

Frequently Asked Questions about Virginia's Compensation for Victims of Eugenics Sterilization Program

What is this program?

The Virginia Compensation for Victims of Eugenics Sterilization Program provides compensation for people involuntarily sterilized according to the Virginia Eugenical Sterilization Act if they file a claim and meet specific eligibility requirements.

Who is eligible to be compensated?

An individual or his lawfully authorized representative (i.e., someone who has the legal authority to act on his behalf) is eligible to request compensation under this program if the individual was:

- A. Sterilized pursuant to the Virginia Eugenical Sterilization Act.
- B. Living as of February 1, 2015.
- C. Sterilized while a patient at Eastern State Hospital, Western State Hospital, Central State Hospital, Southwestern State Hospital or the Central Virginia Training Center, formerly known as the State Colony for Epileptics and Feeble- Minded, between 1924 and 1981.

Is there a waiting list I can put my name on to get compensated?

No. You will be required to submit an application form to Department to request compensation. The application form is now being developed by the Department and is not yet available. However, we are taking the names of people interested in receiving the application form. Please contact Tonya Carr at 804-894-0928 or Carrie Gorsuch at 804-663-7284 if you are interested.

What is the process for filing a claim for compensation?

At this time we are establishing emergency regulations to implement the provisions of the Appropriation Act which will have the specific process for filing a claim for compensation. Once the regulations become effective, the Department will begin accepting applications forms for claims. Persons who request compensation will be required to provide proof of their identity and documentation that they meet the eligibility requirements that are listed above.

Where can I request an application form when it becomes available?

Contact Tonya Carr at 804-894-0928 or Carrie Gorsuch at 804-663-7284.

Why have no payments been made to individuals who were sterilized in Virginia?

The Appropriations Act of the 2015 General Assembly, which established the compensation for the victims of eugenics sterilizations funds, requires that regulations be adopted before any compensation can be granted. The regulations are still in the approval process. Once the regulations are approved, anyone who is seeking compensation must apply for compensation. Information about how to apply for compensation will be posted on the DBHDS website. If you are signed up to receive updates on the Compensation Program, this information will be mailed to you. Anyone who wishes to receive updates should contact Tonya Carr at 804-894-0928 or by email at tonya.carr@dbhds.virginia.gov, or Carrie Gorsuch at 804-663-7284 or by email at carrie.gorsuch@dbhds.virginia.gov.

Do I need an attorney to help me file a claim for compensation? No, you do not need to hire an attorney to file a claim for compensation. The compensation application process is easy and straightforward and you should not need an attorney to apply.

Should you decide to hire an attorney, you will still be required to complete an application, but the application and required documents may be submitted by your attorney.

Can I obtain my records now?

Yes and we recommend that you do so because it will take time to process the request for the records.

If you require assistance locating your records, contact the Health Information Management Department of the hospital or training center where you were sterilized. Below is a list of hospital and training centers and the Health Information Management (HIM) Department’s number for each.

- Catawba.....Main Number: (540) 375-4200
- Central State Hospital Release of Information Officer: (804) 524-7319
- Eastern State HospitalHIM Department: (757) 208-7980
- Northern VA Mental Health InstituteMain Number: (703) 207-7100
- Piedmont Geriatric HospitalHIM Department: (434) 767-4411
- Southwest VA Mental Health Institute Release of Information Specialist: (276) 783-1237
- Western State Hospital.....HIM Department: (540) 332-8015
- Central VA Training Center.....HIM Department: (434) 947-6284
- Northern VA Training CenterHIM Department: (703) 323-4005
- Southeastern VA Training CenterHIM Department: (757) 424-8244
- Southwestern VA Training Center.....Main Number: (276) 728-3121
- Hiram Davis Medical CenterHIM Department: (804) 524-7420

If you do not know the name of the hospital or training center, you may contact Renay Durham, Monday thru Thursday from 9 a.m. to 4 p.m. at (804) 524-4746 or by email at renay.durham@dbhds.virginia.gov and she can assist you.

What documents will I need to process my claim for compensation?

- Proof of Identity (state issued driver's license, United States or foreign passport, state issued identification card, United States military card.)
- Proof that you were a patient at Eastern State Hospital, Western State Hospital, Central State Hospital, Southwestern State Hospital, or the Central Virginia Training Center (formerly known as the State Colony for Epileptics and Feeble-Minded) between 1924 and 1981.
- Proof that you were sterilized at one of the above facilities.
- Death Certificate, if individual died after February 1, 2015
- Documentation of Authorized Representative status, if applicant is making a claim on behalf of the claimant.

How long will the process take once I submit an application for compensation?

The Department will make every effort to process all applications for compensation as quickly as possible. However, each application must undergo a series of reviews. You will be notified of the status of your application at each step of the review process. If additional documentation is needed to process your claim, you will receive a letter requesting the additional information. After you have submitted all documents and they have been reviewed, you will receive a letter in the mail that will tell you if your claim was approved or denied.

If my claim for compensation is approved, when do I get my check?

If your claim for compensation is approved, you will receive a letter that informs you of the approval and you should receive a check in the mail within ten (10) days of receiving that letter.

Is there anything I can do if my claim for compensation is denied?

You will be notified if your claim was denied and why and the process for asking DBHDS to reconsider your claim. You will have 30 days to provide additional information to DBHDS to review. Once the review process is complete, you will receive a letter that informs you of the final decision of your claim.