*

**History:** *23 SR 519*