

Phase I: Administrative Rule Inventory for Crime Victims Compensation Commission

Inventory current as of September 1, 2023

Rule Citation	Short Description	Regulatory Text	Statutory Authority	# of Discretionary Regulatory Restrictions
262-X-1-.01 (5)	Definitions	(5) Definitions: As used in these rules the following words shall include, but are not limited to, the following meanings unless the context clearly requires a different meaning:	Ala. Code § 15-23-3	0
262-X-1-.01 (5) (b) 2	Definitions	2. An act occurring or attempted outside the geographical boundaries of this state in another state of the United States of America which is punishable by fine, imprisonment or death and which results in personal injury or death to a citizen of this state; and shall include an act of terrorism	Ala. Code § 15-23-3(2) (b)	0
262-X-1-.01 (5) (b) 2	Definitions	The term 'criminally injurious conduct' shall not mean: An act committed outside the geographical boundaries of this state upon a person who was not at the time such act was committed a citizen of the State of Alabama	Ala. Code § 15-23-3(2) (b) 9	0
262-X-1-.01 (5) m	Definitions	(m) Economic Loss. Monetary detriment consisting only of allowable expense, work loss, replacement services loss and, if injury causes death, economic loss and replacement services loss of the dependent, but shall not include noneconomic loss, or noneconomic detriment.	Ala. Code § 15-23-3(11)	0
262-X-1-.01 (5) p	Definitions	(p) Immediate Family. Immediate family for purposes of determining compensation eligibility shall mean spouse, child, and parent/legal guardian.	Ala. Code § 15-23-5(14)	1
262-X-2-.01 (1)	Composition of Commission	(1) There is hereby created the Alabama Crime Victims Compensation Commission, which shall be composed of three residents of the State of Alabama, who shall be appointed by the Governor with the advice and consent of the Senate, for terms of four (4) years each or until their successors are appointed and qualified. Provided, however, initial appointments shall be as follows: One member shall be appointed for two (2) years and one member shall be appointed for three (3) years and one member shall be appointed for four (4) years. All appointments to fill vacancies shall be for the duration of the unexpired term and subsequent appointments shall be for four-year terms. The membership of the board shall be inclusive and the Governor shall coordinate his or her appointments so that the diversity of gender, race, and geographical areas is reflective of the makeup of this state.	Ala. Code §15-23-4 (a)	0

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262-X-2-.01 (2)	At least one Commissioner must be a law enforcement officer	(2) At least one member shall be a law enforcement officer with a minimum of 10 years' experience in or with a law enforcement agency which has among its primary duties and responsibilities the investigation of violent crimes and the apprehension or arrest of the perpetrators.	Ala. Code §15-23-4 (b)	0 (Statutory requirements)
262-X-2-.01 (3)	At least one Commissioner must be a crime victim, a deceased victim's immediate family, or an officer in a nonprofit charitable crime victims organization.	(3) At least one member shall be a victim of a crime of violence who suffered serious personal injury as a result of the crime, a member of a victim's immediate family or a member of a deceased victim's immediate family if the deceased victim died as a result of a crime of violence, or an officer of a nonprofit charitable crime victims organization established pursuant to the laws of Alabama.	Ala. Code §15-23-4 (c)	0 (Statutory requirements)
262-X-2-.02	Election of Officers and selection of Executive Director.	Each year the Commission shall elect a chairman from its membership. Chairperson elections shall be held in the month of June. The Commission may appoint an executive director who shall serve at the pleasure of the Commission and shall be paid a salary in an amount to be determined by the Commission.	Ala. Code §§ 15-23-4 (d) – (e)	1
262-X-2-.03	Quarterly meetings and quorum requirements	The Commission shall have its principal place of business in the county wherein the State Capitol is located. The Commission shall quarterly hold at its principal place of business public meetings on the second Thursday of January, April, July, and October at 9:00 a.m. and at times and places as its members may elect. Any two (2) members of the Commission shall constitute a quorum for the purposes of transacting the business of the Commission and two (2) votes in favor shall be necessary for a decision by the Commission at any meeting of the Commission. Meetings shall be conducted using Roberts Rules of Order. All meetings of the Commission shall be publicized in accordance with the Alabama Open Meetings Act. Any change to the regular Commission meeting shall be publicized in accordance with the Alabama Open Meetings Act.	Ala. Code §§ 15-23-4 (f) – (h)	0 (Statutory requirements)
262-X-2-.04 (a)	Rule-making	(a) From time to time the Commission shall establish rules and regulations for the administration of its duties and responsibilities pursuant to this chapter. All	Ala. Code § 15-23-4 (i)	3

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		rules shall be passed by a majority vote of the three member Commission. A copy of the current rules shall be published in each year's annual report and shall be made available to the public upon request.		
262-X-2-.04 (b) (2)	Commission action on petition to change a rule.	2. Action by the Commission on any such petition shall be as provided in ALA. CODE § 41-22-8.	Ala. Code § 41-22-8	0 (Statutory requirements)
262-X-2-.04 (c) (2)	Petition for Declaratory Judgments	2. The petition shall be in writing and shall include:	Ala. Code § 41-22-8	0 (Statutory requirements)
262-X-2-.04 (c) (3)	Petition for Declaratory Judgments	3. Failure of the Commission to issue a declaratory ruling within forty-five days of date of receipt of request shall constitute a denial of the request.	Ala. Code § 41-22-8	1
262-X-2-.04 (c) (4)	Petition for Declaratory Judgments	4. Circumstances in which rulings shall not be issued include, but are not necessarily limited to: (a) Lack of jurisdiction; (b) Lack of clarity of the issue presented; (c) No clear answer determinable; (d) On a petition which seeks the immediate payment or non-payment of benefits under the Alabama Crime Victims' Compensation Act; (e) If petitioned for by a person not a party to the contested case if the matter is involved in a contested case; (f) On matters in litigation.	Ala. Code § 41-22-8	1
262-X-2-.05	Records and Open Meetings Act	The chairman of the Commission shall keep a true record of all the proceedings of the meetings of the Commission. At the call of any member the vote on any pending question shall be taken by 'ayes' and 'nays', and the same shall be entered in such record. The written minutes of the proceedings shall be maintained by the agency. The Commission shall meet in Executive Session in compliance with the Alabama Open Meetings Act. The record of the proceedings of the Commission shall be open to any member of the Commission and to the public at all times and a copy of such record, certified by	Ala. Code §§ 15-23-4 (j) – (k)	1 (Statutory requirements)

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		the chairman shall be competent evidence in all courts. Provided, however, the Commission shall decline to disclose the names and addresses of victims or claimants who have applied for compensation pursuant to the provisions of this chapter or the facts or circumstances of the criminally injurious conduct perpetrated against them.		
262-X-2-.06	Bond	All members and employees of the Commission handling money or exercising authority over any property shall, before entering the discharge of their duties, give bond with a surety company authorized to do business in the State of Alabama, a surety, payable to the Commission in an amount or amounts sufficient to protect the Commission against any loss with respect to the funds, money or property handled, conditioned for the faithful discharge of their duties and responsibilities and further conditioned upon their faithfully accounting for all monies, funds, or properties coming into their possession in the capacity of their employment.	Ala. Code § 15-23-4 (l)	0 (Statutory requirements)
262-X-2-.07	Legal Representation for Commission	The attorney general or the district attorney of the county wherein the state capital is located shall, upon written request by the Commission represent the Commission in all litigation to which the Commission is a party or in which the Commission has an interest. The attorney general shall serve as legal advisor to the Commission.	Ala. Code § 15-23-4 (m)	0 (Statutory requirements)
262-X-2-.08	Compensation of Commission members.	All Commission members shall be paid and reimbursed for expenses as established by the Code of Alabama.	Ala. Code § 15-23-4 (n)	0 (Statutory requirements)
262-X-3-.01	Commission's powers and duties.	The Commission shall have all the powers and privileges of a corporation and all of its business shall be transacted in the name of the Commission. In addition to any other powers and duties specified elsewhere in this chapter, the Commission may do any of the following:	Ala. Code § 15-23-5	0 (Statutory requirements)
262-X-3-.01 (4)	Commission's powers and duties.	Obtain access to investigative reports made by law enforcement officers or law enforcement agencies which may be necessary to assist the Commission in making a determination of eligibility for compensation under the provisions of this chapter; provided, however, such reports and the information contained	Ala. Code § 15-23-5 (4)	0 (Statutory requirements)

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		therein, when received by the Commission, shall be confidential and under no circumstances may the Commission disclose the same except to a grand jury;		
262-X-3-.01 (13) (a)	Commission's powers and duties.	a. The Commission shall review all contested cases pursuant to the Alabama Administrative Procedure Act. The Commission may affirm, reverse, or modify the executive director's claims decisions.	Ala. Code § 15-23-5 (13) (b)	0 (Statutory requirements)
262-X-3-.01 (17)	Commission's powers and duties.	Employ such agents, attorneys, actuaries and other specialized personnel that shall be necessary or desirable to enable the Commission to carry on its functions in a proper and sound manner;	Ala. Code § 15-23-5 (17)	0 (Statutory requirements)
262-X-3-.01 (22)	Commission's powers and duties.	Collect, develop and maintain statistical information, records and reports to carry out its powers, duties or functions, pursuant to the provisions of this chapter. All agencies and institutions of this state or the political subdivisions thereof, upon written request by the Commission, shall furnish the Commission such statistical information or data as requested by the Commission to fulfill its duties and responsibilities;	Ala. Code § 15-23-5 (22)	0 (Statutory requirements)
262-X-3-.01 (23)	Commission's powers and duties.	Award loans or grants of money, equipment or personnel to public or private nonprofit corporations or associations, agencies of the State of Alabama or political subdivisions thereof, or to state, county, or municipal law enforcement, prosecutorial, or judicial agencies upon such terms and conditions as the Commission may deem proper for the purpose of developing, enhancing or establishing bona fide model crime victims service programs which emphasize the collection of restitution from criminals as an integral part of the criminal justice process. The loans or grants shall only be awarded when sufficient funds are available in excess of reasonably anticipated or projected claims for compensation;	Ala. Code § 15-23-5 (23)	0 (Statutory requirements)
262-X-3-.02	Annual Report Required.	The Commission shall publish annually a report showing the fiscal transactions of the Commission for the preceding year, the amount of the accumulated cash, and securities of the Commission and a balance sheet showing the financial condition of the Commission by means of an actuarial evaluation of the assets	Ala. Code § 15-23-6	0 (Statutory requirements)

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		and liabilities of the Commission. The current agency administrative code shall be published in each year's annual report.		
262-X-3-.03	Every other year audit required.	The Director of the Department of Examiners of Public Accounts shall at least once every other year and at such other times as such director shall deem appropriate cause to be performed a detailed audit of the financial affairs of the Commission and shall promptly notify the appropriate grand jury as to any possible violations of law.	Ala. Code § 15-23-7	0 (Statutory requirements)
262-X-3-.04 (2) (3)	Reopening of claims and subpoenas	(2) The Commission shall hear and determine all matters relating to claims for compensation, and shall have the power to reinvestigate or reopen claims without regard to statutes of limitation. (3) The Commission shall have the power to subpoena witnesses, compel their attendance, require the production of records and other evidence, administer oaths or affirmations, conduct hearings and receive relevant evidence.	Ala. Code §15-23-8	0 (Statutory requirements)
262-X-3-.05	Collateral source	The Commission shall not require any claimant to seek or accept any collateral source contribution, unless the claimant was receiving or was entitled to receive such benefits prior to the occurrence giving rise to the claim under the provisions of this chapter; provided, however, no applicant shall be denied compensation solely because such applicant is entitled to income from a collateral source. All claimants filing a civil suit for damages resulting from the victimization for which they filed for compensation must promptly report the filing of such suit to the Commission.	Ala. Code § 15-23-9	0 (Statutory requirements)
262-X-3-.06	Procedure In Contested Cases.	a) Every party to a claim shall be afforded an opportunity to appear and be heard and to offer evidence and argument on any issue relevant to the claim, and to examine witnesses and offer evidence in reply to any matter of an evidentiary nature in the record relevant to the claim. (b) In a contested case, all parties shall be afforded an opportunity for a hearing after reasonable notice pursuant to regulations promulgated by the commission. A record of the proceedings of the hearing in a contested case shall be made and shall be transcribed upon request of any party who shall pay transcription costs unless otherwise ordered by the commission.	Ala. Code § 15-23-10(a)(b)(c)	0 (Statutory requirements)

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		<p>(c) The commission may, without a hearing, settle a claim by stipulation, agreed settlement, consent order or default.</p> <p>(1) In the event that a crime victims' compensation claim is approved in a modified form, not approved, or approved - but reduced, the Commission shall notify the claimant by certified mail, return receipt requested, within ten (10) calendar days of the Commission's action setting forth the basis of the Commission's decision.</p> <p>(2) The claimant shall have the right to appeal the Commission's final decision. The claimant may appeal the final decision by notifying the Commission's Executive Director in writing of the intent to appeal within thirty (30) calendar days of receiving the letter setting forth the Commission's decision. The appeal request must be received by the Commission within thirty (30) calendar days. Regular mail is accepted. However, certified mail is strongly recommended. The claimant must sign the request for a contested case hearing (administrative appeal hearing) in order for it to be processed.</p> <p>(3) All contested case hearings shall be held in accordance with the Alabama Administrative Procedures Act.</p> <p>(4) All claimants shall receive a minimum of thirty (30) days notice of the contested case hearing.</p> <p>(5) Pursuant to §41-22-12(a) <i>Code of Alabama</i> (1975), the Commission shall deliver to the claimant the notice of the contested case hearing by first class mail, postage prepaid, to be effective upon the deposit of the notice in the mail. The notice of the administrative appeal hearing shall also be delivered to the claimant by certified mail, return receipt requested.</p> <p>(6) In a contested case hearing, all parties shall be afforded an opportunity to appear and be heard.</p> <p>(7) The claimant may request that subpoenas be issued for the contested case hearing.</p>		

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		<p>(8) The Commission shall render its decision relative to the contested case hearing within ten (10) calendar days of the formal hearing and the claimant will be notified by certified mail, return receipt requested.</p> <p>(9) An impartial governmental hearing officer from a list certified by the State of Alabama Personnel Department shall be provided by the Commission to preside over all contested case hearings and perform such parliamentary functions as he/she deems necessary. The Commission shall render the final decision in the claim. A certified court reporter shall be used to transcribe each appeal hearing. A record of the proceedings shall be made and shall be transcribed upon request of any party, who shall pay transcription costs unless otherwise ordered by the Commission.</p> <p>(10) The claimant's contested case hearing will be dismissed if he/she fails to appear without good cause.</p>		
262-X-4-.01 (3) (4)	Submission of claims and documents requests.	<p>(3) The date on which each claim is received by the Commission shall be documented. An ACVCC application that has been signed by either facsimile signature or electronic signature must be submitted for a compensation request to be processed. If the Commission is not satisfied that the facsimile signature or the electronic signature is authentic, it may request an original, notarized signature from the claimant.</p> <p>(4) The Commission will make written request to the claimant for needed information/documentation. The claimant shall have forty-five (45) days to submit the requested information/documentation to the Commission. Failure to provide information/documentation within forty-five (45) days may, at the Commission's discretion, result in the non-approval of the claim.</p>	<u>Ala. Code</u> <u>§15-23-5 (14)</u>	2
262-X-4-.02 (6)	Collateral source	Requested expenses shall not be eligible for compensation if they have been paid by a collateral source.	Ala. Code §15-23-12 (4) (b)	0 (Statutory requirements)

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262-X-4-.02 (8)	Compensation cannot benefit offender	No portion of the compensation shall benefit the offender or accomplice.	Ala. Code §15-23-12 (a) (3)	0 (Statutory requirements)
262-X-4-.02 (9)	Felonies and criminally injurious conduct	If the applicant, after making application for compensation to the Commission, then perpetrates any criminally injurious conduct or is convicted of a felony, the applicant shall be ineligible for compensation.	Ala. Code § 15-23-23	0 (Statutory requirements)
262-X-4-.02 (13) (d)	Submission of Beason-Hammon documents.	Failure to provide this documentation within the requested time shall result in the non-approval of the compensation claim.	Ala. Code §31-13-1	0 (Statutory requirements)
262-X-4-.02 (13) (e)	Effective date of rule.	This rule shall be effective upon the filing date and apply to claims pending and/or claims received on or after the filing date.	Ala. Code §15-23-5 (14)	1
262-X-4-.03 (f) (5)	Contribution factors	Whether the criminally injurious conduct made the basis of the compensation claim occurred at a place known for illegal activity (shot house, house of gambling, house of prostitution or drug house) or arose out of acts involving violation(s) of federal, state, or municipal laws. A contribution factor shall not be accessed for persons who were in such areas for a legitimate purpose and not involved in any type of illegal activity.	Ala. Code §15-23-12 (a) (2)	1
262-X-4-.04 (4)(1) (g)	Future economic loss and collateral source.	(g) All awards for future economic loss shall be diminished or denied to the extent that the future economic loss is recouped from a collateral source.	Ala. Code §15-23-12 (4) (b)	0 (Statutory requirements)
262-X-4-.04 (5)	Food expenses not included in burial expenses.	Food expenses shall not be considered expenses related to funeral, cremation, or burial.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (8)	Documentation required for lost wages.) Lost wages shall be verified by obtaining written documentation from the employer or by submission of a W2 tax document. A tax transcript from the IRS is required if the person seeking reimbursement of his/her lost wages is self-employed.	Ala. Code §15-23-5 (14)	2
262-X-4-.04 (10)	Leave and holiday time not considered as collateral source.	Annual leave, sick leave, personal leave or holidays shall not be considered a collateral source and may be reimbursed by the Commission.	Ala. Code §15-23-5 (14)	1

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262-X-4-.04 (12)(b)	Life insurance is a collateral source.) Life insurance shall be considered a collateral source for all claims. If life insurance does not fully compensate the deceased victim's dependents for the eligible expenses they incurred as a result of the victimization, the remaining eligible expenses may be eligible for compensation.	Ala. Code §15-23-12 (2) (b)	1
262-X-4-.04 (13)(c)	Charitable donations are not a collateral source.	Charitable donations shall not be considered a collateral source for compensation.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (15)(a)	Travel to trial not reimbursable when paid by prosecutor's office.	When the prosecutor's office or any other entity pays for all or part of the victim's or immediate family member's travel expenses, that amount shall be deducted from the compensation award for travel expenses.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (15)(b)	Parole travel expenses reimbursement rate.	Eligible parole travel expenses shall be reimbursed at the current Internal Revenue Service's standard mileage rate, coach rate for airfare, and per diem at a rate of \$100.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (15)(e)	Rental car reimbursement	Rental Cars. When the person requesting compensation has rented an automobile for eligible travel expenses, the person may be reimbursed for mileage or a daily rental car fee of \$35. Under no circumstances shall the requesting person receive both.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (17)	Exclusion from payment.	Exclusion from Payment. The following expenses shall not be eligible for compensation: a) Any expense related to the prosecution of the criminal case. (Examples: expert testimony and witnesses; DNA testing and analysis; evidence photographs and videos; blood samples and travel expenses for witnesses subpoenaed to testify.) b) All legal fees shall be excluded from payment except legal fees incurred to establish a legal guardian for the victim as defined by Alabama Administrative Code (ACVCC) 262-X-4-.04(22).	Ala. Code §15-23-5 (14)	2
262-X-4-.04 (20)	Check language.	Checks issued by the ACVCC may contain the following language: "Cashing this check constitutes payment in full." This shall not be construed to apply to future compensation benefits for which the victim/claimant may be eligible. It shall be the responsibility of the victim/claimant to assert this defense in any	Ala. Code §15-23-5 (14)	3

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		type of collection proceeding against him/her. If the service provider refuses the check, the compensation shall be paid directly to the victim/claimant.		
262-X-4-.04 (21)	Bills written off to charity.) When a victim/claimant is approved for charity by a service provider, the charity approval shall be considered a collateral source and compensation shall not be paid to the service provider.	Ala. Code §15-23-5 (14)	2
262-X-4-.04 (22)	Legal fees.	Legal fees incurred for any reason other than obtaining guardianship shall not be eligible for reimbursement. The Commission shall not reimburse legal fees if the claimant is not granted guardianship of the victim.	Ala. Code §15-23-5 (14)	2
262-X-4-.04 (27)	Tattoo-removal reimbursement for victims of human trafficking	Reimbursement may be provided for certified victims of human trafficking and all qualified victims of violent crime for the removal/cover-up of tattoos that were physically forced on them by the alleged offender in the incident made the basis of the compensation claim. The Commission shall decide reasonable reimbursement on a case-by-case basis. The provider must be licensed by the appropriate governmental body to perform the service rendered to qualify for payment/reimbursement.	Ala. Code §15-23-5 (14)	1
262-X-4-.05 (d)	Crime-scene clean-up	Crime scene clean up shall be considered an emergency service.	Ala. Code §15-23-5 (14)	1
262-X-4-.05 (e)	Prescription drugs as emergency.	Prescription drugs that have been prescribed as a result of victimization shall be considered an emergency product. A copy of the prescription and the pharmacy's statement of the cost of the drug must be received by the Commission for the prescription expense to be considered for emergency payment. Prescriptions for pre-existing medical conditions shall not be considered for reimbursement.	Ala. Code §15-23-5 (14)	2
262-X-4-.05	Emergency awards.	The applicant may request in the initial application that consideration be given for an emergency award and provide justification for such award. A decision denying an emergency award shall not be appealable. The amount of such emergency award shall not exceed one thousand dollars. An emergency award shall be deducted from the final compensation made to the applicant.	Ala. Code §15-23-5 (14)	3

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262-X-4-.06 (1)	Garnishments.	An award shall not be subject to state or municipal taxation or to execution, attachment, or garnishment, except as same may pertain to an obligation for the support of dependent children or as the same may pertain to a creditor which has provided products, services or accommodations, the cost of which are included in the award.	Ala. Code §15-23-15 (e)	1
262-x-4-.07 (3)(c)	Counseling reimbursements) Reimbursement for therapy expenses shall not exceed \$6,250, or 50 sessions. Reasonable efforts should be made to inform victims/claimants that therapy services are provided by community mental health centers on a sliding fee scale. Inpatient treatment shall be considered a medical condition for purposes of compensation. When the victim is a minor, the claimant shall be limited to 15 individual therapy sessions, unless the victim is deceased. The 15 individual therapy sessions limit shall not apply to homicide cl	Ala. Code §15-23-15 (e)	4
262-x-4-.08 (a)	Out-of-state claims	Pursuant to § 15-23-3 (2)b of the <i>Code of Alabama</i> , criminally injurious conduct includes an act occurring or attempted outside the geographical boundaries of this state in another state of the United States of America which is punishable by fine, imprisonment, or death and which results in personal injury or death to a citizen of this state, and shall include an act of terrorism, as defined in Section 2331 of Title 18, United States Code, committed outside of the United States, against a resident of this state;	Ala. Code § 15-23-3 (2)b	0 (statutory requirements)
262-x-4-.08 (b)	Out-of-state claims	The term "criminally injurious conduct" shall not mean: An act committed outside the geographical boundaries of this state upon a person who was not at the time a citizen of Alabama, or an act committed outside the geographical boundaries of this state upon a person who at the time had departed the geographical boundaries of this state for the purpose of becoming a citizen of, or establishing a permanent place of residence in, another state.	Ala. Code 15-23-3 (2)(b)	0 (statutory requirements)
262-x-4-.09 (a)(2)	Homicide claimants.	If a homicide victim has multiple relatives with the same degree of consanguinity, the relative that files for compensation benefits first shall be the claimant.	Ala. Code §15-23-15 (e)	1

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262-x-4-.10 (1)	Reconsider of award.	An order on reconsideration of an award shall not require a refund of amounts previously paid, unless the award was obtained by fraud.	Ala. Code § 15-23-12(d)	0 (statutory requirements)
262-X-5-.01	Lack of cooperation with law enforcement.	The Commission shall determine the extent of the cooperation by the victim and the following criteria shall be used: (a) The claimant's failure to assist and cooperate with the prosecution of the case or to appear as a witness shall constitute noncooperation and the claim shall be denied. (b) In instances in which the claimant initially fails to cooperate with law enforcement but subsequently begins to cooperate, compensation may be reduced or denied to the extent which his/her failure to cooperate hindered the investigation and/or prosecution of the case. (c) If law enforcement indicates that the claimant was reluctant to give information pertaining to the crime; failed to appear when requested, without good cause, gave false or misleading information, or attempted to avoid law enforcement, the award shall be denied. (d) A claimant's failure to cooperate with ACVCC's processing of the claim shall also be a basis for rendering a claim ineligible.	Ala. Code § 15-23-12 (c)	6
262-X-6-.01	Compensation benefitting offender.	Compensation shall not be awarded if the award would unjustly benefit the offender or accomplice of the offender.	Ala. Code § 15-23-12 (a)(2)	0 (statutory requirements)
262-X-6-.02	Domestic abuse.	No claim resulting from an incident of domestic abuse shall be denied based solely upon a finding that a claimant resides or has resided with the alleged offender of the crime for which the claim has been filed. The Commission shall not deny payments to third party vendors based solely upon a finding that the victim and offender are maintaining a relationship. (a) Procedures. When victims of domestic abuse have submitted claims for lost wages, and where the Commission finds that the victim is living with the offender, or if the Commission is unable to determine whether a claimant is living with the offender of the crime for which the claim is filed, the	Ala. Code §15-23-5 (14)	7

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		<p>Commission shall, by mail, request that the claimant clarify whether the offender is residing with the claimant. The Commission shall, as part of this request, collect information, which determines whether there has been, and continues to be criminal justice, mental health, or human service program involvement.</p> <p>(b) Claim Determination. When an individual who has committed domestic violence is residing with a claimant who has requested lost wages, the Commission shall not deem the claim ineligible based solely on the cohabitation if there is reasonable evidence that the offender has been held accountable through the criminal justice system, human services involvement or intervention; or when there is evidence that the payment of lost wages will sustain the victim's living expenses. No claim shall be denied solely because it succeeds one previous claim for victimization by the same offender.</p> <p>(c) The continuance of a relationship between the victim and offender shall not in itself preclude payment.</p>		
262-X-7-.01	Recovery From Collateral Sources	<p>(1) If compensation is awarded, the Commission shall be subrogated to all the rights of a claimant to receive or recover from a collateral source to the extent that compensation was awarded.</p> <p>(2) If the claimant received compensation from a source other than the Commission after the Commission has made an award to the claimant, the claimant will be required by law to reimburse the Alabama Crime Victims Compensation Commission Fund. Failure to do so will result in a Class C felony.</p> <p>(3) If a claimant files a civil suit to recover damages related to the criminally injurious conduct upon which compensation has been claimed or awarded, the claimant shall give the Commission written notice within 15 days of the filing of the action. The commission may intervene in the proceedings as a complainant to recover the compensation awarded. If the Commission does give notice, attorneys fees may be awarded in an amount not to exceed fifteen percent (15%) of the amount subrogated to the Commission.</p>	Ala. Code §15-23-14	6

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		<p>(4) If the offender is ordered to pay restitution to the claimant, the claimant must notify the Commission of this action in writing.</p> <p>(5) In the case where compensation has already been paid to the claimant, the judge may award restitution to be paid directly to the Alabama Crime Victims Compensation Commission Fund.</p> <p>(6) Whenever compensation is awarded to a claimant who is entitled to restitution from a criminal defendant, the Commission may initiate restitution hearings in such criminal proceedings or intervene in same. The Commission shall be entitled to receive restitution in such proceedings to the extent that compensation was awarded. The Commission shall be subrogated to all the rights and remedies of such claimant for the collection of restitution to the extent compensation was awarded; provided, however, the Commission shall be exempt from the payment of fees or other charges for the recording of restitution orders in the offices of the judges of probate.</p> <p>(7) The Commission may reduce an award amount based on the amount already received from a collateral source contribution, unless the claimant was receiving or was entitled to receive such benefits prior to the incident for which a claim is filed.</p> <p>(8) In the event the claimant recovers compensation, other than through the provisions of this chapter, for injuries or death resulting from criminally injurious conduct, the claimant shall retain, as trustee for the Commission, so much of recovered funds as necessary to reimburse the Alabama Crime Victims Compensation Commission Fund to the extent that compensation was awarded to the claimant from that fund.</p>		
262-X-8-.01	Penalty for filing false claims.	(1) Any person who shall knowingly furnish any false information to the Alabama Crime Victims Compensation Commission or to any member, agent or employee thereof with the intent to defraud said Commission, or with the intent to obtain an award of compensation for a person not entitled to receive same, shall be guilty of a Class C felony.	Ala. Code §15-23-21	0 (statutory requirements)

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		(2) Any person who shall knowingly fail or omit to disclose a material fact or circumstance to the Alabama Crime Victims Compensation Commission or to any member, agent or employee thereof which is material to a claim for an award of compensation with the intent to defraud the Commission or with the intent to cause a person to receive an award of compensation to which such person is not entitled shall be guilty of a Class C felony.		
262-X-11-.01		The commission shall have all the powers and privileges of a corporation and all of its business shall be transacted in the name of the commission. In addition to any other powers and duties specified elsewhere in this article, the commission shall have the power to: Provide for the cost of medical examinations for the purpose of gathering evidence and treatment for preventing venereal disease in sexual abuse crimes and offenses.	Ala. Code § 15-23-5 (24)	0 (statutory requirements)
262-X-13-.01	Language assistance for those with limited English proficiency.	The ACVCC shall provide at no cost to the victims/claimants, timely and accurate language assistance and communication assistance to persons with limited English proficiency (LEP).	Ala. Code §15-23-5 (14)	1
262-X-13-.01 (5)	Translation of vital documents.	ACVCC shall provide all vital documents, including the claim application, in Spanish in hard copy and on the ACVCC website, if appropriate. (b) The ACVCC shall review the LEP policy, frequency of contact with LEP individuals, and general population data for the state of Alabama at the beginning of each fiscal year in order to determine if the LEP population demographics have changed to include a significant number of LEP individuals who require translation/interpretation services in some language other than Spanish. (a) In the instance that an LEP victim/claimant requires vital documents and an interpreter in a language other than Spanish, the ACVCC shall make all vital documents available to the victim/claimant in his/her language as soon as possible, without delay. A telephone translation service will be utilized	Ala. Code §15-23-5 (14)	3

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		immediately to communicate with the victim/claimant and advise him/her that the vital documents will soon be available in his/her language.		
262-X-2-.04 (b)(3)	Petition for rule change	3. In order to be considered, a petition for a rule change must be in writing and contain the following minimum information:	Ala. Code § 41-22-8	2
262-X-2-.04 (b)(3)(h)	Petition for rule change	(h) A certification by the petitioner that the information contained in the petition is true and correct to the best of petitioner's knowledge, and that the petition has not been filed for any improper purposes, or for delay or harassment. The certification must be signed by the petitioner and the petitioner's signature must be notarized.	Ala. Code § 41-22-8	2
262-X-3-.05	Collateral source contribution.	All claimants filing a civil suit for damages resulting from the victimization for which they filed for compensation must promptly report the filing of such suit to the Commission.	Ala. Code §15-23-9	0 (statutory requirements)
262-X-3-.06 (c) (2)	Timely submission of appeal requests.	The appeal request must be received by the Commission within thirty (30) calendar days. Regular mail is accepted. However, certified mail is strongly recommended. The claimant must sign the request for a contested case hearing (administrative appeal hearing) in order for it to be processed.	Ala. Code §41-22-12(a)	2
262-X-4-.01 (2)	Timely receipt of application	A claim must be filed with the Commission within one (1) year after the death or injury upon which the claim is based or the Commission finds that there was good cause for the failure to file within that time.	Ala. Code §15-23-12 (1)	0 (statutory requirements)
262-X-4-.01 (3)	Application must be signed.	An ACVCC application that has been signed by either facsimile signature or electronic signature must be submitted for a compensation request to be processed.	Ala. Code §15-23-5 (14)	1
262-X-4-.02 (1)	Eligibility criteria	The incident must have occurred on or after June 1, 1984.	Ala. Code §15-23-2	0 (statutory requirements)
262-X-4-.02 (2)	Eligibility criteria	The incident must have been reported within 72 hours after its occurrence or the Commission must find there was good cause for the failure to report within that time.	Ala. Code §15-23-12 (a) (4)	0 (statutory requirements)

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262-X-4-.02 (3)	Eligibility criteria	The application must be filed within one (1) year of the incident unless the Commission finds there was good cause for the failure to report within that time.	Ala. Code §15-23-12 (a) (1)	0 (statutory requirements)
262-X-4-.02 (4)	Eligibility criteria	The victim must have suffered bodily injury, psychological injury as the result of a direct, face to face threat of physical injury, or actual physical injury or death as a result of the criminal actions of another.	Ala. Code §15-23-3 (2)	1
262-X-4-.02 (5)	Eligibility criteria	The claimant or victim must cooperate fully with law enforcement and the Commission staff.	Ala. Code §15-23-12 (c)	0 (statutory requirements)
262-X-4-.02 (7)	Eligibility criteria	The victim or claimant must not be the offender or an accomplice of the offender.	Ala. Code § 15-23-12 (a) (2)	0 (statutory requirements)
262-X-4-.02 (11)	Eligibility criteria	A person must be a U.S. citizen, a person who is legally present in the U.S., or an alien eligible for public benefits in order to receive compensation benefits.	Ala. Code § 31-13-7 (b)	0 (statutory requirements)
262-X-4-.02 (13)	Eligibility criteria	Proof of U.S. citizenship, legal presence in the U.S., or proof of being an alien eligible for public benefits must be provided for every claimant/victim.	Ala. Code § 31-13-7 (b)	0 (statutory requirements)
262-X-4-.03 (b)	Contribution to offense.	Such actions must relate significantly to the occurrence that caused the victimization and be such that a reasonable or prudent person would know that the actions could lead to their victimization.	Ala. Code § 15-23-12(b)	1
262-X-4-.04 (4) (1)	Proof of common-law marriage.	A claimant that asserts a common-law marriage with a deceased crime victim must provide proof of the marriage by submitting one of the following:	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (4) (1) (b)	Proof of common-law marriage.	Birth certificates must be submitted to prove the relationship of the affiant to the deceased crime victim.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (15) (a)	Travel reimbursement	Hotel receipts must be supplied in order to award \$100 per diem.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (15) (b)	Travel reimbursement	There must be a timely, approved compensation claim for parole travel expenses to be considered.	Ala. Code §15-23-5 (14)	1

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262-X-4-.04 (15) (d)	Travel reimbursement	To qualify for reimbursement for mileage, the destination must be greater than ten miles from the home (or travel starting point) of the person requesting compensation.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (16) (2)	Reimbursement for eyeglasses.	A receipt/estimate must be provided for the eyeglasses.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (19)	Supplemental compensation awards.	Supplemental awards: The expenses submitted in the supplemental claim must be related to the original injury and must be supported by documentation.	Ala. Code §15-23-5 (14)	2
262-X-4-.04 (22)	Legal fees incurred for guardianship of crime victim.	When the claimant must seek legal guardianship of a minor and/or disabled victim to qualify for crime victims' compensation benefits, the Commission may consider reimbursement of legal fees incurred for obtaining guardianship.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (23)	Lost wages in homicide claims.	A doctor's excuse must be provided for lost wages in excess of four weeks to be considered for reimbursement.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (24)	Crime-scene cleanup.	The service provider must be certified, licensed, and in compliance with all applicable federal and state regulations.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (25)	Reimbursement of birth certificates.	The birth certificate(s) must have been obtained for the purpose of applying for crime victims' compensation benefits.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (27)	Tattoo removal for human trafficking victims.	The provider must be licensed by the appropriate governmental body to perform the service rendered to qualify for payment/reimbursement.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (28)	Lost wages in sexual assault claims.	A doctor's excuse must be provided for lost wages in excess of two weeks to be considered for reimbursement.	Ala. Code §15-23-5 (14)	1
262-X-4-.04 (29)	Payments to non-claimants.	The claimant must submit a completed Permission for Another Individual to Receive Payments on a Limited Basis form for payment to be issued to the person who incurred the expense.	Ala. Code §15-23-5 (14)	1
262-X-4-.05 (e)	Emergency reimbursement for prescriptions.	A copy of the prescription and the pharmacy's statement of the cost of the drug must be received by the Commission for the prescription expense to be considered for emergency payment.	Ala. Code §15-23-5 (14)	1
262-X-4-.05 (f)	Emergency reimbursement for moving expenses.	Proof of moving expenses must be received by the Commission for the moving expense to be considered for emergency payment.	Ala. Code §15-23-5 (14)	1

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262-X-4-.05 (f)	Repayment of emergency awards.	If the final award is less than the amount of the emergency award, the applicant must repay the excess award to the Commission.	Ala. Code §15-23-5 (14)	1
262-x-4-.07 (1)	Mental health counseling expenses.	The clinician must have an active license at the time the therapy was provided in order to qualify for reimbursement/payment of therapy expenses.	Ala. Code §15-23-5 (14)	1
262-x-4-.07 (2)	Mental health counseling expenses.	(a) ACVCC must receive a letter from the clinician certifying that the victim is engaged in necessary therapy due to his/her victimization. (b) Quarterly updates from the clinician certifying that the treatment is necessary and the result of victimization must be submitted in order for payment to be considered. (c) The clinician must provide an itemized bill for treatment sessions.	Ala. Code §15-23-5 (14)	1
262-x-4-.07 (7) (b)	Language interpreter expenses.	(a) In order to qualify for reimbursement, the interpreter must be:	Ala. Code §15-23-5 (14)	1
262-x-4-.08 (d)	Collateral sources and out-of-state claims.	All collateral sources must be considered prior to payment of compensation benefits for incidents of criminally injurious conduct occurring outside the geographical boundaries of the State of Alabama.	Ala. Code §15-23-3 (13)	1
262-x-4-.10 (2)	Ineligible claimants and minor victims, incompetent victims, or deceased victims.	When an ineligible claimant files for compensation benefits on behalf of a minor victim, incompetent victim, or deceased victim, the claim must be not approved.	Ala. Code §15-23-12	1
262-X-7-.01 (4)	Claimant must notify commission if ordered restitution.	If the offender is ordered to pay restitution to the claimant, the claimant must notify the Commission of this action in writing.	Ala. Code §15-23-14	1
262-X-11-.01 (2) (c)	Collateral sources must be utilized in sexual assault forensic exams.	Any collateral source available for the payment of a sexual assault examination must be utilized prior to submitting a sexual assault examination to the Commission's Sexual Assault Examination Payment Program.	Ala. Code §15-23-3 (13)	1
262-X-11-.01 (3) (b) (i) (1)	Needed documentation for sexual assault forensic exam.	Hospitals and medical clinics must submit the current version of an UB form, itemized bill, and medical records.	Ala. Code § 15-23-5 (24)	1
262-X-11-.01 (3) v	Needed documentation for sexual assault forensic exam.	Each itemized bill or statement must identify the International Classification of Diseases (ICD-9) code.	Ala. Code § 15-23-5 (24)	1
262-X-11-.01 (3) (c) vi	Needed documentation for sexual assault forensic exam.	Each billed procedure, service or supply/medication must be itemized.	Ala. Code § 15-23-5 (24)	1

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262-X-11-.01 (3) (c) vii	Needed documentation for sexual assault forensic exam.	Each billed procedure, service or supply/medication must include the appropriate Physicians' Current Procedural Terminology (CPT) code.	Ala. Code § 15-23-5 (24)	1
262-X-11-.01 (3) (c) ix	Needed documentation for sexual assault forensic exam.	Each itemized bill or statement must include a copy of the completed Sexual Assault Information Form (AL102) that is included in the State of Alabama Collection Kit provided by the Alabama Department of Forensic Sciences or equivalent documentation.	Ala. Code § 15-23-5 (24)	1
262-X-11-.01 (3) (c) x	Needed documentation for sexual assault forensic exam.	Signed, written confirmation from an employee of the SANE facility that the sexual assault was reported to the Department of Human Resources (DHR) or law enforcement must be provided in cases in which the victim is a minor.	Ala. Code § 15-23-5 (24)	1
262-X-11-.01 (8) (f) i	Needed documentation for sexual assault forensic exam.	Documentation of the testing must be provided in order to issue payment for a lab processing fee.	Ala. Code § 15-23-5 (24)	1
262-X-11-.01 (9) (a) iii	Insurance coverage is a collateral source.	If a victim of sexual violence has health insurance, the pharmacy, hospital, or medical clinic filling the prescription for HIV prophylaxis must first seek payment of the expense from the health insurance provider.	Ala. Code § 15-23-5 (24)	1
262-X-13-.01 (1)(a)	Language assistance available for LEP persons.	Limited-English-Proficient Persons: Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the ACVCC.	Ala. Code § 15-23-5 (14)	0
262-X-13-.01 (1)(c)	Language assistance available for LEP persons.	Vital documents: Documents that individuals applying for compensation benefits must understand, respond to or complete in order to access the crime victims compensation program. Vital documents also include documents that inform the victim/claimant of his/her rights.	Ala. Code § 15-23-5 (14)	0
262-X-4-.02 (13)(b)(iv)	Beason-Hammon Act documents.	Any valid United States federal or state government issued identification document bearing a photograph or other biometric identifier, if issued by an entity that requires proof of lawful presence in the United States before issuance.	Ala. Code § 31-13-3(10)	0
262-X-4-.04 (11)(f)	Documentation required for payment of lost wages.	Proper documentation is required for consideration of all lost wages requests, including, when applicable: confirmation of court attendance; a parole notification letter; employer's confirmation of work loss; a self-employment	Ala. Code § 15-23-5 (14)	1

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		affidavit; or a written excuse from a licensed medical professional or licensed mental health provider.		
262-X-4-.04 (14)(a)	Documentation required for payment of moving expenses.	Written estimates and/or receipts are required for payment of moving expenses.	Ala. Code § 15-23-5 (14)	1
262-X-4-.04 (14)(b)	Documentation required for payment of temporary relocation expenses.	The Commission may award temporary relocation expenses when the victim's home has been temporarily made uninhabitable as a direct result of the crime. Claimants/victims who qualify for temporary relocation expenses may receive per diem at a rate of \$100. If the size of the claimant's/victim's family necessitates the rental of two hotel rooms or larger accommodations, the Commission may consider awarding more than per diem for the temporary relocation expense. A copy of the hotel bill, credit card receipt, or other verifiable document is required for verification.	Ala. Code § 15-23-5 (14)	1
262-X-4-.04 (23)	Documentation required for payment of Bereavement Leave.	Bereavement Leave. Bereavement leave may only be granted to the victim's immediate family members. A victim's immediate family member may be granted compensation for a maximum of four weeks of lost wages without a doctor's excuse. A doctor's excuse must be provided for lost wages in excess of four weeks to be considered for reimbursement. Employer verification is required for all bereavement leave requests.	Ala. Code § 15-23-5 (14)	1
262-X-4-.04 (28)	Documentation required for payment of lost wages for victims of sexual assault.	Lost Wages for Victims of Sexual Assault. A victim of sexual assault may be granted compensation for a maximum of two weeks of lost wages without a doctor's excuse. A doctor's excuse must be provided for lost wages in excess of two weeks to be considered for reimbursement. Employer verification is required for all lost wages requests.	Ala. Code § 15-23-5 (14)	1
262-X-7-.01 (2)	Repayment of funds/collateral source	If the claimant received compensation from a source other than the Commission after the Commission has made an award to the claimant, the claimant will be required by law to reimburse the Alabama Crime Victims Compensation Commission Fund. Failure to do so will result in a Class C felony.	Ala. Code § 15-23-14 (b)	0 (statutory requirements)