

CHAPTER 09 – DIVISION OF VICTIM SERVICES

SECTION .0100 - ASSISTANCE PROGRAM FOR VICTIMS OF RAPE AND SEX OFFENSES

- 14B NCAC 09 .0101 PURPOSE AND INTENT**
- 14B NCAC 09 .0102 ELIGIBILITY FOR FINANCIAL ASSISTANCE**
- 14B NCAC 09 .0103 ALLOWABLE COSTS AND BENEFITS**
- 14B NCAC 09 .0104 LIMITATIONS OF COVERAGE**
- 14B NCAC 09 .0105 METHOD OF PAYMENT**
- 14B NCAC 09 .0106 APPEAL**

History Note: Authority G.S. 143-479; 143B-477; 143B-480.1; 143B-480.2(a), (c); 143B-480.3(a);
Eff. December 1, 1984;
Transferred from 14A NCAC 11 .0301-.0306 Eff. June 1, 2013;
Expired Eff. February 1, 2018 pursuant to G.S. 150B-21.3A.

SECTION .0200 - COMMUNITY PENALTIES PROGRAM

- 14B NCAC 09 .0201 PURPOSE AND INTENT**

History Note: Authority G.S. 143B-500 through 143B-507;
Eff. January 1, 1988;
Transferred from 14A NCAC 11 .0401 Eff. June 1, 2013;
Expired Eff. February 1, 2018 pursuant to G.S. 150B-21.3A.

- 14B NCAC 09 .0202 ELIGIBILITY FOR FINANCIAL ASSISTANCE**

History Note: Authority G.S. 143B-500 through 143B-507;
Eff. February 1, 1988;
Transferred from 14A NCAC 11 .0402 Eff. June 1, 2013;
Expired Eff. February 1, 2018 pursuant to G.S. 150B-21.3A.

- 14B NCAC 09 .0203 ALLOWABLE COSTS**
- 14B NCAC 09 .0204 DISALLOWABLE COSTS**
- 14B NCAC 09 .0205 INDIRECT COSTS**
- 14A NCAC 09 .0206 MINIMUM DOLLAR AMOUNT FOR APPLICATION ACCEPTANCE**
- 14B NCAC 09 .0207 GRANT APPLICATION FORM AND REQUIREMENTS**
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- 14B NCAC 09 .0210 GRANT PERIOD**
- 14B NCAC 09 .0211 PROCESSING MERITORIOUS APPLICATIONS**
- 14B NCAC 09 .0212 SELECTION CRITERIA**
- 14B NCAC 09 .0213 EVALUATIONS CRITERIA**
- 14B NCAC 09 .0214 METHOD OF PAYMENT**
- 14B NCAC 09 .0215 GRANT TERMINATION**
- 14B NCAC 09 .0216 NON-SUPPLANTING**

History Note: Authority G.S. 143B-500 through 143B-507;
Eff. January 1, 1988;
Transferred from 14A NCAC 11 .0403-.0416 Eff. June 1, 2013;
Expired Eff. February 1, 2018 pursuant to G.S. 150B-21.3A.

SECTION .0300 - CRIME VICTIMS COMPENSATION COMMISSION

- 14B NCAC 09 .0301 ADMINISTRATION**

(a) The offices of the Crime Victims Compensation Commission are located in the Archdale Building, 512 North Salisbury Street, in Raleigh, North Carolina, 27611. The office hours of the Crime Victims Compensation Commission is Monday to Friday from 8:00 a.m. to 5:00 p.m.

(b) The use of any printed forms other than those approved and adopted by this Commission is prohibited. Approved forms may be obtained from the Commission. The forms may be found at: <https://www.ncdps.gov/document/victim-compensation-application>.

History Note: Authority G.S. 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.

14B NCAC 09 .0302 PROCESSING AND PAYMENT OF CLAIMS

(a) An application for a claim shall only be submitted on an approved claim application form located on the Crime Victim Compensation website, <https://www.ncdps.gov/4victims>, and shall include information set forth in G.S. 15B-7. An application for a claim shall be submitted on an approved claim application through the Crime Victim Compensation application portal, or by fax, or by email. The portal will be accessed through the NCDPS Victim Compensation Services website where there will be access to the portal using a weblink or a QR code. The public will gain access using electronic devices such as smart phones, computers, tablets and i-Pads. The Director shall determine if the application is complete with the required information in accordance with G.S. 15B-7. An application for a claim shall be accepted only if all the preceding conditions are met. The date stamped on the claim shall control the order of processing any competing claims.

(b) 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 business days of the Director's or the Commission's decision according to G.S. 15B-10 or verification of current collateral source information, whichever occurs last according to G.S. 15B-16. 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.

(c) Claims shall be docketed on a list to be reviewed by the Commission or the Director for determination of payment in accordance with G.S. 15B-8 and 15B-10.

(d) All payments of compensation shall be made in accordance with the award issued by the Director or the Commission according to G.S. 15B-2(1), 15B-10, and 15B-11.

(e) 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. Each claim filed is investigated to determine eligibility in accordance with G.S. 15B-7(b). The failure to provide such information may be considered as fraud in accordance with G.S. 15B-7(b), allowing the Director or the Commission to reduce or deny an award or to recover monies previously paid.

(f) All notifications and payments or other documents transmitted by U.S. Mail 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-2; 15B-3; 15B-4; 15B-6; 15B-7; 15B-8; 15B-10; 15B-11; 15B-16;
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;
Amended Eff. March 1, 2025.

14B NCAC 09 .0303 MEETINGS OF THE COMMISSION

14B NCAC 09 .0304 CONTESTED CASES

History Note: Authority G.S. 15B-3; 15B-6, 15B-12; 150B, Article 3; S.L. 1987, c. 819, s. 35;
Temporary Rule Eff. November 24, 1987 For a Period of 171 Days to Expire on May 13, 1988;
ARRC Objection Eff. January 21, 1988;
Eff. April 1, 1988;
Transferred from 14A NCAC 11 .0504-.1505 Eff. June 1, 2013;
Repealed Eff. November 1, 2020.

14B NCAC 09 .0305 AWARDS

The Director or the Commission may award a partial payment to the claimant, the acceptance or presentment of which shall not be deemed to constitute a waiver of any further rights.

*History Note: Authority G.S. 15B-6; 15B-10;
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 .0506 Eff. June 1, 2013;
Readopted Eff. September 1, 2020.*