

WHAT YOU NEED TO KNOW if you are an advocate

- There are two distinct components of a sexual assault medical forensic exam: the Sexual Assault Forensic “Evidence Collection” Exam and the Sexual Assault Medical Exam.
- Your role is to provide information about who may provide the exam and generally what to expect at the hospital or healthcare facility.
- You should know who is responsible for the costs associated with a complete sexual assault medical forensic exam and how to clearly explain it to a victim or family member.

WHAT YOU NEED TO KNOW if you are a medical service provider or healthcare facility staff

- There are two distinct components of a sexual assault medical forensic exam: the Sexual Assault Forensic “Evidence Collection” Exam and the Sexual Assault Medical Exam.
- Each exam is to be billed separately.
- The evidence collection portion of the bill is submitted to and paid by law enforcement as per state law.
- The medical portion of the bill is the responsibility of the patient/victim and can be handled through billing the patient/victim’s medical insurance, if any, or the Crime Victims’ Compensation Program if the patient/victim applies and is determined eligible.

WHAT IS sexual assault?

Sexual assault is defined in several ways. Generally, sexual assault is any unwanted, non-consensual sexual contact against any individual by another. It often includes acts involving manipulation, physical force or coercion. Sexual assault is never the victim’s fault.

CRIME VICTIM services division

The Crime Victim Services Division consists of five sections: the Sexual Assault Prevention and Crisis Services Program, Planning, Policy & Program Development, the Statewide Automated Victim Notification Program, the Crime Victims’ Compensation Program and the Address Confidentiality Program.

Sexual Assault Prevention & Crisis Services Program

If you are a victim of sexual assault, you may be eligible for reimbursement of certain out-of-pocket expenses related to the crime through our Crime Victims’ Compensation Program.

Sexual Assault Prevention & Crisis Services
P.O. Box 12548 MC 011-1
Austin, Texas 78711-2548

(800) 983-9933 Statewide
(512) 936-1270 in Austin
(512) 936-1650 Fax
www.oag.state.tx.us/victims/sapcs.shtml

Crime Victims’ Compensation Program

Please check our website or call for information and an application form.

Crime Victims’ Compensation Program
P.O. Box 12198 MC 011
Austin, Texas 78711-2198

(800) 983-9933 Statewide
(512) 936-1200 in Austin
(512) 936-1800 Fax
www.texasattorneygeneral.gov

SEXUAL ASSAULT FORENSIC EXAM & MEDICAL TREATMENT BILLING INFORMATION



SEXUAL ASSAULT MEDICAL

sexual assault medical

FORENSIC EXAMINATION

forensic examination

WHAT YOU

need to now

Whether you are a victim of sexual assault in the State of Texas or someone who is assisting a victim, it is important for you to understand the medical forensic examination provided at a hospital or clinic and the eligibility for benefits or reimbursement.

GENERAL

information

A sexual assault examination is done by a medical doctor, a sexual assault nurse examiner (referred to as a SANE) or a sexual assault examiner.

A sexual assault examination consists of two components:

- Sexual Assault Forensic or “Evidence Collection” Exam
- Sexual Assault Medical Exam which includes assessment and treatment of any physical injuries, medical tests and/or medications (including preventative medications for sexually transmitted infections) related to the sexual assault.

WHO IS RESPONSIBLE

for payment?

The hospital or healthcare facility should separate a bill for a sexual assault exam into two statements:

- One related to the forensic (evidence collection) charges
- One related to the medical assessment and treatment charges

The Sexual Assault Forensic (Evidence Collection) Exam

By law, local law enforcement is responsible for paying for the Sexual Assault Forensic “Evidence Collection” Exam:

- The hospital sends the bill directly to the local law enforcement agency which authorized the sexual assault exam for evidence collection.
- The hospital DOES NOT bill the patient for the forensic (evidence collection) portion of the sexual assault exam.
- The victim IS NOT RESPONSIBLE for the costs associated with the forensic (evidence collection) portion of the sexual assault exam.

- Local law enforcement directly pays the hospital or health care facility that conducts the exam for the forensic (evidence collection) portion of the exam.
- Law enforcement submits a Sexual Assault Exam Reimbursement application and bill to the Crime Victims’ Compensation Program for direct reimbursement of payment. The bill is paid according to guidelines prescribed by law.

Sexual Assault Medical Assessment & Treatment

- Charges associated with the sexual assault medical assessment and treatment are the responsibility of the patient/victim only. (See below for Crime Victims’ Compensation eligibility requirements.)
- The hospital will bill for all charges related to the sexual assault exam that are NOT for the purpose of evidence collection.
- If a victim has medical insurance, it should be billed first and utilized for potential reimbursement.
- If a victim does not have insurance or some other form of medical payment plan, they will be responsible for payment.
- The victim may apply to the Crime Victims’ Compensation Program and, if eligible, be reimbursed for payment of the medical assessment and treatment.

- If payment is pending to the hospital and the victim is eligible for Crime Victims’ Compensation, the payment for the medical assessment and treatment can be paid directly to the hospital.

REPORTING THE CRIME

to law enforcement

The victim has the option whether or not to report the alleged sexual assault to law enforcement.

- The decision to report or not report does NOT affect whether the victim receives medical care and treatment.
- A victim is NOT required to report an alleged sexual assault to law enforcement in order to receive medical assessment and treatment related to the sexual assault.
- The decision to report or not report does NOT affect payment of the sexual assault forensic exam by law enforcement.
- By not reporting, a victim assumes ALL financial responsibility for the medical assessment and treatment related to the sexual assault but NOT for the evidence collection, which is paid by law enforcement.
- Not reporting DOES make a victim ineligible for Crime Victims’ Compensation, a program which may provide reimbursement for sexual assault-related medical costs and any other co-payments not covered by insurance.