



Assembly California Legislature

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Assemblywoman, First District

AB 925: Sexual Assault Medical Forensic Examination Reimbursement

BILL SUMMARY

AB 925 will increase the availability and affordability of Acute Adult/Adolescent Sexual Assault Medical Forensic/Evidentiary Examinations for victims of sexual assault.

The bill will allocate \$6.7 million annually from the General Fund to the California Office of Emergency Services (Cal OES) for the purpose of providing full reimbursement to providers that perform these exams.

BACKGROUND

In 2019, the California Legislature made important strides in the protection of victims' rights and access to justice via Sexual Assault Medical Forensic/Evidentiary Examinations through Assembly Bill 538 (Ch. 714, Stats. 2020). Along with expanding the medical personnel authorized to provide these exams and establishing better training mechanisms, this legislation also provided that victims cannot be charged for the costs of a sexual assault forensic medical examination.

Instead, there are two avenues for partial reimbursement available to qualified healthcare professionals that provide these exams. For victims that at the onset of the examination do not wish to participate in the criminal justice system, the provider of the exam may seek partial reimbursement not to exceed \$300, through Cal OES. Reimbursement is paid out of federal funding received pursuant to the Violence Against Women Act. For victims who cooperate with law enforcement at the onset of the exam, the cost incurred by the provider of the exam is treated as a local cost and charged to and reimbursed within 60 days by the local law enforcement agency in whose jurisdiction the alleged offense was committed. All medical evidentiary examinations are reimbursed at the locally negotiated rate, which varies by county.

PROBLEM

Though these two avenues for partial reimbursement exist, they only cover a fraction of the cost incurred by the providers of these critical exams. This makes it difficult for clinics and providers to offer this service, especially in rural districts where access is scarce. For example, there is one primary provider of these exams located in Shasta County who covers the territory of seven large counties in the First Assembly District. Victims seeking these exams are forced to travel up to three hours in some cases wearing the same clothing in which they were assaulted for multiple days as they await availability for an exam.

Given the increasing demand for these exams as sexual violence is on the rise, it is imperative that the state provide committed funding to fully reimburse qualified healthcare professionals for providing these exams. This will help clinics that provide this service to pencil out the cost of providing the exams, and incentivize more clinics and providers to offer this important service.

SOLUTION

According to data provided by the California Clinical Forensic Medical Training Center, the estimated cost of adult sexual assault exams in 2019 was \$7,120,388. If the reimbursement rate were increased to cover the entire cost incurred by providers, the new estimated cost would be \$13,760,900, a difference of \$6,640,512. AB 925 allocates a minimal \$6.7 million from the state's well-endowed general fund on an annual basis to Cal OES, to provide full reimbursement to local law enforcement agencies and providers of Acute Adult/Adolescent Sexual Assault Medical Forensic/Evidentiary Examinations.

BILL STATUS

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