

NOTICE OF RULE ADOPTION—FINAL RULE

FILED
MAY 12 2009
MISSISSIPPI
SECRETARY OF STATE

STATE OF MISSISSIPPI
OFFICE OF THE ATTORNEY GENERAL
Crime Victim Compensation Division

Office of the Attorney General
c/o Janet Kennedy, Director Victim Compensation
Division
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Specific Legal Authority Authorizing the promulgation of
Rule:

Miss. Code Ann. §§ 99-47-1; 99-41-1

Reference to Rules repealed, amended or suspended by the
Proposed Rule :

N/A

Date Rule Proposed: 04/15/2009

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

To comply with statutory changes made in the 2008 Legislation creating the Address Confidentiality Program, to expand the "criminal proceeding" definition, to clarify twelve (12) month extended time period for application submission, to add new loss of tuition loss benefit, to allow compensable benefits previously paid by grant source, to increase mileage cost reimbursement, to add language indicating victim's/claimant's responsibility of notifying this office of any changes to address or telephone numbers, to clarify diminished compensation by amount of collateral source, to clarify ineligible medical transportation, to increase verification for loss of wage benefits for self-employed victim/claimant, to clarify domestic violence temporary housing and relocation assistance benefits to include revisions of required documents, eligible expenses and other limitations, to include addition of contested hearing by telephone at discretion of hearing officer, to add appeal process for sexual assault exam payment denials, to include additional procedural and diagnostic codes for sexual assault exam billing, to clarify STD medication, to allow waiver of 90-day sexual assault exam payment request submission timeline, and to increase sexual assault payment limitations.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

An oral proceeding was held on this rule:

Date:

Time:

Place:

An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

This rule as adopted is without variance from the proposed rule.

This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule:

6-11-09

William P. Marshall
Assistant Attorney General
Signature and Title of Person Submitting Rule for Filing