

2-13-2018

HB 429

Proposed change by Representative Melissa Wintrow

Mr. Chairman/Madam Chair

My name is Cyndee Cook. I work for Saint Alphonsus as a Registered Nurse and I am the SAFE Coordinator for our community. My team and I provide forensic exams for victims of sexual assault and domestic violence. We do the majority of our forensic exams at Faces of Hope Victim Center. This center provides a location where victims can receive many of the services they need at one location. This includes meetings with law enforcement, prosecutors, attorneys, crisis counselors, Health & Welfare, etc.

I am here to testify in support of HB 429. This change will provide sexual assault victims with much-needed anonymity in the billing process. Currently the bill for a sexual assault forensic exam has to go through private insurance before Crime Victim's Compensation Program. This has created a barrier in receiving services and even resulted in victim's leaving without receiving care. Part of the medical care includes providing prophylaxis or prevention against an unwanted pregnancy and medications to decrease risk of contracting Gonorrhea or Chlamydia, two of the common sexually transmitted infections. Sexual assault puts these patients at risk.

Whenever you visit a medical facility, and have private insurance, a bill is sent to the primary insurance company. This bill is processed and determination made on amount of reimbursement. The payment is given to the medical facility and an explanation of benefits (EOB) is sent to the insured person (may be the victim or someone else). This EOB may reveal that a victim received a forensic exam and/or evaluation for complaint of sexual assault. A victim loses their ability to decide who is aware of the crime.

Sexual assault is an extremely personal crime. Victims lose power and control over what is occurring to their body. Many victims have a hard time even disclosing that this crime occurred. Confidentiality is very important. A victim should be able to choose who knows about the crime. This law will help to ensure this choice for a victim. This bill ensures that victims have the opportunity to take back some control as she/he gets to choose whom has access to information related to her assault.

I would like to share an example. A young college student comes to FACES to report a sexual assault. She wants privacy. She is afraid, anxious, and full of self-blame and guilt. I reassure her that the sexual assault is not her fault. She is not ready yet to tell her parents about the assault. Her insurance coverage is through her father's insurance. She asks about the bill. Will her parents see it? I have to tell her they may see the EOB (Explanation of Benefits) and figure it out or ask her about the bill. She decides to leave without receiving care as a direct consequence of potentially exposing this crime to her parents. This barrier (billing to parent's insurance) caused this patient to leave without receiving medical care and forensic evidence collection. This victim has lost her chance to obtain justice for the crime. Maintaining privacy and confidentiality is important and applicable to any victim of any age.

I am in support of this bill because I never want the ability to pay or insurance requirements to be the reason a victim does not receive the care she/he needs.