

SENATE BILL No. 1189

December 14, 2016, Introduced by Senators WARREN and SCHUITMAKER and referred to the Committee on Judiciary.

A bill to amend 2008 PA 546, entitled
"Sexual assault victims' medical forensic intervention and
treatment act,"
by amending section 5 (MCL 400.1535).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 5. (1) ~~Money shall not be expended from the sexual~~
2 ~~assault victims' medical forensic intervention and treatment fund~~
3 ~~created in section 3 for the first year after the effective date of~~
4 ~~this act. Beginning 2 years after the effective date of this act,~~
5 ~~the~~ **THE** board may expend money from the fund, as appropriated.
6 Money in the fund shall be expended only as follows:
7 (a) At least 80% of the money shall be distributed to entities
8 that do, **OR DEMONSTRATE IMMEDIATE CAPACITY TO DO**, all of the

1 following:

2 (i) Perform, **OR SUBCONTRACT WITH ANOTHER ENTITY THROUGH AN**
3 **AGREEMENT APPROVED BY THE BOARD TO PERFORM**, the procedures required
4 by sexual assault evidence kits **IN A MANNER THAT COMPLIES WITH THE**
5 **STANDARDS OF TRAINING AND PRACTICE OF THE INTERNATIONAL ASSOCIATION**
6 **OF FORENSIC NURSES OR A SIMILAR ORGANIZATION DESIGNATED BY THE**
7 **BOARD IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND HUMAN**
8 **SERVICES.**

9 (ii) Provide specialized assistance to victims.

10 (iii) Operate under the auspices of or in **DOCUMENTED**
11 partnership with a local sexual assault crisis center.

12 ~~(iv) Comply with the standards of training and practice of the~~
13 ~~international association of forensic nurse examiners or a similar~~
14 ~~organization designated by the board in consultation with the~~
15 ~~department of human services.~~

16 (iv) ~~(v)~~ Provide, **OR SUBCONTRACT WITH ANOTHER ENTITY THROUGH**
17 **AN AGREEMENT APPROVED BY THE BOARD TO PROVIDE**, access to medical
18 forensic intervention and treatment services 24 hours a day.

19 (b) Not more than 15% of the money may be expended for medical
20 forensic intervention related training and technical assistance for
21 staff members and for needs assessment.

22 (c) Not more than 10% of the money may be expended for
23 administrative costs incurred by the board in implementing and
24 administering this act.

25 (2) The board shall distribute money under subsection (1) by
26 awarding grants and contracts in a manner that reflects the
27 population, geographic area, and rural and urban diversity of this

1 state using criteria developed by the board in consultation with
2 the department of **HEALTH AND** human services.

3 (3) The board may require an annual audit of income and
4 expenditures under this section and shall provide an annual report
5 of incomes and expenditures to the secretary of the senate and the
6 clerk of the house of representatives by February 1 of each year.

7 (4) The board may promulgate rules under the administrative
8 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to
9 implement this section.

10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.