

1 AN ACT relating to sexual assault nurse examiners.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 314.142 is amended to read as follows:

4 (1) The Kentucky Board of Nursing shall promulgate administrative regulations
5 pursuant to KRS Chapter 13A to create a Sexual Assault Nurse Examiner Program.

6 These administrative regulations shall address, at a minimum:

7 (a) Educational requirements for sexual assault nurse examiners and statewide
8 standards for provision of the education;

9 (b) The application process through which registered nurses who submit
10 documentation of required education and clinical experience and who remit
11 the designated application fee may apply to the board to be credentialed as a
12 "Sexual Assault Nurse Examiner";

13 (c) Continuing education requirements for maintenance of the sexual assault
14 nurse examiner credential;

15 (d) Methods of monitoring overall program implementation; and

16 (e) Procedures for obtaining input from the Sexual Assault Response Team
17 Advisory Committee established under KRS Chapter 403 prior to proposing
18 amendments to any provision of the administrative regulations promulgated
19 under this section or KRS 314.131.

20 (2) Any person in this state who holds a credential as a Sexual Assault Nurse Examiner
21 as defined in KRS 314.011(14) shall have the right to use the title "Sexual Assault
22 Nurse Examiner" and the abbreviation "SANE". No other person shall assume the
23 title or use the abbreviation or any other words, letters, signs, or figures to indicate
24 that the person using the same is a Sexual Assault Nurse Examiner.

25 ***(3) The board shall employ a health professional as a statewide sexual assault nurse***
26 ***examiner (SANE) coordinator to support the logistical operations of the SANE***
27 ***Program and individual SANEs credentialed under this section.***

- 1 **(4) The board shall establish a description, essential duties, and responsibilities of**
 2 **the SANE coordinator position that shall include but not be limited to:**
 3 **(a) Identifying and recruiting potential SANEs across the state;**
 4 **(b) Organizing and facilitating comprehensive SANE training programs;**
 5 **(c) Establishing and maintaining relationships with key stakeholders such as**
 6 **hospitals, law enforcement agencies, rape crisis advocates, and others; and**
 7 **(d) Increasing SANE Program collaboration by creating opportunities for**
 8 **networking and building rapport among SANE training programs.**
- 9 **(5) The board shall collaborate with the Kentucky Hospital Association, the Cabinet**
 10 **for Health and Family Services, the Sexual Assault Response Team Advisory**
 11 **Committee, and any other entities deemed appropriate by the board, to develop a**
 12 **statewide strategic plan that utilizes a regional model to ensure SANE coverage**
 13 **for all Kentucky hospitals. The strategic plan shall be submitted to the Legislative**
 14 **Research Commission for referral to the Interim Joint Committee on Health**
 15 **Services by December 1, 2026.**
- 16 **(6) The board shall develop a state registry of SANEs and make it accessible from the**
 17 **board's website by registered SANEs and Kentucky hospitals. The registry shall**
 18 **be operational by December 1, 2026.**
- 19 **(7) The board shall notify each newly registered SANE that the state registry of**
 20 **SANEs is available on the board's website as required in subsection (6) of this**
 21 **section.**
- 22 ➔Section 2. KRS 403.707 is amended to read as follows:
- 23 (1) The Sexual Assault Response Team Advisory Committee is established.
- 24 (2) The Sexual Assault Response Team Advisory Committee shall be co-chaired by the
- 25 **chief** executive **officer**~~director~~ of the Kentucky Association of Sexual Assault
- 26 Programs **or the chief executive officer's designee** and the commissioner of the
- 27 Department of Kentucky State Police or the commissioner's designee.

- 1 (3) The membership of the Sexual Assault Response Team Advisory Committee shall
2 consist of the following:
- 3 (a) The executive director of the Kentucky Board of Nursing or the executive
4 director's designee;
- 5 (b) The executive director of the Kentucky Nurses Association or the executive
6 director's designee;
- 7 (c) The executive director of the Kentucky Hospital Association or the executive
8 director's designee;
- 9 (d) The *chief* executive ~~officer~~^{director} of the Children's Advocacy Centers of
10 Kentucky or the chief executive officer's designee~~[Kentucky Association of~~
11 ~~Children's Advocacy Centers]~~;
- 12 (e) The director of the Department of Kentucky State Police Crime Lab or the
13 director's designee;
- 14 (f) The commissioner of the Department for Community Based Services or the
15 commissioner's designee;
- 16 (g) The director of the Office of Victims Advocacy in the Office of the Attorney
17 General or the director's designee;
- 18 (h) A sexual assault nurse examiner appointed by the secretary of the Cabinet for
19 Health and Family Services;
- 20 (i) A representative from a sexual assault response team appointed by the *chief*
21 executive ~~officer~~^{director} of the Kentucky Association of Sexual Assault
22 Programs;
- 23 (j) A physician appointed by the secretary of the Cabinet for Health and Family
24 Services; and
- 25 (k) A Commonwealth's attorney or an assistant Commonwealth's attorney
26 appointed by the Attorney General.
- 27 (4) Members appointed under subsection (3)(h) to (k) of this section shall serve at the

1 pleasure of the appointing authority and shall not serve longer than four (4) years
2 without reappointment.

3 (5) The Sexual Assault Response Team Advisory Committee shall:

4 (a) Serve in an advisory capacity to the Kentucky Board of Nursing in
5 accomplishing the duties set forth under KRS 314.142;

6 (b) Serve in an advisory capacity to the Justice and Public Safety Cabinet in the
7 development of the statewide sexual assault protocol required under KRS
8 216B.400(5);

9 (c) Develop a model protocol for the operation of sexual assault response teams
10 which shall include the roles of sexual assault nurse examiners, physicians,
11 law enforcement, prosecutors, and victim advocates;

12 (d) Provide assistance to each regional rape crisis center, as designated by the
13 Cabinet for Health and Family Services, in establishing a regional sexual
14 assault response team;

15 (e) Develop model policies for law enforcement agencies related to handling
16 sexual assault examination kits and investigating sexual assaults with a
17 victim-centered, evidence-based approach;

18 (f) ~~[By January 1, 2018, report to the General Assembly on the results of the
19 analysis of previously untested sexual assault examination kits submitted to
20 the Department of Kentucky State Police forensic laboratory pursuant to 2016
21 Ky. Acts ch. 58, sec. 1, including whether analysis of those kits led to the
22 identification and prosecution of suspects and the cost to society of the
23 offenses committed by the suspects identified;~~

24 ~~(g)~~ ~~]~~By July 1 *of each year*~~[, 2018, and by each July 1 thereafter]~~, report to the
25 General Assembly and to the secretary of the Justice and Public Safety
26 Cabinet on the number of sexual assaults reported, the number of sexual
27 assault examination kits submitted to the Department of Kentucky State

1 Police forensic laboratory, the number of kits tested, and the number of
2 charges filed and convictions obtained in sexual assault cases in the previous
3 calendar year;

4 ~~(g)~~~~(h)~~ Provide information and recommendations concerning the activities of
5 the agency or organization represented by each individual committee member
6 as related to sexual assault issues and programs within the purview of the
7 agency or organization; and

8 ~~(h)~~~~(i)~~ Recommend to the appropriate state agency any changes in statute,
9 administrative regulation, training, policy, and budget to promote a
10 multidisciplinary response to sexual assault.