

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Committee Substitute for Senate Bill No. 107, Page 16, Section 345.080, Line 70,
2 by inserting immediately after said Line the following:

3 "595.030. 1. No compensation shall be paid unless the claimant has incurred an
4 out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support
5 from gainful employment. "Out-of-pocket loss" shall mean unreimbursed or unreimbursable
6 expenses or indebtedness reasonably incurred:

7 (1) For medical care or other services, including psychiatric, psychological or counseling
8 expenses, necessary as a result of the crime upon which the claim is based, except that the amount
9 paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two
10 thousand five hundred dollars; or

11 (2) As a result of personal property being seized in an investigation by law enforcement.
12 Compensation paid for an out-of-pocket loss under this subdivision shall be in an amount equal to
13 the loss sustained, but shall not exceed two hundred fifty dollars.

14 2. No compensation shall be paid unless the department of public safety finds that a crime
15 was committed, that such crime directly resulted in personal physical injury to, or the death of, the
16 victim, and that police records show that such crime was promptly reported to the proper authorities.
17 In no case may compensation be paid if the police records show that such report was made more than
18 forty-eight hours after the occurrence of such crime, unless the department of public safety finds that
19 the report to the police was delayed for good cause. If the victim is under eighteen years of age such
20 report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital
21 emergency room personnel; by the children's division personnel; or by any other member of the
22 victim's family. In the case of a sexual offense, filing a report of the offense to the proper authorities
23 may include, but not be limited to, the filing of the report of the forensic examination by the
24 appropriate medical provider, as defined in section 595.220, with the prosecuting attorney of the
25 county in which the alleged incident occurred.

26 3. No compensation shall be paid for medical care if the service provider is not a medical
27 provider as that term is defined in section 595.027, and the individual providing the medical care is
28 not licensed by the state of Missouri or the state in which the medical care is provided.

29 4. No compensation shall be paid for psychiatric treatment or other counseling services,
30 including psychotherapy, unless the service provider is a:

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1 (1) Physician licensed pursuant to chapter 334 or licensed to practice medicine in the state in
2 which the service is provided;

3 (2) Psychologist licensed pursuant to chapter 337 or licensed to practice psychology in the
4 state in which the service is provided;

5 (3) Clinical social worker licensed pursuant to chapter 337; [or]

6 (4) Professional counselor licensed pursuant to chapter 337; or

7 (5) Board certified psychiatric-mental health clinical nurse specialist or board certified
8 psychiatric-mental health nurse practitioner.

9 5. Any compensation paid pursuant to sections 595.010 to 595.075 for death or personal
10 injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or
11 support from gainful employment, not to exceed two hundred dollars per week, resulting from such
12 injury or death. In the event of death of the victim, an award may be made for reasonable and
13 necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars.

14 6. Any compensation for loss of earnings or support from gainful employment shall be in an
15 amount equal to the actual loss sustained not to exceed two hundred dollars per week; provided,
16 however, that no award pursuant to sections 595.010 to 595.075 shall exceed twenty-five thousand
17 dollars. If two or more persons are entitled to compensation as a result of the death of a person
18 which is the direct result of a crime or in the case of a sexual assault, the compensation shall be
19 apportioned by the department of public safety among the claimants in proportion to their loss.

20 7. The method and timing of the payment of any compensation pursuant to sections 595.010
21 to 595.075 shall be determined by the department."; and

22
23 Further amend said bill by amending the title, enacting clause, and intersectional references
24 accordingly.