

**49.490 Sexual assault victim assistance fund.**

- (1) There is established in the State Treasury the sexual assault victim assistance fund to be administered by the commission for the purpose of funding medical examinations for victims of sexual assault as provided in subsection (4) of this section and in KRS 216B.400. All moneys deposited or paid into the sexual assault victim assistance fund are appropriated and shall be available to the commission. Funds shall be disbursed by the State Treasurer upon the warrant of the commission.
- (2) The sexual assault victim assistance fund may receive state general fund appropriations, gifts, grants, federal funds, or other public or private funds or donations. Any federal matching funds received by the commission or the crime victims' compensation fund for sexual assault victim assistance payments shall be deposited into the sexual assault victim assistance fund.
- (3) Any unencumbered or unallocated balances in the sexual assault victim assistance fund shall be invested as provided in KRS 42.500(9). Any income earned from investment, along with the unallocated or unencumbered balances in the fund, shall not lapse and shall be deemed a trust and agency account available solely for the purposes specified in subsection (1) of this section.
- (4)
  - (a) For purposes of this section, a children's advocacy center is a center as defined in KRS 620.020 that operates consistent with administrative regulations promulgated by the Cabinet for Health and Family Services.
  - (b) Upon receipt of a completed original claim form supplied by the commission and itemized bill for a child sexual abuse medical examination performed at a children's advocacy center, the commission shall reimburse the children's advocacy center for actual costs up to but not exceeding the amount of reimbursement established through administrative regulation promulgated by the Department for Medicaid Services.
  - (c) Independent investigation by the commission shall not be required for payment of claims under this section; however, the commission may require additional documentation as proof that the medical examination was performed.
- (5) If sexual assault victim assistance funds are insufficient to pay claims under subsection (4) of this section or KRS 216B.400, payment shall be made from the crime victims' compensation fund.

**Effective:** June 29, 2017

**History:** Repealed, reenacted, renumbered, and amended 2017 Ky. Acts ch. 74, sec. 49, effective June 29, 2017. -- Amended 2005 Ky. Acts ch. 99, sec. 66, effective June 20, 2005. -- Created 2004 Ky. Acts ch. 73, sec. 1, effective April 6, 2004.

**Formerly codified as** KRS 346.200.