

HB1220_L.002

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Public Health Care & Human Services.

HB15-1220 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, add 23-5-143 as
4 follows:

5 **23-5-143. Sexual assault victim care - memorandum of**
6 **understanding - training - definitions.** (1) THE GENERAL ASSEMBLY
7 FINDS AND DECLARES:

8 (a) COLLEGE-AGED STUDENTS ARE AT A HIGH RISK OF BEING
9 VICTIMS OF SEXUAL ASSAULT;

10 (b) IT IS IMPORTANT FOR A VICTIM OF A SEXUAL ASSAULT TO
11 RECEIVE TIME-SENSITIVE MEDICAL CARE FOLLOWING THE ASSAULT
12 WHETHER OR NOT MEDICAL FORENSIC EVIDENCE IS COLLECTED;

13 (c) THE MEDICAL PROFESSIONALS BEST EQUIPPED TO PROVIDE THIS
14 CARE HAVE SPECIALIZED SEXUAL ASSAULT TRAINING, INCLUDING SEXUAL
15 ASSAULT NURSE EXAMINER TRAINING, SEXUAL ASSAULT FORENSIC
16 EXAMINER TRAINING, OR MEDICAL FORENSIC EXAM TRAINING;

17 (d) FEW, IF ANY, INSTITUTIONS OF HIGHER EDUCATION HAVE
18 MEDICAL PROFESSIONALS ON SITE WITH THE NECESSARY SPECIALIZED
19 TRAINING TO CARE FOR SEXUAL ASSAULT VICTIMS; AND

20 (e) INSTITUTIONS OF HIGHER EDUCATION SHOULD HAVE
21 PROCEDURES IN PLACE TO REFER AND TRANSPORT SEXUAL ASSAULT
22 VICTIMS TO NEARBY HOSPITALS OR CLINICS THAT HAVE MEDICAL
23 PROFESSIONALS SPECIFICALLY TRAINED TO CARE FOR THOSE VICTIMS.

24 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
25 REQUIRES:

26 (a) "INSTITUTION OF HIGHER EDUCATION" MEANS A STATE
27 INSTITUTION OF HIGHER EDUCATION AS DEFINED IN SECTION 23-18-102 OR
28 A PARTICIPATING PRIVATE INSTITUTION OF HIGHER EDUCATION AS DEFINED
29 IN SECTION 23-18-102.

30 (b) "MEDICAL FORENSIC EXAM PROGRAM" MEANS A HEALTHCARE
31 PROGRAM WITH LICENSED MEDICAL PROFESSIONALS, SUCH AS REGISTERED
32 NURSES, NURSE PRACTITIONERS, PHYSICIAN ASSISTANTS, OR PHYSICIANS,
33 WHO HAVE RECEIVED SOME SPECIALIZED TRAINING IN CONDUCTING
34 MEDICAL FORENSIC EXAMINATIONS OF ADULTS AND ADOLESCENTS
35 ACCORDING TO ESTABLISHED COLORADO PROTOCOLS BUT HAVE NOT
36 RECEIVED FORMAL SAFE OR SANE TRAINING. "MEDICAL FORENSIC EXAM
37 PROGRAMS" MAY BE BASED IN HOSPITALS, MEDICAL CLINICS, SAFE HOUSES,
38 CHILDREN'S ADVOCACY CENTERS, STAND-ALONE MEDICAL FORENSIC EXAM



1 CLINICS, PUBLIC HEALTH CLINICS, OR ANOTHER FACILITY WHERE
2 APPROPRIATE MEDICAL CARE IS PROVIDED TO SEXUAL ASSAULT VICTIMS.

3 (c) "SEXUAL ASSAULT FORENSIC EXAMINER" OR "SAFE" MEANS
4 A REGISTERED NURSE, PHYSICIAN ASSISTANT, OR PHYSICIAN WHO HAS
5 BEEN SPECIFICALLY TRAINED TO PROVIDE COMPREHENSIVE SEXUAL
6 ASSAULT CARE, INCLUDING EVIDENCE COLLECTION AND TESTIMONY,
7 PURSUANT TO THE INTERNATIONAL ASSOCIATION OF FORENSIC NURSES'
8 FORENSIC NURSING EDUCATION GUIDELINES.

9 (d) "SEXUAL ASSAULT NURSE EXAMINER" OR "SANE" MEANS A
10 REGISTERED NURSE, INCLUDING AN ADVANCED PRACTICE NURSE, WHO HAS
11 BEEN SPECIFICALLY TRAINED TO PROVIDE COMPREHENSIVE SEXUAL
12 ASSAULT CARE, INCLUDING EVIDENCE COLLECTION AND TESTIMONY,
13 PURSUANT TO THE INTERNATIONAL ASSOCIATION OF FORENSIC NURSES'
14 FORENSIC NURSING EDUCATION GUIDELINES.

15 (3) WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE
16 DATE OF THIS SECTION, EACH INSTITUTION OF HIGHER EDUCATION SHALL
17 ENTER INTO AND HAVE IN EFFECT A MEMORANDUM OF UNDERSTANDING OR
18 OTHER FORMALIZED ARRANGEMENT WITH AT LEAST ONE NEARBY MEDICAL
19 FACILITY OR OTHER FACILITY THAT HAS SEXUAL ASSAULT NURSE
20 EXAMINERS, SEXUAL ASSAULT FORENSIC EXAMINERS, OR A MEDICAL
21 FORENSIC EXAM PROGRAM. EACH STATE-FUNDED INSTITUTION OF HIGHER
22 EDUCATION SHALL RENEW OR OBTAIN A NEW MEMORANDUM OF
23 UNDERSTANDING WITHIN THREE YEARS AFTER THE DATE OF EACH SUCH
24 MEMORANDUM. EACH MEMORANDUM OF UNDERSTANDING OR OTHER
25 FORMALIZED ARRANGEMENT MUST INCLUDE PROVISIONS THAT THE
26 INSTITUTION OF HIGHER EDUCATION SHALL REFER APPROPRIATE PATIENTS
27 TO THE MEDICAL FACILITY OR OTHER FACILITY FOR THE PURPOSES OF
28 PROVIDING CAMPUS SEXUAL ASSAULT VICTIMS MEDICAL CARE AND
29 EVIDENCE COLLECTION, IF THE VICTIM CHOOSES, AND ASSIST WITH OR
30 PROVIDE TRANSPORTATION TO THE FACILITY.

31 (4) EACH INSTITUTION OF HIGHER EDUCATION SHALL:

32 (a) PROVIDE EASILY AVAILABLE INFORMATION ON THE WEB SITE OF
33 THE INSTITUTION OF HIGHER EDUCATION ON HOW TO ACCESS A MEDICAL
34 FORENSIC EXAMINATION FOLLOWING A SEXUAL ASSAULT. THE
35 INFORMATION MUST, AT A MINIMUM, INFORM VICTIMS OF THE MEDICAL
36 FACILITY WITH WHICH THE INSTITUTION HAS A MEMORANDUM OF
37 UNDERSTANDING OR FORMALIZED ARRANGEMENT; THE METHODS OF
38 TRANSPORTATION AVAILABLE TO GET TO THE FACILITY, INCLUDING PUBLIC
39 TRANSPORTATION OPTIONS; AND INFORM VICTIMS THAT HAVING A
40 MEDICAL FORENSIC EXAMINATION DOES NOT REQUIRE THEM, AT ANY TIME,
41 TO PARTICIPATE WITH A LAW ENFORCEMENT INVESTIGATION OR ANY

1 CRIMINAL JUSTICE RESPONSE.

2 (b) HAVE A SEXUAL ASSAULT TRAINING AND RESPONSE POLICY
3 THAT INCLUDES:

4 (I) A PLAN TO ENSURE THAT CAMPUS HEALTH CENTER STAFF IS
5 ABLE TO PROVIDE APPROPRIATE RESOURCES AND REFERRALS TO STUDENTS
6 REGARDING MEDICAL FORENSIC EXAMS AND SEXUAL ASSAULT CARE.
7 WITHIN ONE YEAR AFTER THE ENACTMENT OF THIS SECTION AND AT LEAST
8 EVERY TWO YEARS THEREAFTER, EACH INSTITUTION OF HIGHER
9 EDUCATION SHALL CONTRACT OR OTHERWISE ARRANGE WITH A SEXUAL
10 ASSAULT NURSE EXAMINER AND A TRAINED SEXUAL ASSAULT ADVOCATE
11 TO PROVIDE RELEVANT CAMPUS HEALTH CENTER STAFF WITH SEXUAL
12 ASSAULT RESPONSE TRAINING. SUCH TRAINING MUST INCLUDE CAMPUS,
13 COMMUNITY, OR LAW ENFORCEMENT ADVOCATES AS TRAINERS. AT A
14 MINIMUM, TRAINING SHOULD INCLUDE CONTENT IN THE FOLLOWING
15 AREAS:

16 (A) AN OVERVIEW OF MEDICAL FORENSIC EXAMS FOR THE PURPOSE
17 OF ENABLING CAMPUS HEALTH STAFF TO ANSWER A VICTIM'S QUESTIONS
18 ABOUT MEDICAL FORENSIC EXAMS;

19 (B) TRAUMA RESPONSE;

20 (C) VICTIM DYNAMICS;

21 (D) SHORT-TERM AND LONG-TERM HEALTH IMPACT OF SEXUAL
22 ASSAULT;

23 (E) VICTIM COMPENSATION ELIGIBILITY AS DESCRIBED IN ARTICLE
24 4.1 OF TITLE 24, C.R.S.; AND

25 (F) SEXUAL ASSAULT VICTIM EMERGENCY PAYMENT PROGRAM
26 ELIGIBILITY AS DESCRIBED IN SECTION 18-3-407.7, C.R.S.

27 (II) A REFERRAL PLAN TO CONNECT A STUDENT WHO IS A VICTIM
28 TO THE APPROPRIATE VICTIM ADVOCATES. CONFIDENTIAL VICTIM
29 ADVOCATES MAY BE CAMPUS ADVOCATES OR COMMUNITY-BASED
30 ADVOCATES. VICTIMS MAY ALSO BE REFERRED TO VICTIM ADVOCATES
31 EMPLOYED BY A LAW ENFORCEMENT AGENCY WITH JURISDICTION OVER
32 THE CRIME, IF APPROPRIATE.

33 (III) TRANSPORTATION INSTRUCTIONS TO INFORM ABOUT, ASSIST
34 WITH, OR PROVIDE TRANSPORT TO THE HOSPITAL, CLINIC, OR OTHER
35 FACILITY PERFORMING THE MEDICAL FORENSIC EXAMINATION OR SEXUAL
36 ASSAULT-RELATED MEDICAL CARE.

37 (5) THE GENERAL ASSEMBLY ENCOURAGES ALL OTHER
38 INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE TO ENTER INTO A
39 SIMILAR MEMORANDUM OF UNDERSTANDING OR FORMALIZED
40 ARRANGEMENT AS DESCRIBED IN THIS SECTION, TO POST INFORMATION ON
41 THE INSTITUTION'S WEB SITE, AND TO HAVE SEXUAL ASSAULT TRAINING

1 AND RESPONSE POLICIES.

2 **SECTION 2. Safety clause.** The general assembly hereby finds,
3 determines, and declares that this act is necessary for the immediate
4 preservation of the public peace, health, and safety."

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