

BILL ANALYSIS

Senate Research Center
78R5373 EMT-F

S.B. 1393
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Health & Human Services
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DIGEST AND PURPOSE

Currently, hospitals are not required to develop a standardized plan for treating the victims of sexual assault. As proposed, S.B. 1393 requires hospitals to develop a standardized plan and to provide certain emergency services to a survivor of sexual assault.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 241, Health and Safety Code, by adding Subchapter H, as follows:

SUBCHAPTER H. EMERGENCY SERVICES FOR SURVIVORS OF SEXUAL ASSUALT

Sec. 241.181. DEFINITIONS. Defines “sexual assault” and “sexual assault survivor.”

Sec. 241.182. FURNISHING OF EMERGENCY SERVICES. Requires a hospital required to be licensed under this chapter to provide emergency services to a sexual assault survivor in accordance with this subchapter.

Sec. 241.183. INITIAL ASSESSMENT. (a) Requires the appropriate medical personnel and staff person as soon as practicable, when a survivor of an alleged sexual assault arrives at a hospital, to perform certain tasks.

(b) Requires the hospital to maintain documentation of the duties and functions performed by hospital staff and medical personnel under this section.

Sec. 241.184. CONSULTATION BEFORE EXAMINATION. Requires the appropriate staff person to perform certain tasks during a consultation with a sexual assault survivor before an examination is conducted.

Sec. 241.185. MEDICAL EXAMINATION AND TESTS. Authorizes the attending physician, with the informed consent of the sexual assault survivor, to perform a medical examination or test including certain procedures.

Sec. 241.186. TREATMENT FOLLOWING MEDICAL EXAMINATION AND TESTS. Requires the attending physician or other appropriate medical personnel, after the medical examination or tests are completed, to perform certain tasks, if necessary.

Sec. 241.187. REFERRAL FOR FOLLOW-UP CARE. Requires the appropriate staff person, at the conclusion of all examinations, necessary diagnostic testing, and treatment, to provide the sexual assault survivor with an oral and written referral to a local sexual assault crisis center, if available, and any other appropriate referral for follow-up care concerning the medical and psychological well-being of the survivor.

SECTION 2. Effective date: September 1, 2003.