

Senate File 197 - Introduced

SENATE FILE 197

BY WHITING

A BILL FOR

1 An Act establishing the sexual assault nurse forensic examiner
2 program.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 13.31, Code 2021, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 8. Administer the sexual assault nurse
4 forensic examiner program established pursuant to section
5 915.46 for training, certifying, and providing technical
6 assistance to sexual assault nurse forensic examiners.

7 Sec. 2. NEW SECTION. 915.46 **Sexual assault nurse forensic**
8 **examiner program.**

9 1. As used in this section:

10 a. *"Medical forensic services"* include but are not
11 limited to, taking a medical history, performing photographic
12 documentation, performing a physical examination, assessing a
13 patient for evidence collection, collection of evidence using
14 a sexual abuse evidence collection kit, assessing a patient
15 for drug-facilitated or alcohol-facilitated sexual assault,
16 providing an evaluation of and care for sexually transmitted
17 infection and HIV, pregnancy risk evaluation and care, and
18 discharge and follow-up health care planning.

19 b. *"Pediatric treatment facility"* means a treatment facility
20 dealing with the development, care, and diseases of infants,
21 children, and adolescents.

22 c. *"Sexual assault nurse forensic examiner"* means a licensed
23 practical nurse, a registered nurse, an advanced registered
24 nurse practitioner, or an advanced practice registered nurse,
25 licensed pursuant to chapter 152 or 152E who has completed a
26 sexual assault nurse forensic examiner program that meets the
27 sexual assault nurse examiner education guidelines established
28 by the international association of forensic nurses.

29 d. *"Sexual assault survivor"* means a person who seeks
30 medical forensic services in relation to injuries or trauma
31 resulting from a sexual assault.

32 e. *"Treatment facility"* means a hospital, clinic, or
33 pediatric treatment facility that provides medical forensic
34 services to sexual assault survivors who seek medical forensic
35 services for a sexual assault within seven days of a sexual

1 assault, or who have disclosed a past sexual assault by a
2 specific person while under the care of that person within
3 seven days of a sexual assault.

4 2. A sexual assault nurse forensic examiner program is
5 established within the department of justice. The sexual
6 assault nurse forensic examiner program shall maintain a list
7 of sexual assault nurse forensic examiners who have completed
8 didactic and clinical training requirements approved by the
9 department of justice and consistent with the sexual assault
10 forensic examiner education guidelines established by the
11 international association of forensic nurses.

12 3. *a.* By July 1, 2022, the sexual assault nurse forensic
13 examiner program shall develop and make available to treatment
14 facilities two hours of online sexual assault training for
15 sexual assault nurse forensic examiners. Notwithstanding
16 any other law regarding ongoing licensure requirements, such
17 training shall apply toward the continuing nursing education
18 credits for licensed practical nurses, registered nurses,
19 advanced registered nurse practitioners, and advanced practice
20 registered nurses.

21 *b.* The sexual assault nurse forensic examiner program
22 shall provide didactic and clinical training opportunities
23 consistent with the sexual assault forensic examiner education
24 guidelines established by the international association of
25 forensic nurses, in collaboration with the Iowa department of
26 public health and the Iowa coalition against sexual assault, in
27 sufficient numbers and geographical locations across the state
28 to assist treatment facilities with training sexual assault
29 nurse forensic examiners.

30 *c.* Sexual assault nurse forensic examiner training provided
31 under this subsection may be provided in person or online and
32 shall include but is not limited to information concerning all
33 of the following:

- 34 (1) The provision of medical forensic services.
35 (2) The use of a sexual abuse evidence collection kit.

1 (3) Sexual assault epidemiology, the neurobiology of
2 trauma, drug-facilitated sexual assault, child sexual abuse,
3 and Iowa sexual assault-related laws.

4 (4) The treatment facility's sexual assault-related
5 policies and procedures.

6 4. The sexual assault nurse forensic examiner program,
7 in consultation with qualified medical providers, the Iowa
8 department of public health, and the Iowa coalition against
9 sexual assault, shall create uniform materials that all
10 treatment facilities and pediatric treatment facilities are
11 required to provide to patients and non-offending parents or
12 legal guardians, if applicable, regarding medical forensic
13 examination procedures, laws regarding consent relating to
14 medical forensic services, and the benefits and risks of
15 evidence collection, including recommended time frames for
16 evidence collection pursuant to evidence-based research.
17 These materials shall be made available on the department of
18 justice's internet site to all treatment facilities.

19 5. The sexual assault nurse forensic examiner program,
20 in consultation with qualified medical providers, the Iowa
21 department of public health, and the Iowa coalition against
22 sexual assault, shall create and update statewide sexual
23 assault nurse forensic examiner protocols, shall provide
24 technical assistance upon request to health care professionals,
25 and shall provide expertise on best practices to health care
26 professionals relating to sexual assault forensic examinations.

27

EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 This bill establishes the sexual assault nurse forensic
31 examiner program.

32 The bill provides that the victim assistance program
33 established in the department of justice shall administer the
34 sexual assault nurse forensic examiner program established in
35 the bill (Code section 915.46) for training, certifying, and

1 providing technical assistance to sexual assault nurse forensic
2 examiners.

3 The bill provides that a sexual assault nurse forensic
4 examiner program is established within the department of
5 justice. The sexual assault nurse forensic examiner program
6 shall maintain a list of sexual assault nurse forensic
7 examiners who have completed certain training requirements.
8 By July 1, 2022, the sexual assault nurse forensic examiner
9 program shall develop and make available to treatment
10 facilities two hours of online sexual assault training for
11 sexual assault nurse forensic examiners. Notwithstanding
12 any other law regarding ongoing licensure requirements, such
13 training shall apply toward the continuing nursing education
14 credits for licensed practical nurses, registered nurses,
15 advanced registered nurse practitioners, and advanced practice
16 registered nurses.

17 The bill provides that sexual assault nurse forensic
18 examiner training may be provided in person or online and
19 shall include but is not limited to information concerning the
20 provision of medical forensic services; the use of a sexual
21 abuse evidence collection kit; sexual assault epidemiology,
22 the neurobiology of trauma, drug-facilitated sexual assault,
23 child sexual abuse, and Iowa sexual assault-related laws; and
24 the treatment facility's sexual assault-related policies and
25 procedures.

26 The bill provides that the sexual assault nurse forensic
27 examiner program, in consultation with qualified medical
28 providers, the Iowa department of public health, and the
29 Iowa coalition against sexual assault, shall create uniform
30 materials that all treatment facilities and pediatric
31 treatment facilities are required to provide to patients and
32 non-offending parents or legal guardians, if applicable,
33 regarding medical forensic examination procedures, laws
34 regarding consent relating to medical forensic services,
35 and the benefits and risks of evidence collection including

1 recommended time frames for evidence collection pursuant to
2 evidence-based research. The materials shall be made available
3 on the department of justice's internet site to all treatment
4 facilities. The sexual assault nurse forensic examiner
5 program, in consultation with qualified medical providers,
6 the Iowa department of public health, and the Iowa coalition
7 against sexual assault, shall create and update statewide
8 sexual assault nurse forensic examiner protocols, shall provide
9 technical assistance upon request to health care professionals,
10 and shall provide expertise on best practices to health care
11 professionals relating to sexual assault forensic examinations.