

**CONFIDENTIAL**  
**LEGISLATIVE BILL REVIEW FORM: 2015**

Bill Number: S-60 Name of Bill: An act relating to payment for medical examinations for victims of sexual assault

Agency/Dept: VSP Author of Bill Review: Det Cpl CJ Campbell

Date of Bill Review: 23 March 2015 Status of Bill: (check one):

Upon Introduction  As passed by 1<sup>st</sup> body  As passed by both bodies

Support  Oppose  Remain Neutral  Support with modifications identified in # 8 below

**Analysis of Bill**

- 1. Summary of bill and issue it addresses.** This Bill proposes to reduce the out of pocket cost for medical examinations and subsequent follow-on recommended treatment for victims of sexual assault. The Bill would require insurers to waive all co-pays and cost sharing requirements, and for all high deductible plans the insurer will refer the out of pocket costs to the State for payment. It would limit the obligation of the State to a 60% reimbursement to health care providers, and require that health insurance be billed before the State. Payment from the State would be made through the Victims Compensation Fund. It would also require health care providers, insurers, Medicaid and Victim Services enter into an agreement protecting the privacy sex assault victims.
- 2. Is there a need for this bill?** Other than anecdotal, this author was unable to find evidence of victims of sexual assault not seeking examination or treatment in large numbers due to excessive out of pocket costs. However, a significant percentage of sexual assault victims are in financially weak or dependent situations where it seems likely that a prohibitive out of pocket cost would discourage them from seeking medical assistance. This could potentially cause sexual assaults to be unreported, leaving the victim without services or justice and the greater public at risk of further offenses.
- 3. What are likely to be the fiscal and programmatic implications of this bill for this Department?** DPS/VSP are unlikely to see any repercussions from this Bill, other than what would come from a potential higher reported rate of sexual assaults.
- 4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** The Bill is likely to put a burden on the State managed Victim's Compensation Fund as that is to be the primary payer of the uninsured costs. It is hard to estimate the ultimate cost without knowing how many new sex assault cases will be encountered upon passage of the Bill.
- 5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** (for example, public, municipalities, organizations, business, regulated entities,

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etc) Health care providers, hospitals and mental health counselors are likely to feel some financial burden as they will be required to accept a 60% reimbursement of out of pocket deductible costs. Additionally, insurers will feel a financial burden as they will be required to waive co-pays. Again, the scope of that burden is difficult to predict without hard numbers, but it is likely to be a very small amount in relation to standard operating costs. I do not see any concerns over the requirement to protect victim's privacy.

**6. Other Stakeholders:**

**6.1 Who else is likely to support the proposal and why?** Conversations with State's Attorneys and Victims Advocate groups indicate there would be a strong measure of support for this Bill. Any device that would protect and encourage victims would be well received.

**6.2 Who else is likely to oppose the proposal and why?** Groups opposed to increased government spending and State sponsored reproductive health services are likely to take some issue with the Bill. However, given the nature of the crimes those criticisms will likely be muted.

**7. Rationale for recommendation:** It is the opinion of this author that DPS/VSP should support this Bill. The overall financial implications seem to be minimal to both the State and private entities, and any measures that can assist in obtaining an accurate reporting of sexual assaults should be seen as a net positive. This would obviously assist us in our mission of serving victims of sexual assault and preventing further assaults.

**8. Specific modifications that would be needed to recommend support of this bill** None recommended

Secretary/Commissioner has reviewed this document



Date: 4/7/15