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HOUSE BILL 2102

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State of Washington

65th Legislature

2017 Regular Session

By Representatives McCabe and Orwall

1 AN ACT Relating to clarifying that hospitals and emergency  
2 medical facilities providing sexual assault examinations may seek  
3 reimbursement from a sexual assault victim's health coverage as long  
4 as the victim does not receive a bill or incur any out-of-pocket  
5 expenses associated with such reimbursement; amending RCW 7.68.170;  
6 and creating a new section.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

9 (a) Increasing the availability of sexual assault nurse examiners  
10 and sexual assault examinations will help victims and improve public  
11 safety;

12 (b) Even with the availability of crime victims compensation, the  
13 costs of properly performing sexual assault examinations are borne  
14 disproportionately by hospitals, which decreases the availability of  
15 these needed services to victims; and

16 (c) Helping to decrease these costs without billing or charging  
17 the victim will increase the availability of properly performed  
18 sexual assault examinations.

19 (2) The legislature therefore intends to clarify that a hospital  
20 or emergency medical facility performing a sexual assault examination  
21 may seek reimbursement from a victim's health coverage for covered

1 services associated with the examination as long as the victim does  
2 not receive a bill or incur any out-of-pocket expenses associated  
3 with the reimbursement.

4 **Sec. 2.** RCW 7.68.170 and 1979 ex.s. c 219 s 11 are each amended  
5 to read as follows:

6 (1) No costs incurred by a hospital or other emergency medical  
7 facility for the examination of the victim of a sexual assault, when  
8 such examination is performed for the purposes of gathering evidence  
9 for possible prosecution, shall be billed or charged directly or  
10 indirectly to the victim of such assault. Such costs shall be paid by  
11 the state pursuant to this chapter.

12 (2) Nothing in this section prohibits a hospital or emergency  
13 medical facility from seeking reimbursement from medicaid, medicare,  
14 or the victim's insurance for covered services associated with the  
15 examination as long as the victim does not receive a bill or incur  
16 any out-of-pocket expenses associated with such reimbursement.

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