

1 A JOINT RESOLUTION directing all hospitals offering emergency services, the
2 Kentucky Board of Nursing, the Kentucky Association of Sexual Assault Programs, and
3 the Kentucky Office of Victim Advocacy to report information relating to sexual assault
4 nurse examiners and sexual assault medical-forensic examinations.

5 WHEREAS, nearly one in two women and one in five men in Kentucky reported
6 being violated by contact sexual violence at some point in their lives, an estimated one in
7 five women have experienced sexual violence involving rape, nearly one in two women
8 in have experienced sexual violence in some form other than rape, and almost one in five
9 men in Kentucky have experienced sexual violence at some point in their lifetime; and

10 WHEREAS, the purpose of a sexual assault medical-forensic exam is to provide
11 trauma informed care while assessing a victim's healthcare needs, coordinating treatment
12 of any injuries, and collecting evidence for use during any potential case investigation and
13 prosecution; and

14 WHEREAS, a medical-forensic examination includes gathering a medical forensic
15 history or narrative statement from the patient, conducting a thorough head-to-toe
16 physical examination of the patient, consulting for the appropriate treatment of the
17 patient's injuries, collecting physical evidence from the patient, providing the patient with
18 information, making referrals any necessary treatment, and following up with the patient
19 as needed to provide additional treatment or evidence collection; and

20 WHEREAS, medical-forensic examinations are meant to document and collect
21 evidence on assault-related trauma such as scratches, bruises, abrasions, and other injuries
22 on a body, including photos of injuries, DNA swabs, and observations of the patient's
23 behavior that could be used in a criminal trial; and

24 WHEREAS, people who have been sexually assaulted are encouraged to have a
25 sexual assault medical-forensic evidence nurse examination performed as soon as
26 possible after an assault because past a 96-hour period, any collectable evidence could
27 potentially have been lost; and

1 WHEREAS, not all hospitals have credentialed sexual assault nurse examiners so
2 patients sometimes are required to travel long distances to obtain sexual assault medical-
3 forensic examinations, which means that patients are faced with increased wait times and
4 transfers to other facilities, or receiving an examination by medical professionals who
5 have not received sexual assault medical-forensic training; and

6 WHEREAS, the facilities that have credentialed sexual assault nurse examiners
7 must be ready to do what they can to help every patient who walks in the door; and

8 WHEREAS, in cases where toxicology information is relevant, sexual assault nurse
9 examiners may also gather blood and urine specimens as appropriate to perform
10 necessary tests; and

11 WHEREAS, the effects of experiencing an assault can be both physical and
12 psychological, necessitating specialized care that embodies the concept of care for the
13 entire person;

14 NOW, THEREFORE,

15 ***Be it resolved by the General Assembly of the Commonwealth of Kentucky:***

16 ➔Section 1. The Cabinet for Health and Family Services shall direct each hospital
17 licensed in Kentucky that offers emergency services to submit a report by July 1, 2021, to
18 the Sexual Assault Response Team Advisory Committee including the following
19 information:

20 (1) The number of victims of sexual offenses examined at that hospital between
21 January 1, 2020, to December 31, 2020;

22 (2) The number of sexual assault examinations required under KRS 216B.400
23 that were performed between January 1, 2020, to December 31, 2020, by each of the
24 following:

25 (a) A sexual assault nurse examiner credentialed under KRS 314.142;

26 (b) A qualified medical professional as defined in 502 KAR 12:010; and

27 (c) A physician;

- 1 (3) The number of sexual assault nurse examiners credentialed under KRS
2 314.142 who from January 1, 2020, to December 31, 2020, were:
- 3 (a) Employed full-time as sexual assault nurse examiners;
 - 4 (b) Employed part-time as sexual assault nurse examiners;
 - 5 (c) Contracted full-time sexual assault nurse examiners;
 - 6 (d) Contracted part-time sexual assault nurse examiners; and
 - 7 (e) Employed or contracted on a PRN or as-needed, on-call basis, by the number
8 of hours employed per month;
- 9 (4) The types of support, including paid time-off, pay incentives, or any other type of
10 support, offered to nurses between January 1, 2020, to December 31, 2020, who
11 expressed an interest in becoming credentialed as sexual assault nurse examiners;
- 12 (5) The required trainings and optional trainings offered to hospital staff between
13 January 1, 2020, to December 31, 2020, regarding sexual assault and the
14 appropriate manner of interacting with and providing services to sexual assault
15 victims;
- 16 (6) The average waiting time for a sexual assault examination from the time of arrival
17 at the hospital; and
- 18 (7) Any recommendations relating to obtaining a sexual assault examination in a timely
19 manner, including increased reimbursement for conducting examinations and
20 additional support for increasing the number of credentialed sexual assault nurse
21 examiners, to improve the system of care for victims of sexual assault.

22 The Kentucky Hospital Association may make the report on behalf of all hospitals
23 described in this section, but each hospital's information shall be identified by the name
24 of the hospital.

25 ➔Section 2. The Cabinet for Health and Family Services shall direct the Kentucky
26 Board of Nursing to submit a report by July 1, 2021, to the Sexual Assault Response
27 Team Advisory Committee including the following information:

- 1 (1) The number of credentialed sexual assault nurse examiners in 2020; and
- 2 (2) The county of employment of each credentialed sexual assault nurse examiner
- 3 in 2020.

4 ➔Section 3. The Cabinet for Health and Family Services shall direct the Kentucky
5 Association of Sexual Assault Programs to submit a report by July 1, 2021, to the Sexual
6 Assault Response Team Advisory Committee including the following information:

- 7 (1) The following information on hospital visits by staff of rape crisis centers for
8 sexual assault nurse examinations for January 1, 2020, to December 31, 2020:
 - 9 (a) The number of visits by hospital and hospital location;
 - 10 (b) Whether each examination was performed by a physician, qualified medical
11 professional, or a sexual assault nurse examiner; and
 - 12 (c) A compilation of any concerns reported by rape crisis center staff regarding
13 visits.
- 14 (2) The number and types of complaints received from January 1, 2020, to
15 December 31, 2020, alleging that a victim of a sexual assault did not receive a sexual
16 assault examination or was treated poorly at the hospital from which services were sought
17 and the region where the hospital is located;
- 18 (3) The number and location of trainings offered concerning sexual assault
19 examinations from January 1, 2020, to December 31, 2020; and
- 20 (4) Identification of any gaps in the system of care for victims of sexual assaults
21 with regard to obtaining a sexual assault examination in a timely manner.

22 ➔Section 4. The Cabinet for Health and Family Services shall direct the
23 Kentucky Office of Victim Advocacy, Office of the Attorney General to submit a report
24 by July 1, 2021, to the Sexual Assault Response Team Advisory Committee including the
25 following information:

- 26 (1) The number and types of complaints received alleging that a victim of a
27 sexual assault did not receive a sexual assault examination at the hospital from which

1 they sought services from January 1, 2020, to December 31, 2020, and the name and
2 location of those hospitals;

3 (2) The number and types of complaints received alleging that a victim of a
4 sexual assault was treated poorly at the hospital from which they sought services from
5 January 1, 2020, to December 31, 2020, and the name and location of those hospitals; and

6 (3) Recommendations to improve the system of care for victims of sexual assault
7 with regard to obtaining a sexual assault examination in a timely manner.

8 ➔Section 5. The Sexual Assault Response Team Advisory Committee may
9 forward the reports received to the Office for Policy Studies on Violence Against Women
10 at the University of Kentucky, or another entity, to compile and analyze the information
11 and to submit a report including recommendations to the Interim Joint Committee on
12 Health, Welfare, and Family Services by December 1, 2021.