

MAINE STATE LEGISLATURE

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BUSINESS AND ECONOMIC DEVELOPMENT

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1181, L.D. 1672, Bill, "An Act to Establish the Licensing of Sexual Assault Nurse Examiners"

Amend the bill by striking out the title and substituting the following:

'An Act to Ensure Proper Training for Conducting Forensic Examinations of Victims of Sexual Assault'

Further amend the bill by inserting after the title and before the enacting clause the following:

'Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, sexual assault continues to represent the most rapidly growing violent crime in America, claiming a victim every 45 seconds; and

Whereas, sexual assault can lead to serious biological and mental health trauma that must be addressed immediately; and

Whereas, the development of a community-based team approach may provide for the dignified and compassionate treatment of sexual assault victims; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

COMMITTEE AMENDMENT

2 Further amend the bill in section 1 in subsection 4 in the
5th line (page 1, line 10 in L.D.) by striking out the
4 following: ", sexual assault nurse examiner"

6 Further amend the bill in section 1 in subsection 4 by
inserting after the first paragraph a new blocked paragraph to
8 read:

10 'A health care professional, other than a physician, who conducts
12 a physical examination of an alleged victim of gross sexual
assault must be trained in the proper evidence collection
14 procedures for conducting such an examination.'

16 Further amend the bill in section 1 in subsection 4 in the
blocked paragraph in the next to the last line (page 1, line 18
in L.D.) by inserting after the following: "kit" the following:
18 'or as a result of the failure to be trained in the proper
procedures for the collection of evidence'

20 Further amend the bill by striking out all of sections 2 and
22 3 and inserting in their place the following:

24 **'Emergency clause.** In view of the emergency cited in the
preamble, this Act takes effect when approved.'

28 SUMMARY

30 The bill provides for licensing of sexual assault nurse
examiners and requires the State Board of Nursing to establish
32 requirements for the licensing procedure.

34 The amendment strikes the licensing provisions and requires
that any physician or other health care professional conducting a
36 sexual assault examination be trained in the proper procedures
for the collection of evidence. Language is added to ensure
38 that, regardless of training in evidence collection, the evidence
collection results may not be excluded as evidence in any case
40 before a court in this state. The amendment changes the title of
the bill and adds an emergency preamble and clause to the bill.