



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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MEMORANDUM

DATE: August 23, 2011

TO: Ms. Lisa Ogden, Director
Victims Compensation Assistance Program

FROM: Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: 15 DE Reg. 175 [VCAP Proposed Dental Payments Regulation]

The State Council for Persons with Disabilities (SCPD) has reviewed the proposal by the Department of Justice Victims Compensation Assistance Program (VCAP) to adopt a regulation establishing payment standards for restorative dental services necessitated by a violent crime against the victim/patient. The proposed regulation was published as 15 DE Reg. 175 in the August 1, 2011 issue of the Register of Regulations and is based on a template for medical and mental health payments previously adopted by the VCAP. See 14 DE Reg. 666 (January 1, 2011) (medical claims); and 14 DE Reg. 1082 (April 1, 2011) (mental health claims). That template incorporates language recommended by the Disabilities Law Program, including protections from balance billing of the victim and third parties. SCPD had previously endorsed the medical and mental health claims regulations.

SCPD endorses the current proposal since it is well written and conforms to the material provisions in the earlier regulations.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our position or observations on the proposed regulation.

cc: Mr. Brian Hartman, Esq.
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council