

# ASSEMBLY, No. 4803

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED DECEMBER 10, 2018

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblywoman ELIANA PINTOR MARIN**

**District 29 (Essex)**

**Co-Sponsored by:**

**Assemblywoman Reynolds-Jackson, Assemblyman Benson,  
Assemblywomen Speight and Murphy**

**SYNOPSIS**

Authorizes certain entities to directly bill Victims of Crime Compensation Agency for counseling services provided to victims of firearm and stabbing crimes.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 3/26/2019)**

1 AN ACT concerning victims of crime and supplementing Title 52 of  
2 the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

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7 1. a. In the event that a person is the victim of a firearm or  
8 stabbing injury incurred during the course of an offense described  
9 in subsection b. of section 11 of P.L.1971, c.317 (C.52:4B-11), and  
10 the person receives counseling in connection with the injury, the  
11 entity providing counseling services may directly bill the Victims of  
12 Crime Compensation Agency for the counseling services, provided  
13 that:

14 (1) the counseling was provided by a licensed psychiatrist,  
15 psychologist, social worker, or therapist, or by a peer or support  
16 counselor or other individual authorized by the Victims of Crime  
17 Compensation Agency to provide such counseling while under the  
18 supervision of a licensed professional;

19 (2) the person providing the counseling is affiliated with the  
20 hospital where the victim received treatment for the injury or is  
21 affiliated with a hospital-based or hospital-linked violence  
22 intervention program recognized by the Victims of Crime  
23 Compensation Agency;

24 (3) the victim reported the injury to law enforcement within nine  
25 months after its occurrence or reasonable discovery, except that,  
26 notwithstanding the requirements of section 18 of P.L.1971, c.317  
27 (C.52:4B-18), a report made after such time shall not be deemed to  
28 bar a claim for compensation for counseling services if the victim  
29 was admitted to the hospital for the injury and the victim consents  
30 to the hospital releasing records of the admission to the Victims of  
31 Crime Compensation Agency; and

32 (4) the victim has consented in writing to the entity directly  
33 billing the Victims of Crime Compensation Agency pursuant to this  
34 section.

35 b. The Victims of Crime Compensation Agency shall establish  
36 by regulation the maximum amount of compensation that may  
37 directly billed pursuant to subsection a. of this section, which in any  
38 case shall not exceed \$1,000 in connection with a given injury.

39 c. An entity that directly bills for counseling services pursuant  
40 to subsection a. of this section shall not bill the victim or any other  
41 person or entity in any amount for any counseling services for  
42 which it received compensation from the Victims of Crime  
43 Compensation Agency pursuant to this section.

44

45 2. The Victims of Crime Compensation Agency may, pursuant  
46 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-  
47 1 et seq.), adopt such rules and regulations as may be necessary to  
48 implement the provisions of this act.

1       3. This act shall take effect the first day of the fourth month  
2 next following the date of enactment.

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STATEMENT

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7       This bill authorizes certain entities providing counseling services  
8 to crime victims who suffered a firearm or stabbing injury to  
9 directly bill the Victims of Crime Compensation Agency for the  
10 provision of counseling services.

11       In order to directly bill for counseling services, the bill requires  
12 that the counseling have been provided by a licensed psychiatrist,  
13 psychologist, social worker, or therapist, or by a peer or support  
14 counselor or other individual authorized by the Agency to provide  
15 such counseling while under the supervision of a licensed  
16 professional. Additionally, the person providing the counseling is  
17 to be affiliated with the hospital where the victim was treated for  
18 the injury or affiliated with a hospital-based or hospital-linked  
19 violence intervention program recognized by the Agency. Finally,  
20 the bill requires that the victim have consented in writing to the  
21 entity directly billing the Agency for counseling services.

22       Under current law, subject to certain exceptions, the Agency will  
23 not provide compensation to a crime victim unless the victim  
24 reported the crime to law enforcement within nine months after its  
25 occurrence or reasonable discovery. The bill expands this deadline  
26 for the limited purposes of the bill, such that direct billing for  
27 counseling services provided to a firearm or stabbing victim may be  
28 allowed even if the crime was reported after the statutory deadline,  
29 provided that the victim was admitted to the hospital for treatment  
30 of the injury and the victim consents to the hospital releasing  
31 records of the admission to the Agency.

32       The Agency is to establish by regulation the maximum amount  
33 of compensation that may directly billed pursuant to the bill, which,  
34 in any case, may not exceed \$1,000 in connection with a given  
35 injury. An entity that directly bills, and receives compensation  
36 from the Agency, for counseling services as provided under the bill  
37 will be prohibited from billing the victim or any other person or  
38 entity in any amount for those same services.