

# STATE OF NEW YORK

6947--A

2017-2018 Regular Sessions

## IN SENATE

November 17, 2017

Introduced by Sens. HANNON, GALLIVAN, LARKIN, VALESKY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Health in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to establishing the sexual assault forensic examination telemedicine pilot program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The public health law is amended by adding a new section 2805-ii to read as follows:

§ 2805-ii. Sexual assault forensic examination telemedicine pilot program. 1. SAFE pilot establishment. The commissioner shall establish a sexual assault forensic examination (SAFE) telemedicine pilot program to assist in providing expert, comprehensive, compassionate care to adult and adolescent patients and training to support providers in health care facilities that do not have a designated sexual assault forensic examination program. The commissioner shall consult with the division of criminal justice services, where appropriate, in the establishment of such pilot program. Such SAFE telemedicine pilot shall:

(a) support patient care and provide health care provider instruction and support in a timely manner on a twenty-four hours a day, seven days a week basis to any victim of sexual assault or abuse who presents at a facility participating in such pilot for services associated with sexual assault or abuse, and consents to such services;

(b) have professionals specially trained, experienced and certified as sexual assault forensic examiners to support emergency room staff in caring for victims of sexual assault or abuse and appropriately securing forensic evidence through live audio video technology;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 (c) offer to provide support through telemedicine to no less than  
2 forty-six hospitals upon the effective date of this section, including  
3 all critical access hospitals and many hospitals in rural and/or under-  
4 served areas of the state;

5 (d) ensure the medical records of both providers, where applicable  
6 comply with all applicable laws and regulation relating to evidence  
7 preservation; and

8 (e) meet any other requirements identified by the commissioner.

9 2. SAFE pilot evaluation. The commissioner shall evaluate, or contract  
10 with an entity to evaluate, the effectiveness of such SAFE pilot program  
11 and prepare a report on the process of care, the outcomes delivered and  
12 the outcomes received. Such report shall also evaluate how such pilot  
13 can successfully transition to a self-sustaining program where non-SAFE  
14 hospitals could subscribe to a SAFE telemedicine program. Such report  
15 shall be delivered to the governor, the temporary president of the  
16 senate and the speaker of the assembly by December first, two thousand  
17 twenty.

18 § 2. This act shall take effect immediately; provided that such sexual  
19 assault forensic examination telemedicine pilot program, as added by  
20 section one of this act, shall be established by the commissioner of  
21 health no later than the one hundred twentieth day after it shall have  
22 become a law.