

**CHAPTER 7505**  
**DEPARTMENT OF PUBLIC SAFETY**  
**CRIME VICTIMS REPARATIONS BOARD**  
**HEARING PROCEDURES**

7505 3100 LOSS OF SUPPORT  
 7505 3200 LOSS OF INCOME

7505 3500 PARENTS OF CHILD VICTIMS

**7505.3100 LOSS OF SUPPORT.**

*[For text of subs 1 to 3, see MR ]*

Subp. 4. **Three-year review.** The board shall review a claim for loss of support every three years to determine whether the claimant is still eligible for benefits. The board shall evaluate the claim giving consideration to the claimant's financial need and to the availability of funds to the board. If the claimant's gross annual income reported on the claimant's tax return for the prior year is more than 185 percent of the federal poverty level for that year, the claimant is not considered to have a continuing financial need and benefits must be discontinued. After benefits are discontinued, they cannot be resumed at a later time

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

**History:** *20 SR 2376*

NOTE: The amendments adopted to subpart 4, at 20 SR 2376, are effective for claims submitted as a result of crimes committed on or after April 1, 1996

**7505.3200 LOSS OF INCOME.**

*[For text of subpart 1, see M.R.]*

Subp. 2. **Computation of lost income: victim self-employed or unemployed.** If the victim was self-employed or unemployed at the time of the crime for which the claim has been filed, loss of income must be calculated at a rate which is based upon the victim's average net income in the 12 months before the crime for which the claim was filed as evidenced by tax returns, W-2 forms, check stubs, or other government agency records

The board shall deny an award for lost wages when it is determined the victim failed to report those wages upon which the loss is based to state or federal revenue departments as required by law. No compensation may be provided for unreported wages

No anticipated work may be considered for compensation, unless the victim had been hired by an employer and was unable to begin employment as a result of the crime-related injuries.

*[For text of subs 2a 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 13 additional weeks. This request must include an evaluation by a physician that states continuing disability and explains any extenuating circumstances.

Subp. 6. **Maximum number of hours.** The board may not compensate for hours missed in excess of 40 hours per week.

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 20 weeks.

**Subp. 8. Students.** The board must not reimburse a claimant for loss of tuition, scholarship, or student loan funds or loss of income due to a delay in completion of schooling related to the crime.

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

**History:** *20 SR 2376*

**NOTE:** The amendments adopted to subpart 2, at 20 SR 2376, and subparts 5, 6, 7, and 8 are effective for claims submitted as a result of crimes committed on or after April 1, 1996

### **7505.3500 PARENTS OF CHILD VICTIMS.**

The board shall authorize payment for up to five counseling sessions for a parent who is a primary caretaker of a victim of domestic child abuse or child sexual assault, if the treatment plan filed under and complying with part 7505.2700 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. Total payment to a parent under this provision must not exceed \$2,000. Computation of lost wages shall be the same as under part 7505.3200.

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

**History:** *20 SR 2376*

**NOTE:** The amendments adopted to this part at 20 SR 2376 are effective for claims submitted as a result of crimes committed on or after April 1, 1996