

Dental Reimbursement: Helping Victims Smile Again

Catherine A. Close, JD

ABSTRACT

By educating themselves and their staff members about services for crime victims, dentists play a crucial role in helping crime victims receive the care they need. When a crime victim needs dental work, they may be unaware of the other assistance available through the Victims Compensation Program. Dental care made possible through compensation helps victims begin to heal.

PURPOSE OF PAPER

A close personal encounter with violence can cause pain too deep for words. Feelings of anger, guilt, sadness, despair, and helplessness are typical. Shock, numbness, and denial are also common reactions.

A victim's financial security may be threatened after a violent trauma.

Victims often miss days at work in the aftermath of a crime, and difficulty concentrating can cause job performance to suffer. Trauma can overwhelm a victim's sense of control, connection, and meaning. A crime victim may have a hard time asking for help, but this is a time when getting help can make all the difference.

The California Victim Compensation and Government Claims Board (board) has been helping victims of crime get through tough times since 1965. Authorized by Government Code Sections 13950 et seq, the Board's Victim Compensation Program (VCP) is the largest and oldest in the nation and has paid out more than \$1 billion in assistance to crime victims.

Between June 30, 2002 and July 1, 2003, the VCP received 61,430 applications from California crime victims or their family members. During the year, the board paid out more than \$117 million in compensation to crime victims and family members to reimburse them for a variety of expenses incurred as a result of a crime. The VCP paid nearly \$1.8 million dollars in dental expenses during that time.

How do Crime Victims Get Help?

Victims are assisted throughout the state by a large network of helping professionals. A victim's first contact may be with a domestic violence shelter,



Author / Catherine A. Close, JD, is interim executive officer for the State of California's Victim Compensation and Government Claims Board. She previously served as chief counsel to the board and has provided legal advice to the board members, executive director, and program managers on all legal issues affecting the board's victim compensation, government claims, and administrative programs, as well as the Revenue Recovery and Compliance Division.

Restoring a Smile – One Victim’s Story

She was assaulted as she was leaving a convenience store one spring evening. The attacker hit her in the mouth with a beer bottle.

“I had two teeth completely knocked out. I felt very violated. The incident hurt my self-esteem regarding my appearance because of my smile. I was really depressed about it and didn’t want to return to work until my teeth were fixed. I worked with the public, so I would have to smile and talk all of the time. The dentist fixed everything, and I was able to return to work quickly and go to court with confidence. I am always passing on information about the Victim Compensation Program. I’m very grateful to them. I got support from them emotionally and financially. For a while, I was really depressed and (VCP) helped me a lot.”

rape crisis center or a victim assistance center. Each of California’s 58 counties is home to a victim assistance center. In some counties, the center is in the district attorney’s office, in some it is in a county probation department, and a few victim assistance centers are private non-profit agencies. These centers are a resource to help crime victims access compensation. Advocates can help victims fill out applications and gather bills, receipts, and police reports to help speed the process. Victims can also mail in their applications or apply on-line at www.victimcompensation.ca.gov. Many victims find out about the program through brochures and applications they find in the office of their dentist, doctor, or mental health counselor.

The VCP provides help for California residents regardless of where the crime occurred, and for nonresidents who become victims of violent crime within California. The program can also assist a

crime victim’s spouse, child, parent, sibling, grandparent, grandchild or household member. Victims of crimes resulting in physical injury or threat of physical injury, as well as victims of most sexual assault and child abuse crimes, can apply to the program.

Compensation payments may cover medical and dental bills; the cost of a funeral or memorial service; wage loss for a surviving victim or loss of support for legal dependents of someone who

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has been killed or disabled; mental health counseling for a victim and family or household member; crime scene cleanup of a homicide; some home security improvements or relocation expenses; job retraining for a disabled victim; and home or vehicle modifications for a disabled victim. The program cannot pay for the replacement of property that is lost or destroyed because of a crime except for medically necessary items such as dentures, eyeglasses, and assistive devices.

There are a few requirements that must be met in order to qualify:

- A victim must cooperate with the investigation of the crime and conviction of the perpetrator.
- Anyone participating in the

crime is not eligible for the program.

■ Anyone involved in events leading to the crime does not qualify for the program.

■ Anyone who is incarcerated, or on probation or parole for committing a felony, cannot be paid by the program for expenses while incarcerated or on felony probation or parole.

■ Applications must be filed within one year of the date the crime occurred, although an application filed after that date may be accepted if there is good cause.

Emergency awards may also be requested.

By law, the VCP is the “payer of last resort.” If any other sources of reimbursement are available for the applicant’s crime-related losses, for instance, if the victim has health insurance or is covered by workers’ compensation, those sources must be used before the VCP can begin to cover the victim’s losses. Applicants are responsible for informing the VCP of all reimbursement sources for their losses, including:

- Medical/health, dental, or vision insurance
- Public program benefits (Medi-Cal, unemployment insurance, or disability benefits, etc.)
- Auto insurance
- Workers’ compensation benefits
- Court-ordered restitution
- Civil lawsuit recoveries

Help in a Hurry

He was sitting in his car, waiting for his girlfriend. The attacker came up to him and pistol-whipped him with a gun. His jaw was broken and he needed dental work. He went to an emergency room that same day and needed maxillofacial surgery. The VCP paid for the dental work that he would not have been able to afford.



Helping A Child Move On

She was a little girl, riding in the car with her family when a drunken driver hit them. Her mother was killed and the rest of her family injured. She suffered a broken jaw and her face was disfigured. She needed oral and maxillofacial surgery. The program helped pay for the dental work to repair her injuries. Dental care helped heal her physical wounds, and the program also assisted her in finding a counselor to help her cope with her emotional pain.

How Can Dentists Work With the VCP to Help Crime Victims?

Usually when a victim needs dental work as a result of a crime, that crime has just occurred. The victim may be uncertain about compensation program benefits or how they work. The dentist can make a referral to the local victim assistance center if the victim has not yet applied for compensation, or call the advocate at the center who is working with the victim if there are questions. Victims and providers can also call the VCP directly at (800) 777-9229 to find out more about compensation benefits. Filing an application is simple.

Sometimes a victim may not realize he or she needs dental work until some time has passed. In cases of domestic violence, a victim may be prevented from getting timely medical treatment by his or her abuser. Anytime a patient shows up in a dentist's office with a problem that can be attributed to a crime, it is worth a call to a local victim assistance center or to the VCP to help a victim apply for compensation. Even in a case where an arrest has not been made, or an offender is not prosecuted for some reason, a crime victim may still be eligible for compensation benefits.

How Does a Provider Obtain Payment from the VCP?

In 22 victim assistance centers, the board contracts to operate claims processing centers or joint powers units (JPs). Teams of compensation specialists at the board office in Sacramento also process claims.

The VCP can pay a bill in one of two ways: by reimbursing the victim or by paying the provider directly. Because

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most dental and medical expenses due to injuries suffered in a crime are unexpected expenses, victims usually cannot pay the bills directly. Providers themselves submit most bills received by the program.

When a dentist submits a bill for payment, a verification letter is mailed to the dentist to complete and return. This verification letter asks whether the service is crime-related and to what extent. The dentist will also notify the board in this letter of any payments received so far by either the victim or another insurance source.

The board does not pre-authorize dental treatment. Treatment bills are submitted and then approved for payment. Treatment plans are still helpful, however, for showing the board how

the treatments are necessary as a result of the crime. Provider bills are then sent to the board's billing service. Like most "third-party" payers, such as insurance companies, the board generally pays bills at a lower rate than the billed amount. At the present time, dental bills are reimbursed at the California DentiCal Program rate. A provider who accepts payment from the board for services to a crime victim, cannot accept any payment from another source that would exceed the maximum rate set by the board for that service. In other words, when a provider accepts a victim compensation payment, that represents payment in full, and the victim cannot be held accountable for any additional amount for that service.

The victim is notified which expenses the board is able to pay and how much will be paid. If the victim disagrees with any of the decisions that have been made, he or she can appeal the decision, returning the notice with an explanation and supporting documents, if needed.

Bills can usually be processed within two weeks up to a month after the time they are received. However, processing can take longer, depending on the number of bills the program has received from throughout the state. Sometimes other factors, such as communication with insurers or other third-party payers, can delay a payment. A provider can help obtain prompt payment by answering any request for information from the program as soon as possible. Once payment is authorized, the provider should receive a check from the State Controller's Office seven to 14 business days later.

The VCP is made possible by the collection of fines levied on persons convicted of crimes in California. The VCP receives no support from the state's general fund. The U.S. Department of Justice Office for Victims of Crime also provides funding through the Victims of Crime Act, which is supported

through fines paid by federal criminals.

The Restitution Fund, which finances the VCP, is sustained through the combined efforts of judges, district attorneys, county revenue collection staff, corrections professionals, and restitution specialists. Restitution fines, restitution orders, penalty assessments, and diversions fees paid by state and federal offenders make the VCP possible.

Summary

When dentists help victims return to work by restoring a smile, healing a man's jaw as he recovers from an attack, or correcting the disfigurement of a little girl injured in a tragic car crash, they are not just helping their patient's body

to heal; they also have a role in helping their patients recuperate from the psychological trauma caused by crime. By simply educating themselves and their staff members about services for crime victims, dentists play a crucial role in helping crime victims receive the care they need. Dentists can receive more information about the Victim Compensation Program by calling the program or accessing the board's Web site: www.victimcompensation.ca.gov. Posters and compensation applications are available free of charge.

When a crime victim needs dental work, they may be unaware of the other assistance available through the VCP. The program also compensates

victims for mental health care expenses to treat emotional trauma. Please refer these patients to VCP. They can either contact their local victim assistance center or call the VCP directly at (800) 777-9229. Dental care made possible through compensation helps victims begin to heal. **CDA**

To request a printed copy of this article, please contact / Catherine A. Close, JD, Victim Compensation Board, 630 K St., Sacramento, Calif., 95814