

**EFFECTIVE FOR ALL RAPE KITS COLLECTED ON JULY 27, 2009 AND FORWARD.**

**Synopsis of House Bill 1342 (ratified in 2009): An act to provide free forensic medical examinations for victims of rape and sex offenses.**

- Victims to be provided free forensic medical examinations. North Carolina Policy now allows victims to obtain forensic medical examinations free of charge. Whenever a forensic medical examination is conducted as a result of a sexual assault or an attempted sexual assault that occurred in the state, the program shall pay for the examination. A medical facility or medical professional that performs a forensic medical examination on the victim of a sexual assault or attempted sexual assault shall not seek payment for the examination except from the program.
- **No billing of the victim.** A medical facility or medical professional that performs a forensic medical examination shall accept payment made under this section as payment in full of the amount owed for the cost of the examination and other eligible expenses and shall not bill the victims, their personal insurance, Medicaid, Medicare, or any other collateral source for the examination.

Furthermore, a medical facility or medical professional shall not seek reimbursement from the program after one year from the date of the examination.

- **Eligible expenses.** Medical facilities and medical professionals who perform forensic medical examinations shall do so using a Sexual Assault Evidence Collection Kit. Program payments for the forensic medical examination shall be limited to the following:

<u>Service</u>	<u>Maximum Amount Paid by Program</u>
Physician or SANE Nurse	\$350
Hospital/Facility Fee	\$250
Other Expenses Deemed Eligible by the Program	\$200
Total:	\$800

- **Payment directly to provider.** The program shall make payment directly to the medical facility or medical professional. Bills submitted to the Program for payment shall specify under which categories of expense set forth in subsection (d) of this section the billed services fall.
- **Additional victim notification requirements.** A medical facility or medical professional who performs a forensic medical examination shall encourage

victims to submit an application for reimbursement of medical expenses beyond the forensic examination to the Crime Victims Compensation Commission for consideration of those expenses. Medical facilities and medical professional shall not seek reimbursement for the program after one year from the date of the exam.

**\*\*\*For victims who choose to remain anonymous – The program is required to verify the chain of custody of the rape kit and confirm receipt of the kit by law enforcement. This information must be verified before payment can be submitted to the medical facility or medical professional who performs the forensic medical examination.**

**ADDITIONAL VICTIM NOTIFICATION REQUIREMENTS – A medical facility or medical professional who performs a forensic medical examination shall encourage victims to submit an application for reimbursement of medical expenses beyond the forensic examination to the Crime Victims Compensation Commission for consideration of those expenses.**

**The victim must meet the eligibility requirements of the Crime Victims Compensation Program for additional expenses.**