



**PA 19-114—sSB 796**  
*Public Health Committee*

**AN ACT CONCERNING SEXUAL ASSAULT FORENSIC EXAMINERS**

**SUMMARY:** This act makes various changes to the Office of Victim Services' (OVS) Sexual Assault Forensic Examiner (SAFE) program. Principally, it:

1. reinstates a SAFE Advisory Committee terminated in 2013 and requires the committee to recommend to OVS policies and procedures for the SAFE program (§ 1);
2. expands the types of health care providers that may become sexual assault forensic examiners and requires them to successfully complete certification requirements implemented by the chief court administrator (§§ 2 & 3);
3. prohibits anyone from using the title "sexual assault forensic examiner" without having successfully completed the certification requirements (§ 2);
4. modifies the types of health care facilities where sexual assault forensic examinations take place (§§ 2 & 3);
5. specifies that OVS, not the Department of Public Health (DPH), trains sexual assault forensic examiners and other health care professionals on collecting evidence from adult and adolescent sexual assault victims, which conforms to current practice (§§ 3 & 4); and
6. requires the chief court administrator to prescribe policies and procedures to implement the SAFE program (§ 5).

The act also makes technical and conforming changes.

**EFFECTIVE DATE:** July 1, 2019

**§ 1 — SAFE ADVISORY COMMITTEE**

*Membership*

The act reinstates a SAFE Advisory Committee, which PA 12-133 terminated as of June 30, 2013. The committee's 13 members include:

1. the chief court administrator, DPH commissioner, OVS director, victim advocate, SAFE program manager, and chairperson of the Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations, or their designees;
2. one representative of the Department of Emergency Services and Public Protection's (DESPP) Division of Scientific Services, appointed by the DESPP commissioner;
3. the presidents of the Connecticut Hospital Association and Connecticut College of Emergency Physicians, or their designees; and

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4. one appointee each from the Connecticut Alliance to End Sexual Violence, Connecticut Emergency Nurses Association, Connecticut Chapter of the International Association of Forensic Nurses, and the Connecticut Nurses Association.

The prior committee had 12 members, including the chief state's attorney, or his designee, and representatives from the State Police and Connecticut Police Chiefs' Association.

### *Duties*

Prior law charged the committee with advising OVS on establishing the SAFE program. The act instead requires the advisory committee to recommend to OVS policies and procedures for the program. Such recommendations may include:

1. the certification process for individuals qualified to serve as sexual assault forensic examiners, including continuing education requirements to maintain and renew a certification;
2. the development of quality assurance measures to ensure that sexual assault victims' needs are met; and
3. any other related recommendations.

Under the act, the advisory committee must present its recommendations to the OVS director, who may then forward them to the Office of the Chief Court Administrator. The act authorizes the chief court administrator, in his discretion, to direct the implementation of the recommendations as SAFE program policies and procedures.

The act also requires individuals qualified to participate as sexual assault forensic examiners to comply with the policies and procedures the chief court administrator implements to obtain certification and remain in good standing.

### §§ 2-4 — SAFE PROGRAM

By law, the SAFE program trains sexual assault forensic examiners and makes them available to adult and adolescent sexual assault victims at participating health care facilities.

### *Expanded Definition of Sexual Assault (§ 2)*

The act expands the definition of a sexual assault victim to include anyone who alleges an injury from a sexual offense, instead of only females as under prior law.

### *SAFE Provider Qualifications (§§ 2 & 3)*

Under prior law, a sexual assault forensic examiner had to be a physician or a registered or advanced practice registered nurse. The act also allows a physician assistant or a nurse midwife to become an examiner. But it requires all examiners to successfully complete the certification, recertification, and continuing

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education requirements the chief court administrator implements.

(PA 19-118 specifies that a registered nurse or advanced practice registered nurse who provides care and treatment to a sexual assault victim may not use the title of “sexual assault nurse examiner” unless he or she completed the chief court administrator’s training and certification requirements.)

### *Location of Service Provision (§§ 2 & 3)*

By law, a sexual assault forensic examiner may provide immediate care and treatment to a sexual assault victim in a health care facility and collect evidence. Under the act, this care may be provided in (1) a licensed hospital with an emergency department, including one that is free-standing, or (2) an infirmary operated by UConn at Storrs.

Prior law instead allowed care to be provided in facilities (1) operated by a higher education institution, (2) licensed by DPH as an outpatient clinic or infirmary operated by an educational institution, and (3) accredited by the Joint Commission or Accreditation Association for Ambulatory Health Care.