

Topic/Grant

Client Assistance/VOCA specific

FAQ/Requirements

1. Allowable Expenses- 28 CFR 94.119 (a) provides a list of allowable expenses for “[i]mmediate emotional, psychological, and physical health and safety” needs other than medical care (see #3 below for medical care). These must be directly related to the victimization.
2. *Directly related to the victimization-*

For an expense to be covered it must be directly related to the victimization. One way to look at this would be utilizing a “but for” test. Think to yourself if “but for” the victimization, this expense would not have been required, or in other words that because of the victimization, this expense is now needed. Examples include the victim’s clothes being kept or destroyed by a perpetrator, or a victim’s personal hygiene items being kept or destroyed by a perpetrator or a window, door, or lock that was broken by a perpetrator during an altercation.

3. *Allowable expenses for medical care under 28 CFR 94.119(a)(9)-*

This provision only applies to non-prescription and prescription medicine, prophylactic or other treatment to prevent HIV/AIDS infection or other infectious disease, durable medical equipment (such as wheelchairs, crutches, hearing aids, eyeglasses), and other healthcare items. Expenses are only allowable for emergency needs (typically within 48 hours of the victimization) and must not be covered by any other insurance or funding. These expenses must also arise from the victimization.

For example, if a child’s glasses were left at the perpetrators home and now need to be replaced, or if they were broken by the perpetrator during the victimization, then this would be allowable. However, if after staying in a shelter for a period of time, the child breaks their glasses, this would not be allowable as there is no direct relation to the victimization, as the child glasses could have been broken regardless of where they were living.

4. *Possible Disallowed Items-*

28 C.F.R. 94.122(f) prohibits grant funds from being used for “[r]eimbursement of crime victims for expenses incurred as a result of a crime.” except as otherwise allowed in the Final Rule.

While 28 CFR 94.119 (a)(5) allows for emergency food, shelter, clothing, and transportation, grantees are asked to use discretion when replacing these items. One example is that expensive designer clothing should not be replaced with the exact designer items that were lost.

References

28 CFR 94.119

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