



HOSPITAL REQUIREMENTS

Treatment of Victims of Sexual Assault

Hospitals **MUST**

All Kentucky hospitals are required under state licensure regulation 902 KAR 20:012 and KRS 216B.400 to provide for the examination of victims of sexual assault presenting to a hospital emergency department.

- ✓ Hospital Emergency Departments must have policies in place to provide for these services by qualified health care professionals, such as a sexual assault nurse examiner (SANE), physician or mid-level provider. These services must be available 24 hours a day.
- ✓ Hospital ED personnel are required to contact their regional rape crisis center for an advocate in every case of sexual assault presenting to the emergency department.

Local rape crisis center #

- ✓ The provider must seek consent to perform a sexual assault exam. Minors may consent to an exam without parental consent in accordance with state law KRS 216B.400(7).
- ✓ The Kentucky State Police Sexual Assault Evidence Collection Kit should be used for exams that take place within 96 hours of the assault. After 96 hours, the use of the kit may be considered on a case-by-case basis.
- ✓ If the patient wishes to report their assault to law enforcement, law enforcement must be notified by the hospital within 24 hours of the exam that the Sexual Assault Evidence Collection Kit is available for pick up.
- ✓ If the patient chooses to have a forensic exam, but chooses not to report their assault to law enforcement, the hospital is required to store the Evidence Kit for a minimum of one year before it is destroyed.
- ✓ At the conclusion of the forensic-medical examination, a health care professional at the examination facility shall provide the victim with information regarding treatment and follow-up procedures concerning:
 - Sexually transmitted infections, including HIV;
 - Pregnancy;
 - Urinary tract or other infections;
 - Similar assault-related health conditions;
 - Other medical and psychiatric problems; and
 - Pregnancy counseling shall not include abortion counseling or referral information.
- ✓ If a SAFE kit is collected, input data into the kit tracking portal.

Hospitals **SHOULD**

- ✓ Assure that all personnel working in the hospital emergency department, including employed and contracted physicians, are aware of Kentucky laws and regulations regarding treating victims of sexual assault.
- ✓ Update the hospital policies regarding treating victims of sexual assault to assure they align with state law.
- ✓ Treat every patient presenting to a hospital and reporting as a victim of sexual assault with compassion. Victims of sexual assault may be any age, gender or sexual orientation. Victims may not show outward signs of physical harm and may demonstrate a wide range of emotional responses.
- ✓ Maintain privacy throughout the patient's visit. Hospital personnel should assure that verbal communication to the patient and about the patient with other medical personnel or with law enforcement is appropriate and compassionate.
- ✓ Make patients aware of follow-up resources and support services available in your community.

Poster contents are NOT complete and comprehensive of statutory and regulatory requirements. See Resources below:

RESOURCES

- Kentucky Association of Sexual Assault Programs – www.kasap.org
- Hospital/Community Facility Procedural Guidelines for Medical Forensic Examinations – www.kasap.org/medical_info.html
- Examination Requirements
 - KRS 216B.400 Emergency care: Examination services for victims of sexual offenses
 - 502 KAR 12:010 Sexual assault medical protocol
 - KRS 216B.990(3) Penalties for health facilities for failure to provide sexual assault exam according to protocol
 - KRS 216B.140 Licensed hospital to provide services for child sexual abuse victims
 - SAFE Kit Tracking Portal - <https://ksponline.ky.gov/SafeKit/Account/Login>



Scan the QR code to view the SANE Hospital Training Video.

