

52:4B-22

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2011 **CHAPTER:** 106

NJSA: 52:4B-22 (Clarifies that sexual assault victims are not responsible for any costs of forensic sexual assault examinations or related services)

BILL NO: S972 (Substituted for A2597)

SPONSOR(S) Allen and others

DATE INTRODUCED: February 4, 2010

COMMITTEE: **ASSEMBLY:** ---

SENATE: Judiciary

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** June 23, 2011

SENATE: March 21, 2011

DATE OF APPROVAL: August 18, 2011

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced version of bill enacted)

S972

SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A2597

SPONSOR'S STATEMENT: (Begins on page 4 of introduced bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Christie: No rape fees," The Trentonian, August 19, 2011

LAW/RWH

P.L.2011, CHAPTER 106, *approved August 18, 2011*

Senate, No. 972

1 **AN ACT** concerning forensic sexual assault examinations and
2 amending P.L.1981, c.256 and P.L.2001, c.81.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.1981, c.256 (C.52:4B-22) is amended to
8 read as follows:

9 1. a. Every State, county, and municipal police department and
10 hospital or other place of emergency medical care shall have
11 available and shall post in a public place information booklets,
12 pamphlets or other pertinent written information, to be supplied by
13 the Victims of Crime Compensation Agency, relating to the
14 availability of crime victims' compensation including all necessary
15 application blanks required to be filed with the agency.

16 b. Included in the information supplied by the Victims of
17 Crime Compensation Agency shall be information for victims of
18 sexual offenses. This information shall contain the location of rape
19 crisis centers in all geographical areas throughout the State and
20 shall instruct victims of sexual offenses that if a rape crisis center is
21 not available in a victim's immediate geographical area, the victim
22 may contact the appropriate county victim-witness coordinator
23 appointed by the Chief of the Office of Victim-Witness Advocacy
24 established pursuant to P.L.1985, c.404 (C.52:4B-39 et seq.). The
25 information shall also provide that victims will not be charged any
26 fee for services that are directly associated with a forensic sexual
27 assault examination, including routine medical screening,
28 medications for prophylaxis of sexually transmitted infections,
29 pregnancy tests, emergency contraception, supplies, equipment and
30 use of space.

31 Unless the victim requires immediate medical attention, this
32 information shall be personally conveyed to the victim of a sexual
33 offense by a representative of the hospital or place of emergency
34 care before a medical examination of the victim is conducted, or by
35 a representative of the police department before the victim's
36 statement is taken, to afford the victim the opportunity to arrange to
37 have assistance from the rape crisis center or county victim-witness
38 coordinator during these procedures. Hospitals shall be held
39 harmless from suits emanating from a hospital's carrying out the
40 obligation to convey information to victims of sexual offenses.

41 "Rape crisis center" means an office, institution or center
42 offering assistance to victims of sexual offenses through crisis

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 intervention, medical and legal information and follow-up
2 counseling.

3 c. Every police department shall, upon the filing of a report of
4 a violent crime, make available to any victim information
5 concerning crime victims' compensation.

6 (cf: P.L.2007, c.95, s.24)

7

8 2. Section 4 of P.L.2001, c.81 (C.52:4B-52) is amended to read
9 as follows:

10 4. The program coordinator shall:

11 a. Coordinate the county Sexual Assault Nurse Examiner
12 program in accordance with standard protocols for the provision of
13 information and services to victims of sexual assault developed by
14 the Attorney General pursuant to subsection d. of section 6 of
15 P.L.1985, c.404 (C.52:4B-44);

16 b. Perform forensic sexual assault examinations on victims of
17 sexual assault in accordance with the standards developed by the
18 Attorney General and appropriate medical and nursing standards of
19 care;

20 c. Designate one or more licensed physicians or certified
21 forensic sexual assault nurse examiners to perform forensic sexual
22 assault examinations on victims of sexual assault in accordance
23 with the standards developed by the Attorney General and
24 appropriate medical and nursing standards of care;

25 d. Develop and implement standardized guidelines for forensic
26 sexual assault examinations performed by designated physicians or
27 certified forensic sexual assault nurse examiners in the county;

28 e. Develop and implement a standardized education and
29 training program to provide instruction to members of the county
30 Sexual Assault Response Team established pursuant to section 6 of
31 this act which shall include, but not be limited to, instruction in the
32 following areas:

33 (1) the importance of a coordinated, multi-disciplinary response
34 to a report of sexual assault;

35 (2) the policies and procedures which govern the responsibilities
36 of each team member;

37 (3) the psychological effects of sexual assault and rape trauma
38 syndrome on the victim and the victim's family and friends;

39 (4) the collection, handling and documentation of forensic
40 evidence; and

41 (5) confidentiality issues associated with the treatment of a
42 victim of sexual assault and the investigation of a report of sexual
43 assault;

44 f. Establish, in cooperation with licensed health care facilities,
45 private waiting rooms and areas designated for forensic sexual
46 assault examinations and the provision of rape care services in the
47 licensed health care facilities participating in the program;

- 1 g. Develop, in cooperation with licensed health care facilities,
2 protocols for the storage of forensic evidence;
- 3 h. Provide appropriate services to victims of sexual assault,
4 including the opportunity to tend to personal hygiene needs, obtain
5 fresh clothing and speak with a rape care advocate prior to and
6 during any medical procedure or law enforcement investigation,
7 unless the victim requires immediate medical attention, as
8 appropriate;
- 9 i. Collaborate with law enforcement officials and the county
10 rape care program to ensure that the needs of victims of sexual
11 assault are met in a compassionate manner; **[and]**
- 12 j. Participate in regular meetings of the Sexual Assault Nurse
13 Examiner Program Coordinating Council established pursuant to
14 section 7 of this act; and
- 15 k. Develop and implement procedures to ensure that victims of
16 sexual assault are not charged any fee for services that are directly
17 associated with forensic sexual assault examinations, including
18 routine medical screening, medications for prophylaxis of sexually
19 transmitted infections, pregnancy tests, emergency contraception,
20 supplies, equipment and use of space.

21 As used in this section and section 6 of this act, "rape care
22 advocate" means a victim counselor, as defined pursuant to section
23 3 of P.L.1987, c.169 (C.2A:84A-22.14), who specializes in the
24 provision of rape care services.
25 (cf: P.L.2001, c.81, s.4)

26

27 3. This act shall take effect immediately.

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29

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STATEMENT

31

32 This bill would clarify that victims of sexual assault who
33 undergo forensic sexual assault exams are not responsible for any
34 costs of the exams.

35 P.L.2001, c.81 (C.52:4B-50 et seq.) established the Statewide
36 Sexual Assault Nurse Examiner program ("SANE"). Under the
37 statute, each county provides forensic sexual assault examinations
38 to sexual assault victims. The examinations are conducted by
39 physicians or certified forensic sexual assault nurse examiners.

40 The intent of the SANE program is to ensure that the needs of
41 sexual assault victims are met in a compassionate manner and that
42 forensic evidence is collected and handled appropriately so that it
43 can be used in prosecutions.

44 Under the statute, the Attorney General promulgates standards
45 and protocols for the county programs. Currently, these standards
46 provide that victims are not charged any fee for services that are
47 directly associated with forensic sexual assault examinations,
48 including routine medical screening, medications for prophylaxis of

1 sexually transmitted infections, pregnancy tests, emergency
2 contraception, supplies, equipment and use of space. This bill
3 would codify this provision.

4

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7

8 Clarifies that sexual assault victims are not responsible for any
9 costs of forensic sexual assault examinations or related services.

SENATE, No. 972

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 4, 2010

Sponsored by:

Senator DIANE B. ALLEN

District 7 (Burlington and Camden)

Senator JAMES BEACH

District 6 (Camden)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblywoman PAMELA R. LAMPITT

District 6 (Camden)

Assemblywoman LINDA STENDER

District 22 (Middlesex, Somerset and Union)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblywoman LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Senators Weinberg, Gordon, Greenstein, Stack, Beck, Assemblymen Coughlin, Diegnan, Schaer, Assemblywoman Wagner, Assemblymen Rudder, Conaway and Delany

SYNOPSIS

Clarifies that sexual assault victims are not responsible for any costs of forensic sexual assault examinations or related services.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 6/24/2011)

1 AN ACT concerning forensic sexual assault examinations and
2 amending P.L.1981, c.256 and P.L.2001, c.81.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.1981, c.256 (C.52:4B-22) is amended to
8 read as follows:

9 1. a. Every State, county, and municipal police department and
10 hospital or other place of emergency medical care shall have
11 available and shall post in a public place information booklets,
12 pamphlets or other pertinent written information, to be supplied by
13 the Victims of Crime Compensation Agency, relating to the
14 availability of crime victims' compensation including all necessary
15 application blanks required to be filed with the agency.

16 b. Included in the information supplied by the Victims of
17 Crime Compensation Agency shall be information for victims of
18 sexual offenses. This information shall contain the location of rape
19 crisis centers in all geographical areas throughout the State and
20 shall instruct victims of sexual offenses that if a rape crisis center is
21 not available in a victim's immediate geographical area, the victim
22 may contact the appropriate county victim-witness coordinator
23 appointed by the Chief of the Office of Victim-Witness Advocacy
24 established pursuant to P.L.1985, c.404 (C.52:4B-39 et seq.). The
25 information shall also provide that victims will not be charged any
26 fee for services that are directly associated with a forensic sexual
27 assault examination, including routine medical screening,
28 medications for prophylaxis of sexually transmitted infections,
29 pregnancy tests, emergency contraception, supplies, equipment and
30 use of space.

31 Unless the victim requires immediate medical attention, this
32 information shall be personally conveyed to the victim of a sexual
33 offense by a representative of the hospital or place of emergency
34 care before a medical examination of the victim is conducted, or by
35 a representative of the police department before the victim's
36 statement is taken, to afford the victim the opportunity to arrange to
37 have assistance from the rape crisis center or county victim-witness
38 coordinator during these procedures. Hospitals shall be held
39 harmless from suits emanating from a hospital's carrying out the
40 obligation to convey information to victims of sexual offenses.

41 "Rape crisis center" means an office, institution or center
42 offering assistance to victims of sexual offenses through crisis
43 intervention, medical and legal information and follow-up
44 counseling.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 c. Every police department shall, upon the filing of a report of
2 a violent crime, make available to any victim information
3 concerning crime victims' compensation.
4 (cf: P.L.2007, c.95, s.24)
5
- 6 2. Section 4 of P.L.2001, c.81 (C.52:4B-52) is amended to read
7 as follows:
- 8 4. The program coordinator shall:
- 9 a. Coordinate the county Sexual Assault Nurse Examiner
10 program in accordance with standard protocols for the provision of
11 information and services to victims of sexual assault developed by
12 the Attorney General pursuant to subsection d. of section 6 of
13 P.L.1985, c.404 (C.52:4B-44);
- 14 b. Perform forensic sexual assault examinations on victims of
15 sexual assault in accordance with the standards developed by the
16 Attorney General and appropriate medical and nursing standards of
17 care;
- 18 c. Designate one or more licensed physicians or certified
19 forensic sexual assault nurse examiners to perform forensic sexual
20 assault examinations on victims of sexual assault in accordance
21 with the standards developed by the Attorney General and
22 appropriate medical and nursing standards of care;
- 23 d. Develop and implement standardized guidelines for forensic
24 sexual assault examinations performed by designated physicians or
25 certified forensic sexual assault nurse examiners in the county;
- 26 e. Develop and implement a standardized education and
27 training program to provide instruction to members of the county
28 Sexual Assault Response Team established pursuant to section 6 of
29 this act which shall include, but not be limited to, instruction in the
30 following areas:
- 31 (1) the importance of a coordinated, multi-disciplinary response
32 to a report of sexual assault;
- 33 (2) the policies and procedures which govern the responsibilities
34 of each team member;
- 35 (3) the psychological effects of sexual assault and rape trauma
36 syndrome on the victim and the victim's family and friends;
- 37 (4) the collection, handling and documentation of forensic
38 evidence; and
- 39 (5) confidentiality issues associated with the treatment of a
40 victim of sexual assault and the investigation of a report of sexual
41 assault;
- 42 f. Establish, in cooperation with licensed health care facilities,
43 private waiting rooms and areas designated for forensic sexual
44 assault examinations and the provision of rape care services in the
45 licensed health care facilities participating in the program;
- 46 g. Develop, in cooperation with licensed health care facilities,
47 protocols for the storage of forensic evidence;

- 1 h. Provide appropriate services to victims of sexual assault,
2 including the opportunity to tend to personal hygiene needs, obtain
3 fresh clothing and speak with a rape care advocate prior to and
4 during any medical procedure or law enforcement investigation,
5 unless the victim requires immediate medical attention, as
6 appropriate;
- 7 i. Collaborate with law enforcement officials and the county
8 rape care program to ensure that the needs of victims of sexual
9 assault are met in a compassionate manner; **[and]**
- 10 j. Participate in regular meetings of the Sexual Assault Nurse
11 Examiner Program Coordinating Council established pursuant to
12 section 7 of this act; and
- 13 k. Develop and implement procedures to ensure that victims of
14 sexual assault are not charged any fee for services that are directly
15 associated with forensic sexual assault examinations, including
16 routine medical screening, medications for prophylaxis of sexually
17 transmitted infections, pregnancy tests, emergency contraception,
18 supplies, equipment and use of space.

19 As used in this section and section 6 of this act, "rape care
20 advocate" means a victim counselor, as defined pursuant to section
21 3 of P.L.1987, c.169 (C.2A:84A-22.14), who specializes in the
22 provision of rape care services.
23 (cf: P.L.2001, c.81, s.4)

24
25 3. This act shall take effect immediately.
26
27

28 STATEMENT
29

30 This bill would clarify that victims of sexual assault who
31 undergo forensic sexual assault exams are not responsible for any
32 costs of the exams.

33 P.L.2001, c.81 (C.52:4B-50 et seq.) established the Statewide
34 Sexual Assault Nurse Examiner program ("SANE"). Under the
35 statute, each county provides forensic sexual assault examinations
36 to sexual assault victims. The examinations are conducted by
37 physicians or certified forensic sexual assault nurse examiners.

38 The intent of the SANE program is to ensure that the needs of
39 sexual assault victims are met in a compassionate manner and that
40 forensic evidence is collected and handled appropriately so that it
41 can be used in prosecutions.

42 Under the statute, the Attorney General promulgates standards
43 and protocols for the county programs. Currently, these standards
44 provide that victims are not charged any fee for services that are
45 directly associated with forensic sexual assault examinations,
46 including routine medical screening, medications for prophylaxis of
47 sexually transmitted infections, pregnancy tests, emergency

S972 ALLEN, BEACH

5

- 1 contraception, supplies, equipment and use of space. This bill
- 2 would codify this provision.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 972

STATE OF NEW JERSEY

DATED: MARCH 10, 2011

The Senate Judiciary Committee reports favorably Senate Bill No. 972.

This bill would clarify that victims of sexual assault who undergo forensic sexual assault exams are not responsible for any costs of the exams.

P.L.2001, c.81 (C.52:4B-50 et seq.) established the Statewide Sexual Assault Nurse Examiner program (“SANE”). Under the statute, each county provides forensic sexual assault examinations to sexual assault victims. The examinations are conducted by physicians or certified forensic sexual assault nurse examiners.

The intent of the SANE program is to ensure that the needs of sexual assault victims are met in a compassionate manner and that forensic evidence is collected and handled appropriately so that it can be used in prosecutions.

Under the statute, the Attorney General promulgates standards and protocols for the county programs. Currently, these standards provide that victims are not charged any fee for services that are directly associated with forensic sexual assault examinations, including routine medical screening, medications for prophylaxis of sexually transmitted infections, pregnancy tests, emergency contraception, supplies, equipment and use of space. This bill would codify this provision.

In addition, the bill would require this additional information to be added to the information booklets provided by the Victims of Crime Compensation Agency to State, county, and municipal police departments and hospitals under current law.

ASSEMBLY, No. 2597

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED MAY 6, 2010

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblywoman PAMELA R. LAMPITT

District 6 (Camden)

Assemblywoman LINDA STENDER

District 22 (Middlesex, Somerset and Union)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

SYNOPSIS

Clarifies that sexual assault victims are not responsible for any costs of forensic sexual assault examinations or related services.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/11/2010)

1 AN ACT concerning forensic sexual assault examinations and
2 amending P.L.1981, c.256 and P.L.2001, c.81.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.1981, c.256 (C.52:4B-22) is amended to
8 read as follows:

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11 available and shall post in a public place information booklets,
12 pamphlets or other pertinent written information, to be supplied by
13 the Victims of Crime Compensation Agency, relating to the
14 availability of crime victims' compensation including all necessary
15 application blanks required to be filed with the agency.

16 b. Included in the information supplied by the Victims of
17 Crime Compensation Agency shall be information for victims of
18 sexual offenses. This information shall contain the location of rape
19 crisis centers in all geographical areas throughout the State and
20 shall instruct victims of sexual offenses that if a rape crisis center is
21 not available in a victim's immediate geographical area, the victim
22 may contact the appropriate county victim-witness coordinator
23 appointed by the Chief of the Office of Victim-Witness Advocacy
24 established pursuant to P.L.1985, c.404 (C.52:4B-39 et seq.). The
25 information shall also provide that victims will not be charged any
26 fee for services that are directly associated with a forensic sexual
27 assault examination, including routine medical screening,
28 medications for prophylaxis of sexually transmitted infections,
29 pregnancy tests, emergency contraception, supplies, equipment and
30 use of space.

31 Unless the victim requires immediate medical attention, this
32 information shall be personally conveyed to the victim of a sexual
33 offense by a representative of the hospital or place of emergency
34 care before a medical examination of the victim is conducted, or by
35 a representative of the police department before the victim's
36 statement is taken, to afford the victim the opportunity to arrange to
37 have assistance from the rape crisis center or county victim-witness
38 coordinator during these procedures. Hospitals shall be held
39 harmless from suits emanating from a hospital's carrying out the
40 obligation to convey information to victims of sexual offenses.

41 "Rape crisis center" means an office, institution or center
42 offering assistance to victims of sexual offenses through crisis
43 intervention, medical and legal information and follow-up
44 counseling.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 c. Every police department shall, upon the filing of a report of
2 a violent crime, make available to any victim information
3 concerning crime victims' compensation.
4 (cf: P.L.2007, c.95, s.24)
5
- 6 2. Section 4 of P.L.2001, c.81 (C.52:4B-52) is amended to read
7 as follows:
- 8 4. The program coordinator shall:
- 9 a. Coordinate the county Sexual Assault Nurse Examiner
10 program in accordance with standard protocols for the provision of
11 information and services to victims of sexual assault developed by
12 the Attorney General pursuant to subsection d. of section 6 of
13 P.L.1985, c.404 (C.52:4B-44);
- 14 b. Perform forensic sexual assault examinations on victims of
15 sexual assault in accordance with the standards developed by the
16 Attorney General and appropriate medical and nursing standards of
17 care;
- 18 c. Designate one or more licensed physicians or certified
19 forensic sexual assault nurse examiners to perform forensic sexual
20 assault examinations on victims of sexual assault in accordance
21 with the standards developed by the Attorney General and
22 appropriate medical and nursing standards of care;
- 23 d. Develop and implement standardized guidelines for forensic
24 sexual assault examinations performed by designated physicians or
25 certified forensic sexual assault nurse examiners in the county;
- 26 e. Develop and implement a standardized education and
27 training program to provide instruction to members of the county
28 Sexual Assault Response Team established pursuant to section 6 of
29 this act which shall include, but not be limited to, instruction in the
30 following areas:
- 31 (1) the importance of a coordinated, multi-disciplinary response
32 to a report of sexual assault;
- 33 (2) the policies and procedures which govern the responsibilities
34 of each team member;
- 35 (3) the psychological effects of sexual assault and rape trauma
36 syndrome on the victim and the victim's family and friends;
- 37 (4) the collection, handling and documentation of forensic
38 evidence; and
- 39 (5) confidentiality issues associated with the treatment of a
40 victim of sexual assault and the investigation of a report of sexual
41 assault;
- 42 f. Establish, in cooperation with licensed health care facilities,
43 private waiting rooms and areas designated for forensic sexual
44 assault examinations and the provision of rape care services in the
45 licensed health care facilities participating in the program;
- 46 g. Develop, in cooperation with licensed health care facilities,
47 protocols for the storage of forensic evidence;

- 1 h. Provide appropriate services to victims of sexual assault,
2 including the opportunity to tend to personal hygiene needs, obtain
3 fresh clothing and speak with a rape care advocate prior to and
4 during any medical procedure or law enforcement investigation,
5 unless the victim requires immediate medical attention, as
6 appropriate;
- 7 i. Collaborate with law enforcement officials and the county
8 rape care program to ensure that the needs of victims of sexual
9 assault are met in a compassionate manner; **[and]**
- 10 j. Participate in regular meetings of the Sexual Assault Nurse
11 Examiner Program Coordinating Council established pursuant to
12 section 7 of this act; and
- 13 k. Develop and implement procedures to ensure that victims of
14 sexual assault are not charged any fee for services that are directly
15 associated with forensic sexual assault examinations, including
16 routine medical screening, medications for prophylaxis of sexually
17 transmitted infections, pregnancy tests, emergency contraception,
18 supplies, equipment and use of space.

19 As used in this section and section 6 of this act, "rape care
20 advocate" means a victim counselor, as defined pursuant to section
21 3 of P.L.1987, c.169 (C.2A:84A-22.14), who specializes in the
22 provision of rape care services.
23 (cf: P.L.2001, c.81, s.4)

24
25 3. This act shall take effect immediately.
26
27

28 STATEMENT
29

30 This bill would clarify that victims of sexual assault who
31 undergo forensic sexual assault exams are not responsible for any
32 costs of the exams.

33 P.L.2001, c.81 (C.52:4B-50 et seq.) established the Statewide
34 Sexual Assault Nurse Examiner program ("SANE"). Under the
35 statute, each county provides forensic sexual assault examinations
36 to sexual assault victims. The examinations are conducted by
37 physicians or certified forensic sexual assault nurse examiners.

38 The intent of the SANE program is to ensure that the needs of
39 sexual assault victims are met in a compassionate manner and that
40 forensic evidence is collected and handled appropriately so that it
41 can be used in prosecutions.

42 Under the statute, the Attorney General promulgates standards
43 and protocols for the county programs. Currently, these standards
44 provide that victims are not charged any fee for services that are
45 directly associated with forensic sexual assault examinations,
46 including routine medical screening, medications for prophylaxis of
47 sexually transmitted infections, pregnancy tests, emergency

A2597 QUIJANO, LAMPITT

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- 1 contraception, supplies, equipment and use of space. This bill
- 2 would codify this provision.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2597

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 14, 2010

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 2597.

As amended by the committee, this bill would clarify that victims of sexual assault who undergo forensic sexual assault exams at certain health care facilities are not responsible for any costs of the exams.

P.L.2001, c.81 (C.52:4B-50 et seq.) established the Statewide Sexual Assault Nurse Examiner program (“SANE”). Under the statute, each county must establish a Sexual Assault Response Team or enter into an agreement with another county to share the services of that county's response team. The response team, which is comprised of a certified forensic sexual assault nurse examiner, a rape care advocate, and a law enforcement official, is required to respond to a report of sexual assault at the request of a victim and provide treatment, counseling, legal and forensic medical services. Under the program, physicians or certified forensic sexual assault nurse examiners provide forensic sexual assault examinations to these victims.

The intent of the SANE program is to ensure that the needs of sexual assault victims are met in a compassionate manner and that forensic evidence is collected and handled appropriately so that it can be used in prosecutions.

Under the statute, the Attorney General promulgates standards and protocols for the county programs. These standards provide that every county prosecutor's office must affiliate with at least one health care facility in the county to participate in the Sexual Assault Response Team program. Pursuant to the standards, victims who are seen at these participating facilities are not charged any fee for services that are directly associated with forensic sexual assault examinations, including routine medical screening, medications for prophylaxis of sexually transmitted infections, pregnancy tests, emergency contraception, supplies, equipment and use of space. This bill would codify this provision.

The committee amended the bill to clarify that it applies to victims seen at participating facilities. As introduced, the bill had applied to all victims.

The amendments also provide that the informational pamphlets for sexual assault victims available in police departments and hospitals would include a description of the Sexual Assault Nurse Examiner and Sexual Assault Response Team programs and inform victims about the provision of payment for services to victims directly associated with a forensic sexual assault examination.

In addition, the amendments provide that the Attorney General, rather than the SANE program coordinator, would develop and implement procedures to carry out the provisions of the bill. As introduced, section 2 of the bill had amended N.J.S.A.52:4B-52 to provide that the county SANE program coordinator would perform this function. The amendments replace section 2 with an amendment to N.J.S.A.52:4B-60, which provides general authority for the Attorney General to establish guidelines concerning the SANE program. Under the amendments, the Attorney General would develop and implement procedures to carry out the provisions of the bill.

COMMITTEE AMENDMENTS:

1. Amend section 1 of the bill to provide that the informational pamphlets for sexual assault victims available in police departments and hospitals would include a description of the Sexual Assault Nurse Examiner and Sexual Assault Response Team programs and inform victims about the provision of payment for services to victims. The pamphlets would also provide that victims who utilize participating health care facilities would not be charged any fee.

2. Delete section 2 of the bill, which had amended N.J.S.A.52:4B-52 to provide that the county SANE program coordinator would develop and implement procedures to carry out the provisions of the bill.

3. Insert a new section 2 amending N.J.S.A.52:4B-60 to provide that the Attorney General would develop and implement these procedures.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 2597

with Assembly Floor Amendments
(Proposed by Assemblywoman QUIJANO)

ADOPTED: MAY 9, 2011

This bill is intended to clarify that victims of sexual assault who undergo forensic sexual assault exams at certain health care facilities are not responsible for any costs of the exam.

These floor amendments would eliminate certain provisions added to the bill in committee. Specifically, the amendments remove a provision which would have required that the informational pamphlets made available to victims in police departments and hospitals inform the victim about the provision of payment for services to victims directly associated with a forensic examination and a description of the Statewide Sexual Assault Nurse Examiner program (SANE), which requires counties to establish Sexual Assault Response Teams.

The floor amendments would also clarify that the provisions of this bill are applicable to all victims by eliminating language added in committee making the bill applicable only to victims seen at participating facilities.

In addition, the amendments would restore a provision in the bill as it was introduced, providing that the SANE program coordinator would develop and implement procedures to carry out the provisions of the bill. The bill as amended by committee would have required the Attorney General to establish guidelines concerning the SANE program.

These floor amendments restore the bill to the form in which it was introduced and make it identical to Senate Bill No. 972.

Governor Christie Signs Legislation Protecting Victims of Sexual Assault

Thursday, August 18, 2011 Tags: [Bill Action](#)

Trenton, NJ – Governor Chris Christie today signed legislation ensuring that sexual assault victims are not responsible for costs of forensic examinations. Currently, each county provides forensic examinations by a physician or certified forensic sexual assault nurse examiners.

“Sexual assault is a violent crime and its victims must be treated with respect and compassion,” said Governor Christie. “This legislation ensures the needs of assault victims are met appropriately and without cost and that forensic evidence is collected and handled correctly.”

S-972 requires Victims of Crime Compensation Agency (VCCA) to revise their crime victim booklets to state that victims of sexual assaults will not be charged any fees for services associated with a forensic sexual assault examination. Services associated with these exams include routine medical screenings, medications for sexually transmitted diseases and pregnancy tests. In addition, the nurse examiner coordinator must now develop procedures to ensure victims do not incur costs associated with their exams.

The legislation takes effect immediately.

Sponsors of S-972 are Senators Diane B. Allen (R-Burlington, Camden) and James Beach (D-Camden) as well as Assemblymembers Annette Quijano (D-Union), Pamela R. Lampitt (D-Camden) Linda Stender (Middlesex, Somerset, Union), Valerie Vainieri Huttler (D-Bergen) and Linda R. Greenstein (Mercer, Middlesex).

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