117TH CONGRESS
2D SESSION

H. R. ______

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

Mr. Joyce of Ohio (for himself and Ms. Ross) introduced the following bill; which was referred to the Committee on ________________

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”.}

February 9, 2022 (12:56 p.m.)
SEC. 2. DEFINITIONS.

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

"(a) DEFINITIONS.—In this section:

(1) CULTURALLY COMPETENT.—The term 'culturally competent', used with respect to services, supports, or other assistance, means services, supports, or other assistance that is conducted or provided in a manner that—

(A) is responsive to the beliefs, interpersonal styles, attitudes, languages, and behaviors of individuals receiving the services, supports, or other assistance; and

(B) has the greatest likelihood of ensuring the maximum participation of individuals receiving the services, supports, or other assistance.

(2) ELIGIBLE ENTITY.—The term 'eligible entity' includes—

(A) a Tribal government or hospital;

(B) a sexual assault examination program, including—

(i) a SANE program;

(ii) a SAFE program;

(iii) a SART program;
“(iv) medical personnel, including a
doctor or nurse, involved in treating vic-
tims of sexual assault; and
“(v) a victim service provider involved
in treating victims of sexual assault.
“(C) a State sexual assault coalition;
“(D) a health care facility, including a hos-
pital that provides sexual assault forensic ex-
aminations by a qualified or certified SANE or
SAFE;
“(E) a sexual assault examination program
that provides SANE or SAFE training; and
“(F) a community-based program that pro-
vides sexual assault forensic examinations, in-
cluding pediatric forensic exams in a multidiscipli-
ary setting, by a qualified or certified
SANE or SAFE outside of a traditional health
care setting.
“(3) HEALTH CARE FACILITY.—The term
‘health care facility’ means any State, local, Tribal,
community, free, nonprofit, academic, or private
medical facility, including a hospital, that provides
emergency medical care to patients.
“(4) MEDICAL FORENSIC EXAMINATION;
MFE.—The term ‘medical forensic examination’ or
'MFE' means an examination of a sexual assault patient by a health care provider, who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients, which includes—

"(A) gathering information from the patient for the medical forensic history;

"(B) an examination;

"(C) coordinating treatment of injuries, documentation of biological and physical findings, and collection of evidence from the patient;

"(D) documentation of findings;

"(E) providing information, treatment, and referrals for sexually transmitted infections, pregnancy, suicidal ideation, alcohol and substance abuse, and other non-acute medical concerns; and

"(F) providing follow-up as needed to provide additional healing, treatment, or collection of evidence.

"(5) PEDIATRIC SANE AND SAFE.—The term 'pediatric SANE and SAFE' means a SANE or SAFE who is trained to conduct sexual assault fo-
rensic examinations on children and youth between
the ages of 0 and 18.

"(6) QUALIFIED PERSONNEL.—The term
'qualified personnel' includes a registered or ad-
vanced practice nurse, physician, doctor of osteop-
athy, or physician assistant who has specialized
training conducting medical forensic examinations.

"(7) QUALIFIED SANE AND SAFE TRAINING
PROGRAM.—The term 'qualified SANE and SAFE
training program' means a program that—

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

"(B) provides that preparation under a
health care model that uses trauma-informed
techniques; and

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

"(8) RURAL AREA.—The term 'rural area' has
the meaning given the term in section 40002 of the

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

"(10) SEXUAL ASSAULT.—The term ‘sexual assault’ means any nonconsensual sexual act or sexual contact proscribed by Federal, Tribal, or State law, including when the individual lacks capacity to consent.

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

"(12) SEXUAL ASSAULT FORENSIC EXAMINATION.—The term ‘sexual assault forensic examination’ means an examination of a sexual assault patient by a health care provider, who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients, which includes—

"(A) gathering information from the patient for the medical forensic history;

"(B) an examination;
“(C) coordinating treatment of injuries, documentation of biological and physical findings, and collection of evidence from the patient;

“(D) documentation of findings;

“(E) providing information, treatment, and referrals for sexually transmitted infections, pregnancy, suicidal ideation, alcohol and substance abuse, and other non-acute medical concerns; and

“(F) providing follow-up as needed to provide additional healing, treatment, or collection of evidence.

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

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

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

“(B) may include health care personnel, law enforcement representatives, community-
based survivor advocates, prosecutors, and forensic scientists.

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

“(16) TRAUMA-INFORMED.—The term ‘trauma-informed’ means, with respect to services or training—

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

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

“(C) incorporates evidence-based practices based on knowledge about the impact of trauma on patients' lives.

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

SEC. 3. SEXUAL ASSAULT NURSES EXAMINER GRANTS.

Section 304 of the DNA Sexual Assault Justice Act of 2004 (34 U.S.C. 40723) is amended by inserting after subsection (a), as amended by section 2, the following:
“(b) Sexual Assault Nurse Examiner Training Program Grants.—

“(1) Authorization for Grants.—The Attorney General, in consultation with the Secretary, shall make grants to eligible entities for the following purposes:

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

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

“(ii) to provide salaries for full and part-time SANE instructors, including those specializing in pediatrics and working in a multidisciplinary team setting, to help with the clinical training of SANEs;

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

“(B) To provide full and part time salaries for SANEs and SAFEes, including pediatric SANEs and SAFEes.

“(C) To increase access to SANEs and SAFEes by otherwise providing training, education, or technical assistance relating to the
collection, preservation, analysis, and use of
DNA samples and DNA evidence by SANEs,
SAFEs, and other qualified personnel.

“(2) PREFERENCE FOR GRANTS.—In reviewing
applications for grants under this section, the Attorney General shall give preference to any eligible enti-
ty that certifies in the grant application that the en-
tity will coordinate with a rape crisis center or the
State sexual assault coalition to facilitate sexual ass-
sault advocacy to support sexual assault survivors
and use the grant funds to—

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

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

“(C) establish or sustain sexual assault
mobile teams or units or otherwise enhance
SANE and SAFE access through telehealth.”.
SEC. 4. DIRECTIVE.

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

(1) by redesignating subsection (d) as subsection (e); and

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

“(e) DIRECTIVE TO THE ATTORNEY GENERAL.—

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

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

“(B) the role of sexual assault nurse examiners, both adult and pediatric, and available resources of the Department of Justice and the Department of Health and Human Services to train or employ sexual assault nurses examiners to address the needs of communities dealing with sexual assault, domestic violence, sex trafficking, elder abuse, strangulation, and, in particular, the need for pediatric SANEs, including such nurse examiners working in the multidiscipli-
plenary setting, in responding to abuse of both
children and adolescents.

“(2) REQUIREMENT.—In carrying out para-
graph (1), the Attorney General shall collaborate
with nongovernmental organizations representing
SANEs.

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

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

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

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

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

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

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

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

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

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

“(E) State requirements, minimum stand-
ards, and protocols for training emergency serv-
ices personnel involved in MFEs and sexual as-
ault forensic examinations;
"(F) the availability of sexual assault nurse examiner training, frequency of when training is convened, the providers of such training, the State’s role in such training, and what process or procedures are in place for continuing education of such examiners;

"(G) the dedicated Federal and State funding to support SANE training;

"(H) funding opportunities for SANE training and continuing education;

"(I) the availability of sexual assault advocates at locations providing MFEs and sexual assault forensic exams; and

"(J) the total annual cost of conducting sexual assault forensic exams described in section 2010(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10449(b)).”.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Subsection (e) of section 304 of the DNA Sexual Assault Justice Act of 2004 (34 U.S.C. 40723), as redesignated by section 4 of this Act, is amended to read as follows:

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $30,000,000 for each
1 of fiscal years 2023 through 2028 to carry out this section.”.