

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Increase Payments to Victims of Crimes

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §3360, sub-§2-A is enacted to read:

2-A. Catastrophic injury. "Catastrophic injury" means an extremely serious injury that may result in permanent disability or a long-lasting medical condition.

Sec. 2. 5 MRSA §3360, sub-§4, as amended by PL 2003, c. 243, §2, is further amended to read:

4. Eligible expenses and losses. "Eligible expenses and losses" means expenses and losses resulting from a personal injury sustained by an individual as a direct result of a crime specified in subsection 3 and may include medical and medically related expenses, psychological or mental health counseling expenses, lost wages ~~and~~, funeral ~~and~~, burial ~~and~~ other homicide-related expenses and travel expenses and loss of income of a claimant or family member for providing or obtaining care for the personal injury of a minor or incapacitated victim. "Eligible expenses and losses" may include costs of eyeglasses, hearing aids, dentures or other prosthetic devices taken, lost, destroyed or damaged as a result of the crime, costs to repair ~~or~~, replace ~~or~~ install locks or security devices ~~and~~, costs of crime scene cleanup ~~and~~ security deposits. Expenses and losses claimed under this subsection must be expenses or losses actually and reasonably incurred.

Sec. 3. 5 MRSA §3360-B, sub-§3, as enacted by PL 1997, c. 378, §5, is amended to read:

3. Eligibility for payment of mental health treatment for family members. The board may award compensation for the benefit of a surviving family or household member of a person who dies or suffers catastrophic injury as a direct result of a crime, a family or household member who witnessed a crime or a family or household member of a sexual assault victim ~~who is a minor~~ for unreimbursed mental health treatment expenses directly related to the crime.

Sec. 4. 5 MRSA §3360-M, sub-§2, as amended by PL 2007, c. 240, Pt. WW, §2, is further amended to read:

2. Forensic examination; forensic examiner training and education. The board shall determine by rule what a forensic examination may include for purposes of payment. An examination must include at least all services directly related to the gathering of forensic evidence and related testing and treatment for pregnancy and sexually transmitted diseases. The board shall pay a licensed hospital or licensed health care practitioner the actual cost of the forensic examination up to a maximum of ~~\$500~~\$750.

The cost of sexual assault forensic examiner training and education provided by the sexual assault forensic examiner program must be paid from the Victims' Compensation Fund in an amount that may not exceed \$50,000 per year.

SUMMARY

This bill amends the Victims' Compensation laws to add other homicide-related expenses, expenses incidental to obtaining care for personal injury, the cost of security deposits and the cost to install locks or security devices to the definition of "eligible expenses and losses." The bill also gives the Victims' Compensation Board authority to award compensation for unreimbursed mental health treatment expenses directly related to a crime for the benefit of a surviving family or household member of a person who suffers catastrophic injury as a direct result of the crime. The bill also defines "catastrophic injury." The bill also adjusts the payment for forensic examinations for alleged victims of gross sexual assault out of the Victims' Compensation Fund from \$500 to \$750, in order to better reflect the cost of performing the examinations.