

117TH CONGRESS
2D SESSION

H. R. 6735

To amend the DNA Sexual Assault Justice Act of 2004 to increase access to Sexual Assault Nurse Examiners, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2022

Mr. JOYCE of Ohio (for himself and Ms. ROSS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the DNA Sexual Assault Justice Act of 2004 to increase access to Sexual Assault Nurse Examiners, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Supporting Access to
5 Nurse Exams Act” or the “SANE Act”.

6 **SEC. 2. DEFINITIONS.**

7 Section 304 of the DNA Sexual Assault Justice Act
8 of 2004 (34 U.S.C. 40723) is amended by striking sub-
9 sections (a), (b), and (c) and inserting the following:

10 “(a) **DEFINITIONS.**—In this section:

1 “(1) CULTURALLY COMPETENT.—The term
2 ‘culturally competent’, used with respect to services,
3 supports, or other assistance, means services, sup-
4 ports, or other assistance that is conducted or pro-
5 vided in a manner that—

6 “(A) is responsive to the beliefs, inter-
7 personal styles, attitudes, languages, and behav-
8 iors of individuals receiving the services, sup-
9 ports, or other assistance; and

10 “(B) has the greatest likelihood of ensur-
11 ing the maximum participation of individuals
12 receiving the services, supports, or other assist-
13 ance.

14 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
15 tity’ includes—

16 “(A) a Tribal government or hospital;

17 “(B) a sexual assault examination pro-
18 gram, including—

19 “(i) a SANE program;

20 “(ii) a SAFE program;

21 “(iii) a SART program;

22 “(iv) medical personnel, including a
23 doctor or nurse, involved in treating vic-
24 tims of sexual assault; and

1 “(v) a victim service provider involved
2 in treating victims of sexual assault;

3 “(C) a State sexual assault coalition;

4 “(D) a health care facility, including a hos-
5 pital that provides sexual assault forensic ex-
6 aminations by a qualified or certified SANE or
7 SAFE;

8 “(E) a sexual assault examination program
9 that provides SANE or SAFE training; and

10 “(F) a community-based program that pro-
11 vides sexual assault forensic examinations, in-
12 cluding pediatric forensic exams in a multidisci-
13 plinary setting, by a qualified or certified
14 SANE or SAFE outside of a traditional health
15 care setting.

16 “(3) HEALTH CARE FACILITY.—The term
17 ‘health care facility’ means any State, local, Tribal,
18 community, free, nonprofit, academic, or private
19 medical facility, including a hospital, that provides
20 emergency medical care to patients.

21 “(4) MEDICAL FORENSIC EXAMINATION;
22 MFE.—The term ‘medical forensic examination’ or
23 ‘MFE’ means an examination of a sexual assault pa-
24 tient by a health care provider, who has specialized
25 education and clinical experience in the collection of

1 forensic evidence and treatment of these patients,
2 which includes—

3 “(A) gathering information from the pa-
4 tient for the medical forensic history;

5 “(B) an examination;

6 “(C) coordinating treatment of injuries,
7 documentation of biological and physical find-
8 ings, and collection of evidence from the pa-
9 tient;

10 “(D) documentation of findings;

11 “(E) providing information, treatment, and
12 referrals for sexually transmitted infections,
13 pregnancy, suicidal ideation, alcohol and sub-
14 stance abuse, and other non-acute medical con-
15 cerns; and

16 “(F) providing follow-up as needed to pro-
17 vide additional healing, treatment, or collection
18 of evidence.

19 “(5) PEDIATRIC SANE AND SAFE.—The term
20 ‘pediatric SANE and SAFE’ means a SANE or
21 SAFE who is trained to conduct sexual assault fo-
22 rensic examinations on children and youth between
23 the ages of 0 and 18.

24 “(6) QUALIFIED PERSONNEL.—The term
25 ‘qualified personnel’ includes a registered or ad-

1 vanced practice nurse, physician, doctor of osteop-
2 athy, or physician assistant who has specialized
3 training conducting medical forensic examinations.

4 “(7) QUALIFIED SANE AND SAFE TRAINING
5 PROGRAM.—The term ‘qualified SANE and SAFE
6 training program’ means a program that—

7 “(A) is qualified to prepare current and fu-
8 ture sexual assault nurse examiners to be pro-
9 fession-ready and meet the applicable State and
10 National certification and licensure require-
11 ments, through didactic, clinical, preceptor, or
12 capstone programs that include longer-term
13 training;

14 “(B) provides that preparation under a
15 health care model that uses trauma-informed
16 techniques; and

17 “(C) is approved as meeting the most re-
18 cent National Training Standards for Sexual
19 Assault Medical Forensic Examiners.

20 “(8) RURAL AREA.—The term ‘rural area’ has
21 the meaning given the term in section 40002 of the
22 Violence Against Women Act of 1994 (34 U.S.C.
23 12291).

24 “(9) SECRETARY.—The term ‘Secretary’ means
25 the Secretary of Health and Human Services.

1 “(10) SEXUAL ASSAULT.—The term ‘sexual as-
2 sault’ means any nonconsensual sexual act or sexual
3 contact proscribed by Federal, Tribal, or State law,
4 including when the individual lacks capacity to con-
5 sent.

6 “(11) SEXUAL ASSAULT FORENSIC EXAMINER;
7 SAFE.—The term ‘sexual assault forensic examiner’
8 or ‘SAFE’ means an individual who has specialized
9 forensic training in treating sexual assault survivors
10 and conducting medical forensic examinations.

11 “(12) SEXUAL ASSAULT FORENSIC EXAMINA-
12 TION.—The term ‘sexual assault forensic examina-
13 tion’ means an examination of a sexual assault pa-
14 tient by a health care provider, who has specialized
15 education and clinical experience in the collection of
16 forensic evidence and treatment of these patients,
17 which includes—

18 “(A) gathering information from the pa-
19 tient for the medical forensic history;

20 “(B) an examination;

21 “(C) coordinating treatment of injuries,
22 documentation of biological and physical find-
23 ings, and collection of evidence from the pa-
24 tient;

25 “(D) documentation of findings;

1 “(E) providing information, treatment, and
2 referrals for sexually transmitted infections,
3 pregnancy, suicidal ideation, alcohol and sub-
4 stance abuse, and other non-acute medical con-
5 cerns; and

6 “(F) providing follow-up as needed to pro-
7 vide additional healing, treatment, or collection
8 of evidence.

9 “(13) SEXUAL ASSAULT NURSE EXAMINER;
10 SANE.—The term ‘sexual assault nurse examiner’ or
11 ‘SANE’ means a registered or advanced practice
12 nurse who has specialized training conducting med-
13 ical forensic examinations.

14 “(14) SEXUAL ASSAULT RESPONSE TEAM;
15 SART.—The term ‘sexual assault response team’ or
16 ‘SART’ means a multidisciplinary team that—

17 “(A) provides a specialized and immediate
18 response to survivors of sexual assault; and

19 “(B) may include health care personnel,
20 law enforcement representatives, community-
21 based survivor advocates, prosecutors, and fo-
22 rensic scientists.

23 “(15) STATE.—The term ‘State’ means any
24 State of the United States, the District of Columbia,
25 and any territory or possession of the United States.

1 “(16) TRAUMA-INFORMED.—The term ‘trauma-
2 informed’ means, with respect to services or train-
3 ing, services or training that—

4 “(A) uses a patient-centered approach to
5 providing services or care;

6 “(B) promotes the dignity, strength, and
7 empowerment of patients who have experienced
8 trauma; and

9 “(C) incorporates evidence-based practices
10 based on knowledge about the impact of trauma
11 on patients’ lives.

12 “(17) UNDERSERVED POPULATIONS.—The
13 term ‘underserved populations’ has the meaning
14 given the term in section 40002 of the Violence
15 Against Women Act of 1994 (34 U.S.C. 12291).”.

16 **SEC. 3. SEXUAL ASSAULT NURSING EXAMINER GRANTS.**

17 Section 304 of the DNA Sexual Assault Justice Act
18 of 2004 (34 U.S.C. 40723) is amended by inserting after
19 subsection (a), as amended by section 2, the following:

20 “(b) SEXUAL ASSAULT NURSE EXAMINER TRAINING
21 PROGRAM GRANTS.—

22 “(1) AUTHORIZATION FOR GRANTS.—The At-
23 torney General, in consultation with the Secretary,
24 shall make grants to eligible entities for the fol-
25 lowing purposes:

1 “(A) To establish qualified regional SANE
2 training programs—

3 “(i) to provide clinical education for
4 SANE students;

5 “(ii) to provide salaries for full- and
6 part-time SANE instructors, including
7 those specializing in pediatrics and work-
8 ing in a multidisciplinary team setting, to
9 help with the clinical training of SANEs;
10 and

11 “(iii) to provide access to simulation
12 laboratories and other resources necessary
13 for clinical education.

14 “(B) To provide full- and part-time sala-
15 ries for SANEs and SAFEs, including pediatric
16 SANEs and SAFEs.

17 “(C) To increase access to SANEs and
18 SAFEs by otherwise providing training, edu-
19 cation, or technical assistance relating to the
20 collection, preservation, analysis, and use of
21 DNA samples and DNA evidence by SANEs,
22 SAFEs, and other qualified personnel.

23 “(2) PREFERENCE FOR GRANTS.—In reviewing
24 applications for grants under this section, the Attor-
25 ney General shall give preference to any eligible enti-

1 ty that certifies in the grant application that the en-
2 tity will coordinate with a rape crisis center or the
3 State sexual assault coalition to facilitate sexual as-
4 sault advocacy to support sexual assault survivors
5 and use the grant funds to—

6 “(A) establish qualified SANE training
7 programs in localities with a high volume of fo-
8 rensic trauma cases, including adult and child
9 sexual assault, domestic violence, elder abuse,
10 sex trafficking, and strangulation cases;

11 “(B) increase the local and regional avail-
12 ability of full- and part-time sexual assault
13 nurse examiners in a rural area, Tribal area, an
14 area with a health professional shortage, or for
15 an underserved population, including efforts to
16 provide culturally competent services; or

17 “(C) establish or sustain sexual assault
18 mobile teams or units or otherwise enhance
19 SANE and SAFE access through telehealth.”.

20 **SEC. 4. DIRECTIVE.**

21 Section 304 of the DNA Sexual Assault Justice Act
22 of 2004 (34 U.S.C. 40723) is amended—

23 (1) by redesignating subsection (d) as sub-
24 section (e); and

1 (2) by inserting after subsection (b), as added
2 by section 3, the following:

3 “(c) DIRECTIVE TO THE ATTORNEY GENERAL.—

4 “(1) IN GENERAL.—Not later than the begin-
5 ning of fiscal year 2022, the Attorney General shall
6 coordinate with the Secretary to inform health care
7 facilities, including Federally qualified health centers
8 and hospitals, colleges and universities, and other
9 appropriate health-related entities about—

10 “(A) the availability of grant funding
11 under this section; and

12 “(B) the role of sexual assault nurse exam-
13 iners, both adult and pediatric, and available
14 resources of the Department of Justice and the
15 Department of Health and Human Services to
16 train or employ sexual assault nurse examiners
17 to address the needs of communities dealing
18 with sexual assault, domestic violence, sex traf-
19 ficking, elder abuse, strangulation, and, in par-
20 ticular, the need for pediatric SANEs, including
21 such nurse examiners working in the multidisci-
22 plinary setting, in responding to abuse of both
23 children and adolescents.

24 “(2) REQUIREMENT.—In carrying out para-
25 graph (1), the Attorney General shall collaborate

1 with nongovernmental organizations representing
2 SANEs.

3 “(d) PUBLIC INFORMATION ON ACCESS TO SEXUAL
4 ASSAULT FORENSIC EXAMINATIONS.—

5 “(1) IN GENERAL.—Not later than 2 years
6 after the date of enactment of the Supporting Access
7 to Nurse Exams Act, the Attorney General, in con-
8 sultation with the Secretary, shall establish, and up-
9 date annually, a public website on the access to fo-
10 rensic nurse examiners.

11 “(2) CONTENTS.—The website required under
12 paragraph (1) shall with specificity describe, by
13 State—

14 “(A) funding opportunities for SANE
15 training and continuing education; and

16 “(B) the availability of sexual assault ad-
17 vocates at locations providing sexual assault fo-
18 rensic exams.

19 “(3) REPORT TO CONGRESS.—Not later than 4
20 years after the date of enactment of the Supporting
21 Access to Nurse Exams Act, the Attorney General,
22 in consultation with the Secretary, shall submit to
23 the Committee on the Judiciary of the Senate and
24 the Committee on the Judiciary of the House of
25 Representatives a report on—

1 “(A) the availability of, and patient access
2 to, trained SANEs and other providers who
3 perform MFEs or sexual assault forensic exami-
4 nations;

5 “(B) the health care facilities, including
6 hospitals or clinics, that offer SANEs and sex-
7 ual assault forensic examinations and whether
8 each health care facility, including a hospital or
9 clinic, has full-time, part-time, or on-call cov-
10 erage;

11 “(C) regional, provider, or other barriers
12 to access for SANE care and services, including
13 MFEs and sexual assault forensic examinations;

14 “(D) State requirements, minimum stand-
15 ards, and protocols for training SANEs, includ-
16 ing trauma-informed and culturally competent
17 training standards;

18 “(E) State requirements, minimum stand-
19 ards, and protocols for training emergency serv-
20 ices personnel involved in MFEs and sexual as-
21 sault forensic examinations;

22 “(F) the availability of sexual assault
23 nurse examiner training, frequency of when
24 training is convened, the providers of such
25 training, the State’s role in such training, and

1 what process or procedures are in place for con-
2 tinuing education of such examiners;

3 “(G) the dedicated Federal and State
4 funding to support SANE training;

5 “(H) funding opportunities for SANE
6 training and continuing education;

7 “(I) the availability of sexual assault advo-
8 cates at locations providing MFEs and sexual
9 assault forensic exams; and

10 “(J) the total annual cost of conducting
11 sexual assault forensic exams described in sec-
12 tion 2010(b) of title I of the Omnibus Crime
13 Control and Safe Streets Act of 1968 (34
14 U.S.C. 10449(b)).”.

15 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

16 Subsection (e) of section 304 of the DNA Sexual As-
17 sault Justice Act of 2004 (34 U.S.C. 40723), as redesi-
18 gnated by section 4 of this Act, is amended to read as fol-
19 lows:

20 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated \$30,000,000 for each
22 of fiscal years 2023 through 2028 to carry out this sec-
23 tion.”.

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