



## Memorandum

BILL LEONARD  
State and Consumer Services Agency  
Secretary

JOHN CHIANG  
State Controller  
Board Member

MICHAEL A. RAMOS  
San Bernardino County District Attorney  
Board Member

JULIE NAUMAN  
Executive Officer

Date: October 26, 2010

To: Secretary of State

From: Victim Compensation and Government Claims Board

Subject: Rates and Limitations – Reimbursement of Alternative Treatments

Policy: Under the Victim Compensation Program, acupuncture, biofeedback, holistic medicine, massage therapy, and other natural health methods are considered to be alternative treatments rather than traditional medical and mental health treatment services.

The Board may reimburse an applicant eligible for payment of medical or mental health expenses for a combined total of five sessions of alternative treatment that are necessary to treat an injury directly resulting from the qualifying crime.

The Board may reimburse an applicant eligible for payment of medical or mental health treatment expenses for up to 15 additional sessions of alternative treatment if those alternative treatment sessions are recommended by a medical physician as being necessary to treat an injury directly resulting from the qualifying crime. The Board may not, under any circumstances, reimburse the applicant for more than 20 total alternative treatment sessions.

The total number of alternative treatment sessions is calculated considering all types of alternative treatment received by the applicant.

The payment rate for these alternative treatments is the amount paid by Medicare coverage plus 20 percent.

**California Victim Compensation and Government Claims Board  
Rates and Service Limitations for Alternative Treatments**

**October 21, 2010**

**Action Requested**

The California Victim Compensation Program (CalVCP) requests that the Victim Compensation and Government Claims Board (Board) adopt rates and service limitations for a combined total of five sessions for alternative treatments which include acupuncture, biofeedback, holistic medicine, massage therapy and other natural health methods when a victim suffers physical injury as a direct result of a qualifying crime. We also request that sessions in excess of the initial five combined sessions require a medical physician's recommendation for up to a maximum of 20 sessions, for any combination of the alternative treatment modalities. The requested payment rate for these sessions is the Board's current medical services payment rate of Medicare coverage plus 20 percent.

**Background**

Government Code section 13957.2 provides that the Victim Compensation and Government Claims Board may establish maximum rates and service limitations for reimbursement of medical and medical-related services and for mental health and counseling services. The Board has adopted service limitations in the past in the mental health area, i.e., 15, 30 and 40 sessions, etc. The adoption, amendment, and repeal of these service limitations and maximum rates is not subject to the Administrative Procedure Act. An informational copy of the service limitations and maximum rates must be filed with the Secretary of State upon adoption by the Board.

**Analysis**

The alternative treatment category includes a number of alternative treatment modalities that fall outside of the general definition of traditional medicine and mental health treatment and includes acupuncture, biofeedback, holistic medicine, massage therapy and other natural health methods.

The adoption of the service limitations for alternative treatment modalities is in line with insurance industry standards for such treatment in California. Formal adoption by the Board will allow staff to file the service limitations with the Secretary of State as required by statute.

**Recommendation**

Staff recommends that the Board adopt the service limitations for alternative treatment modalities and file an informational copy of the service limitation with the Secretary of State upon adoption by the Board.

Tisha Heard  
Board Liaison



I certify that on October 21, 2010, the California Victim Compensation and Government Claims Board adopted the staff recommendation to (1) adopt the service limitations for alternative treatment modalities and (2) file an informational copy with Secretary of State.

Date: October 21, 2010