

*Patient Care Policy
Emergency Department*

Title: Restricted Reporting of Sexual Assault in Patients 18 years and Older

Original Date: _____ **Review Dates:** _____
Revision Dates: _____

Sexual Assault Nurse Examiner (SANE), is a registered nurse who has been specially trained to provide comprehensive care to female and male patients of all ages who have been sexually assaulted. The SANE demonstrates competency in conducting a complete medical/forensic exam and collecting forensic evidence from patients who have been sexually assaulted.

Policy:

The first priority of the Emergency Department personnel is to provide appropriate medical care for any life threatening injury that may be present. After appropriate treatment has been rendered for life-threatening injuries, the SANE will obtain a history, conduct a head to toe exam, perform a detailed ano-genital exam, collect forensic specimens for evidentiary purposes and provide treatment to the patient on an individualized care level appropriate for both the patient’s developmental and cultural needs, within the mandatory reporting requirements of state law. In some circumstances, the SANE may be able to work contemporaneously with the ED team in the provision of this care.

Standard of Care:

The patient who presents to the Emergency Department with the chief complaint of sexual assault has the option of receiving evidence collection as part of their care if they are examined acutely (within 5 days of the assault). Due to federal initiatives set forth by Congress, active duty military personnel have the option in the event they are a victim of sexual assault to request a “restricted report.” **If an active duty military person wishes to make a ‘restricted report’ –military law enforcement is not notified to initiate an investigation.**

Recent changes in the Federal Violence Against Women Act (VAWA) allow the non-military patient who presents to the Emergency Department with a chief complaint of sexual assault, the option of receiving evidence collection as part of their care if they are examined acutely (within 5 days) following the assault, even if they do not wish to cooperate with law enforcement (HB-1517). When a civilian does not wish to cooperate with law enforcement, their option to received evidence collection during their examination is considered an ‘unreported sexual assault.’

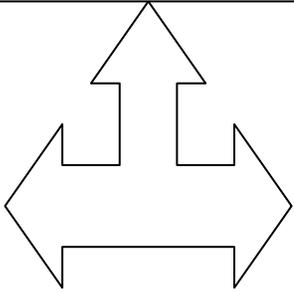
Standard of Practice:

1. Any patient presenting with a complaint of sexual assault should be triaged per protocol utilizing the triage checklist.
2. When the SANE arrives, s/he should ask the patient if they are active duty military. Depending on the patient’s answer, the following process steps should be taken:

Active-Duty Military	Civilian
3. The SANE will call the SARC specific to the named military installation and ask them to respond to the hospital to discuss with the patient their options in reporting.	3. The SANE will discuss their options for reporting if the patient has presented without already having made a report to law enforcement.
4. If the patient chooses the restricted reporting option, the SARC will provide a blinded case number and packaging material to the SANE to keep the identity of the patient anonymous.	4. If the patient chooses to not cooperate with law enforcement, the SANE will call PD communications center and ask for a case report number for an 'unreported sexual assault' incident report.
5. Following completion of the medical/forensic examination, the patient may be discharged in the company of the SARC.	5. In the exam room the SANE will pull an 'unreported sexual assault' packet and utilize the information contained within to label the evidence kit 'unreported.'
6. Upon discharge, the SANE will notify the appropriate military law enforcement agency to pick up the evidence kit contained in the military packaging with the blinded case number.	6. Upon discharge the SANE will add to the patient discharge instructions the information on 'unreported sexual assaults' that include the patient's case number and process for reporting should s/he choose to do so.
	7. The SANE will fill out portions of the Division of Criminal Justice Billing Form, make a copy for the QA file, and attach the original to the rest of the billing forms submitted to finance following completion of the exam.

For any patient **choosing to report** the sexual assault and cooperate with law enforcement, the SANE will contact law enforcement in the jurisdiction where the crime occurred.

Active duty military personnel, assaulted on post, reports for exam & collection of forensic evidence by SANE.



RESTRICTED REPORTING

- Accompanied by SARC
- ED should notify SANE
- SANE will call military L.E agency (OSI or CID) to obtain authorization for anonymous collection

- SARC will provide blinded case number and packaging for kit.
- Medical-forensic exam will be done by SANE.
- Pt will be discharged in company of military SARC.

- SARC or SANE will notify OSI or CID that collection is complete & evidence should be picked up from SANE. Kit will be placed in military provided packaging will be turned over to CID or OSI with 'blinded' case number.

UNRESTRICTED REPORTING

- Accompanied by military L.E agency (OSI or CID) & SARC.

- OSI or CID personnel will sign and 'authorize' medical-forensic exam.
- Medical-forensic exam will be done by SANE
- Pt will be discharged in company of military SARC.

- Sealed kit will be turned over to authorizing CID or OSI personnel.

"Restricted reporting" flow chart