

14B NCAC 09 .0302 PROCESSING AND PAYMENT OF CLAIMS

- (a) An application for a claim shall be accepted only when submitted on an approved claim application form and a determination is made by the Director that the application is complete with the required information in accordance with G.S. 15B-7.
- (b) Claims will be processed in the order in which the completed applications are received, deliverable by United States mail. In any consideration of competing claims, with respect to priority order of processing, the filed date stamped on the claim shall be controlling.
- (c) Every claim filed is subject to investigation to determine eligibility in accordance with G.S. 15B-8 by the Director. Failure of the claimant to cooperate in the investigation may result in a denial of the claim or a reduction in the amount awarded.
- (d) The Director or the Commission may reopen the investigation of any claim upon a finding that the claimant has provided additional information.
- (e) The Director shall mail a written statement of the award decision to the claimant along with the check for the award, if any, within 15 days of the Director's or the Commission's decision or verification of current collateral source information, whichever occurs last. This written statement shall notify the claimant: whether this check is a partial or complete payment of the award; of any payments made directly to a service provider; and of appeal rights.
- (f) Claims shall be docketed for determination of payment in an order determined by the Director.
- (g) All payments of compensation shall be made in strict accordance with the award issued by the Director or the Commission.
- (h) A claimant who fails to cooperate with or supply requested information including medical expenses, current contact information, details regarding circumstances of crime to the Director or who supplies inaccurate or incomplete information may have the claim denied or the award reduced, in the discretion of the Director or the Commission.
- (i) The claimant shall inform the Director at any time before any action brought to recover damages for the criminally injurious conduct that is the basis of any claim or award and the availability of any collateral source. The failure to provide such information may be considered as fraud, allowing the Director or the Commission to reduce or deny an award or to recover monies previously paid.
- (j) All notifications and payments or other documents transmitted by mailing will be sent to the address submitted by the claimant. The claimant shall notify the Director in writing of any change of address.

*History Note: Authority G.S. 15B-3; 15B-6;
Temporary Rule Eff. November 24, 1987 For a Period of 171 Days to Expire on May 13, 1988;
Eff. April 1, 1988;
Transferred from 14A NCAC 11 .0501 Eff. June 1, 2013;
Readopted Eff. September 1, 2020.*