

MENTAL HEALTH POLICY

INTRODUCTION

The Victims Compensation Program is a victim-oriented program in which the best interest of victims is given top priority. The Board of Directors has the responsibility to see that victims' needs are met, and must also balance those needs against both statutory eligibility requirements and fiscal realities. As a program, we are committed to doing all we can to ensure that victims receive the appropriate compensation. Please keep in mind that each claim has a \$10,000 lifetime cap.

ELIGIBILITY

A victim who sustains an injury, emotional or physical, resulting from the commission or attempted commission of a crime and, under certain circumstances, a family member of that victim, shall be eligible for mental health treatment.

GUIDELINES

1. FEE SCHEDULE. The Victims Compensation Program will pay for counseling sessions according to the following schedule: **any one-hour individual or family session held before July 1, 2002 will be paid at a maximum of \$50.00 per session. Any one-hour individual or family session held on or after July 1, 2002 will be paid at a maximum of \$70.00 per session. Individual and family sessions will be pro-rated according to the length of the session based on the above rates. Group sessions will be paid at \$35.00 per session, and medication checks will be paid at \$25.00 per visit. Group sessions and medication checks are a flat rate and will not be pro-rated.**

The Victims Compensation Program is last payer. Counseling bills must be submitted to the client's insurance company, Medicaid or Medicare before submission to the Victims Compensation Program. Providers who are contracted with an insurance company to accept the insurance company payments as "payment in full" cannot bill the Victims Compensation Program for the difference in the amount billed versus the allowable amount that is paid. If a provider is receiving payment through a grant, contract, other funding source, or is a salaried employee through another agency paying for the provider's services, the provider cannot bill the Victims Compensation Program for the same service. Co-payments and coverage of deductibles are allowed, as long as charges do not exceed the maximums stated above.

2. TREATMENT PLANS. To be eligible for payment of counseling expenses, the treatment provider must submit a current Mental Health Treatment Plan (see attached) which must:

- a. define the symptoms to be treated that are directly related to the injuries resulting from the commission or attempted commission of a crime; and
- b. address how the proposed treatment will help the victim deal with those symptoms.

Compensation can be paid only for treatment of symptoms directly related to injuries resulting from the crime.

Such treatment plans will be approved initially for up to 20 sessions, and must be submitted after the initial four sessions of treatment. Because early intervention has proven effective in treating trauma, we will pay for up to four sessions prior to the receipt of an initial treatment plan. The first four sessions are considered part of the initial 20 sessions of the initial treatment plan.

3. EXTENSIONS. Treatment beyond the initial 20 sessions will be considered based upon an extension requested by the provider on the treatment plan form (photocopies of previously submitted treatment plans will not be accepted). Each extension may not exceed 20 sessions and must continue to address the crime-related symptoms detailed in the original plan. Therapists should measure effective treatment by whether crime-related symptoms are alleviated and emotional or cognitive problems show improvement.

4. PAYMENT PROCEDURES. Counseling costs will be paid upon submission of a bill for services rendered. The program will not consider payment for the following:

- a. missed appointments
- b. court appearances
- c. travel time
- d. report writing
- e. interest charged on outstanding balances
- f. advocacy functions
- g. crisis telephone counseling
- h. case management

5. TYPES OF TREATMENT. There will be three types of mental health treatment considered by the Victims Compensation Board. These are:

- **Individual/group therapy.** Victims are eligible to receive individual and group therapy for crime-related symptoms as described in section 2.
- **Family therapy.** Therapy involving family members of victims may have several different purposes. The primary goal is to provide effective support for the victim. A counselor can also provide information about what the victim is going through. In addition, family members may have a need to express their own feelings and reactions in a professional setting, and be counseled to some degree, in order that progress can be made with the actual victim. The victim does not have to be present during "family" therapy, but the treatment must focus on enhancing the victim's recovery. If family members are to be included in the victim's treatment, their names and relationship to the victim must be included in the treatment plan.

At no time will the Victims Compensation Program cover counseling for offenders.

- **In-patient hospitalization.** Hospitalization will be considered only if the victim presents a danger to her/himself or others, and the hospitalization has been recommended by the victim's physician or mental health provider. Reimbursement for in-patient treatment and care shall not exceed the cost of treatment for a period of ten (10) days or \$5,000, whichever is less.

6. EVALUATIONS/ASSESSMENTS. The Victims Compensation Program will pay for diagnostic evaluations/assessments at the time of intake.

Subsequent crime related evaluations/assessments will not be pre approved and will be considered on a case by case basis once the evaluation/assessment has been completed. The Program will consider requests of subsequent evaluations/assessments upon receipt of a written report by the person who performed the evaluation/assessment, an itemized bill including date(s) of service and number of hours to complete the evaluation/assessment, and information regarding who referred or recommended the evaluation/assessment. If the Victims Compensation Program agrees to pay for the evaluation/assessment, it is expected that the provider will accept \$70.00 per hour as payment in full.

The Victims Compensation Program will not consider payment for court ordered or forensic evaluations (there may be other sources to pay for these services).

7. ELIGIBLE PROVIDERS. The Victims Compensation Program will pay only for allowable services rendered by providers who are licensed in the state that they practice, or registered on the Vermont Roster of Non-Licensed and Non-Certified Psychotherapists. This list may include:

- Licensed psychologist or licensed psychiatrist;
- Licensed clinical social worker or mental health counselor;
- Psychiatric nurse clinician;
- Certified school counselor, M.Ed.;
- An emergency services screener working at a mental health agency designated by the state of Vermont who works under the supervision of a licensed psychologist, psychiatrist, clinical social workers, or mental health counselor.

A provider must inform the Victims Compensation Program immediately in writing when charges are filed against them by the Office of Professional Regulation. The provider must also notify the Program if their license or roster becomes inactive, revoked, or conditioned in the state in which they practice.

8. CHILD VICTIMS IN DEPARTMENT OF CHILDREN AND FAMILIES (DCF) CUSTODY–(For Compensation claims filed after January 10, 2008) The Victims Compensation Program does not cover counseling or any other Medicaid-covered services for a victim while they are in State custody with DCF.

9. NON-OFFENDING PARENTS OF A CHILD VICTIM IN DCF CUSTODY–(For Compensation claims filed after January 10, 2008) If a child victim is in DCF custody, and the child victim meets the eligibility requirements of this Program (a law enforcement official has concluded that probable cause exists that a crime was committed against the child), our Program can consider payment of the non-offending parent’s counseling. A DCF Domestic Violence Specialist would be required to fill out a Compensation application under the child victim’s name and submit the parent’s certification form (Victims Compensation Domestic Violence Unit Referral), with the child victim’s application, indicating that the parent is in need of counseling to understand their child’s victimization and how they can learn to support their child as part of the DCF case plan.