

## **HB 2456 A -A2 STAFF MEASURE SUMMARY**

### **Senate Committee On Judiciary**

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**Meeting Dates:** 4/23, 5/14

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#### **WHAT THE MEASURE DOES:**

The measure changes the definitions of “medical assessment” and “victim” for purposes of the Sexual Assault Victims’ Emergency Medical Response (SAVE) Fund. It eliminates the distinction between complete and partial assessments. It also requires the Department of Justice to adopt rules establishing assessment timeframes, payment processes, and covered and non-covered services. It specifies that medical assessments related to strangulation are reimbursed through the Crime Victims’ Compensation Program.

HOUSE VOTE: Ayes, 51; Excused, 9

#### **ISSUES DISCUSSED:**

- Access to contraception
- Requirement for law enforcement to preserve evidence of sexual assault
- Melissa's law (ORS 181A.322)

#### **EFFECT OF AMENDMENT:**

-A2 The amendment restores the definition of "Sexual assault forensic evidence kit" and adds to the definition of "medical assessment" the offering and provision of contraception and prescriptions for emergency contraception for victims 17 years of age or younger and the collection of forensic evidence using an evidence collection kit approved by the Department of State Police. The amendment also restores the original language ORS 147.397(6) which requires law enforcement to preserve sexual assault forensic evidence kits and any related evidence.

#### **BACKGROUND:**

Oregon law establishes the Sexual Assault Victims’ Emergency Medical Response Fund (SAVE Fund) under ORS 147.395 and ORS 147.397 to pay for medical assessments for victims of sexual assault. Current law defines complete and partial assessments and sets fixed timeframes for reimbursement eligibility. House Bill 2456 A changes the definitions used for the SAVE Fund and eliminates the distinction between complete and partial assessments. The bill requires the Department of Justice to adopt rules establishing the timeframe for obtaining a medical assessment and identifying covered and non-covered services. It also specifies that medical assessments related to strangulation are reimbursed through the Criminal Injuries Compensation Account under ORS 147.035, rather than the SAVE Fund.