



VICTIMS COMPENSATION ASSISTANCE PROGRAM (VCAP)

The Victims Compensation Assistance Program (VCAP) compensates victims of crime for expenses associated with their victimization. Individuals who are injured during a crime may be compensated for medical expenses, counseling, relocation expenses, crime-scene cleanup expenses, loss of earnings, loss of support, stolen benefit cash, and funeral expenses.

VCAP is a program of the Pennsylvania Commission on Crime and Delinquency (PCCD) under the Office of Victims' Services. Its goal is to increase the number of filed and compensated claims in PA through heightened awareness and knowledge. A part of this goal is to work with agencies, such as the Pennsylvania Coalition Against Rape (PCAR), to enhance the program and reach out to victims of sexual violence.

Many survivors of sexual assault find it empowering to file claims for compensation. They feel being reimbursed for some of the expenses caused by the offender is a small way of achieving justice, especially since convicted perpetrators are required to pay into the program. Some survivors also feel that getting reimbursed for out-of-pocket expenses gives them a sense that the system is responding in some way to their needs. Of course VCAP cannot truly "pay back" a victim of sexual violence emotionally and physically, but it can help relieve some of the financial stress.

Frequently Asked Questions About VCAP

Who is eligible for compensation?

A potential applicant for VCAP must qualify for at least one of the following categories: victim of a crime in Pennsylvania; an intervenor (an intervenor is a person who is hurt or killed while helping someone who is the target of a crime); a surviving spouse, parent, or child of a deceased victim or intervenor; a parent/guardian of a child victim; any other person dependent for her/his principal support upon a deceased victim or intervenor; any person who assumes the obligation or who pays for the crime-scene cleanup, funeral, or burial expenses incurred as a direct result of the crime.

Is there a minimum loss requirement?

If the victim is under age 60, there is a minimum requirement of any combination of benefits of \$100. If the victim is age 60 or older there is no minimum loss required.

Is there a time limit for filing a claim?

Yes. A claim must be filed no later than two (2) years after the occurrence of the crime, **or** no later than two years after the discovery of the occurrence of a crime. **Exception:** When a victim is under the age of 18 at the time the crime occurred and the alleged offender is the victim's parent, person responsible for the victim's welfare, any individual residing in the same home as the victim, or a paramour of the victim's parent, the time for filing is extended until the victim reaches the age of 23 or the statute of limitations expires, whichever is later. If filing for counseling only, then the filing time is extended, regardless of who the perpetrator is.

Does the victim have to report the crime to the police?

The crime must be reported to the proper authorities within 72 hours after the occurrence of the crime. The Program may consider a delay in reporting to be justified when the claimant is mentally or physically incapacitated, the victim is a minor, there is fear of retaliation, the occurrence of the crime is not readily apparent or other circumstances deemed appropriate by the Office of Victims' Services.

VCAP Eligibility Scenarios

The following scenarios may help you understand all that VCAP can do for victims of sexual assault. The program offers reimbursement for a variety of services and items that can assist victims with their recovery by lifting the financial burden of the assault.

Minimum Loss Requirements:

- Q. A victim of sexual assault is receiving counseling for his victimization. He lives in a rural area and the nearest counselor is over an hour away. He parks in a parking garage when he arrives. Is he able to be reimbursed for mileage and parking fees?
- A. Yes. Transportation and parking costs for medical care and counseling can count toward the \$100 out-of-pocket expenses.

Replacement Services:

- Q. A mother of three young children was recently assaulted. She is unable to perform basic tasks around the house. Can she be reimbursed for assistance with household chores?
- A. Yes. Reimbursement for replacement services is available whether they are provided by a family member or others. Replacement services are services that a victim usually performed but is no longer able to due to the crime. Examples include: cooking, childcare, cleaning, home maintenance, and errands. The services must be medically required and certified by a health care provider to be eligible for reimbursement.

Personal Property:

- Q. During an assault, a few pieces of a victim's furniture were broken as were her eyeglasses. Are these items eligible for reimbursement?
- A. The furniture is considered personal property and is not covered. The eyeglasses, however, are considered medical equipment and are eligible for reimbursement.

Victims Compensation Assistance Program and the Forensic Rape Examination (FRE)

Victims who seek a sexual assault forensic exam and treatment can choose to have VCAP pay for the forensic exam, rather than their private health insurance. There is a check-box on the new FRE Claim Form and a signature is required when a victim chooses this option. The victim does not have to apply for any other type of compensation or meet the minimum loss requirements in order for the forensic rape expenses to be considered.

VCAP pays the hospital directly for the Forensic Rape Examination (FRE). Hospitals are required to complete a FRE claim form and attach a copy of the itemized bill in order to receive payment. The medical provider may receive a payment not to exceed \$1000 for the FRE and related medications provided. Payment to the provider by VCAP is to be considered payment in full. **By law, hospitals are NOT to bill victims for the cost of a forensic rape examination.**

Pennsylvania Coalition Against Rape
125 N. Enola Drive
Enola, PA 17025
800.692.7445 or 717.728.9740
Fax: 717.909.5864 or 717.728.9781
www.pcar.org

Resources

The following resources can provide information regarding VCAP

**Pennsylvania Commission on Crime and Delinquency,
Office of Victims Services**
Victims Compensation Assistance Program
PO Box 1167
Harrisburg, PA 17108-1167
Phone: 800.233.2339
www.pccd.state.pa.us

Office of the Victim Advocate
1101 S. Front St., Suite 5200
Harrisburg, PA 17104-2518
Phone: 800.563.6399
Fax: 717.787.0867
www.pbpp.pa.us/ova

Pennsylvania District Attorneys Association
2929 N. Front St.
Harrisburg, PA 17110
Phone: 717.238.5416
Fax: 717.231.3912

You can stay informed about updates and changes in compensation through the VCAP bulletin, *Compensation Update*, which is sent to every sexual assault, domestic violence, and victim/witness program in Pennsylvania.