



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 1021 (Substitute S-1 as reported)
Sponsor: Senator Bert Johnson
Committee: Judiciary

CONTENT

The bill would amend the Public Health Code to do the following:

- Extend the period during which health care personnel must inform a person alleging to have been the victim of criminal sexual conduct of the availability of a sexual assault evidence kit; and refer to a "medical forensic examination, including the administration of sexual assault evidence kit".
- Require attending medical personnel to inform the individual of provisions under Public Act 223 of 1976 for payment for a sexual assault medical forensic exam, which include that the health care provider may not submit a bill to the victim.
- Delete a statement that the administration of a sexual assault evidence kit is not a medical procedure.

Currently, if a person alleges to a physician or other member of a hospital's attending or admitting staff that he or she has been the victim of criminal sexual conduct (CSC) within the preceding 24 hours, the attending health care personnel responsible for examining or treating the person must immediately inform him or her of the availability of a sexual assault evidence kit. Under the bill, this requirement would apply if a person alleged that he or she had been the victim of CSC within the preceding 120 hours, and the attending health care personnel would have to inform the person of the availability of a sexual assault medical forensic examination, including the administration of a sexual assault evidence kit.

Currently, with the consent of the individual, the health care personnel responsible for examining or treating him or her must perform procedures required by the sexual assault evidence kit, or have those procedures performed on the individual. The bill would require the personnel to perform, or have performed, a sexual assault medical forensic examination, including the procedures required by the sexual assault evidence kit.

The bill would take effect on January 1, 2015.

MCL 333.21527

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 9-15-14

Fiscal Analyst: Josh Sefton