

## **R270-1-22. Sexual Assault Forensic Examinations.**

A. Pursuant to Subsections 63M-7-502(20) and 63M-7-511(4)(i), the cost of sexual assault forensic examinations for gathering evidence and providing treatment may be paid by the CVR office in the amount of \$300.00 without photo documentation and up to \$600.00 with a photo examination. Pursuant to Section 63M-7-521.5, the CVR office may also pay for the cost of medication and 70% of the eligible hospital services and supplies. Payment to the hospital or other eligible facility for the rent or use of an examination room or space for the purpose of conducting a sexual assault forensic exam shall not exceed \$350.00. The following agency guidelines need to be adhered to when making payments for sexual assault forensic examinations:

1. A sexual assault forensic examination shall be reported by the health care provider who performs the examination to law enforcement.
2. Victims shall not be charged for sexual assault forensic examinations.
3. Victims shall not be required to participate in the criminal justice system or cooperate with law enforcement or prosecuting attorneys as a condition of being provided a sexual assault forensic examination or as a condition of payment being made pursuant to this rule.
4. The agency may reimburse any licensed health care facility that provides services for sexual assault forensic examinations.
4. The agency may reimburse licensed medical personnel trained to gather evidence of sexual assaults who perform sexual assault forensic examinations.
5. CVR may pay for the collection of evidence and not attempt to prove or disprove the allegation of sexual assault.
6. A request for reimbursement shall include the law enforcement case number or be signed by a law enforcement officer, victim/witness coordinator or medical provider.
7. The application or billing for the sexual assault forensic examination must be submitted to CVR within one year of the examination.
8. The billing for the sexual assault forensic examination shall:
  - a. identify the victim by name, address, date of birth, Social Security number, telephone number, patient number;
  - b. indicate the claim is for a sexual assault forensic examination; and
  - c. itemize services and fees for services.
9. All collateral sources that are available for payment of the sexual assault forensic examination shall be considered before CVR Trust Fund monies are used. Pursuant to Subsection 63-25a-411(i), the Director may determine that

reimbursement for a sexual assault forensic examination will not be reduced even though a claim could be recouped from a collateral source.

10. Evidence will be collected only with the permission of the victim or the legal guardian of the victim. Permission shall not be required in instances where the victim is unconscious, mentally incapable of consent or intoxicated.

11. Restitution for the cost of the sexual assault forensic examination may be pursued by the CVR office.

12. Payment for sexual assault forensic examinations shall be considered for the following:

- a. Fees for the collection of evidence, for forensic documentation only, to include:
  - i. history;
  - ii. physical; and
  - iii. collection of specimens and wet mount for sperm.
- b. Emergency department services to include:
  - i. emergency room, clinic room or office room fee;
  - ii. cultures for gonorrhea, chlamydia, trichomonas, and tests for other sexually transmitted disease;
  - iii. serum blood test for pregnancy;
  - iv. morning after pill or high dose oral contraceptives for the prevention of pregnancy; and
  - v. treatment for the prevention of sexually transmitted disease up to four weeks.

13. The victim of a sexual assault that is requesting payment by CVR for services needed or rendered beyond the sexual assault forensic examination needs to submit an application for compensation to the CVR office.