

Introduced by

Senators Nelson, Anderson, Grabinger

Representatives Boschee, Delmore, Maragos

1 A BILL for an Act to create and enact section 23-16-16 of the North Dakota Century Code,
2 relating to hospital treatment of victims of sexual assault; to provide a penalty; and to provide an
3 appropriation.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** Section 23-16-16 of the North Dakota Century Code is created and enacted as
6 follows:

7 **Treatment of victims of sexual assault.**

8 1. As used in this section:

9 a. "Hospital" means an entity required to obtain a license under section 23-16-01.

10 b. "Sexual assault" has the same meaning as provided under section 12.1-20-07.

11 c. "Victim of sexual assault" means an individual who:

12 (1) States a sexual assault has been committed against the individual;

13 (2) Is accompanied by another individual who states a sexual assault has been
14 committed against the accompanied individual; or

15 (3) An individual who hospital personnel or a sexual assault nurse examiner
16 have reason to believe is a victim of sexual assault.

17 2. A hospital may not require a victim of sexual assault to submit to a forensic
18 examination or to report the alleged sexual assault to law enforcement.

19 3. A hospital without staff specially trained to perform a sexual assault forensic
20 examination shall coordinate with a community-based sexual assault nurse examiner
21 nurse program or develop a sexual assault examiner nurse program to ensure all
22 victims of sexual assault who want a sexual assault forensic examination or sexually
23 transmitted infection treatment receive that examination or treatment.

1 **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general
2 fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the
3 sum as may be necessary, to the state department of health for the division of injury prevention
4 and control to provide grants through the domestic violence/rape crisis program for
5 community-based and hospital-based sexual assault nurse examiner programs, for the
6 biennium beginning July 1, 2015, and ending June 30, 2017. A recipient of a grant under this
7 section shall use the grant funds to train and support a sexual assault nurse examiner program.