Facts of Life: Understanding Medical Forensic Exam Payment Funding Facts

INTERNATIONAL ASSOCIATION OF Forensic Nurses

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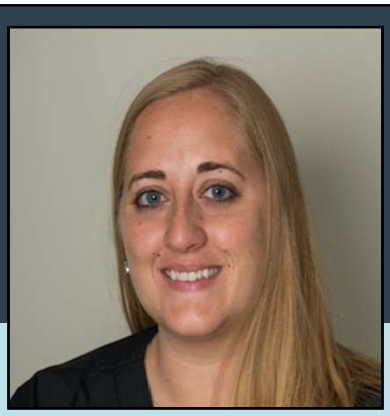

Nicole Stahlmann, MN, RN, SANE-A, AFN-BC

Learning Outcomes

At the conclusion of this webinar, participants will report increased knowledge of:

- Funding and how it relates to VOCA and VAWA
- Various payment grants from OVW
- Various payment programs from OVC
- Resources on the SAFEta.org website

Legislative Branch – Make Laws

Congress - Senate and House of Representatives

Executive Branch – Carries out the Laws

President
Vice President
Cabinet*

Judicial Branch – Interprets the Laws

Supreme Court and other Federal Courts

Three Branches of the US Government

Nic_Colie_FNE. US Capitol, White House, Supreme Court. *Instagram*, Retrieved May, 2020.

Executive Branch – Carries out the Laws

President
Vice President
Cabinet*

1. Department of Agriculture
2. Department of Commerce
3. Department of Defense
4. Department of Education
5. Department of Energy
6. Department of Health and Human Services
7. Department of Homeland Security
8. Department of Housing and Urban Development
9. Department of Interior
10. **Department of Justice*****
11. Department of Labor
12. Department of State
13. Department of Transportation
14. Department of Treasury
15. Department of Veteran Affairs

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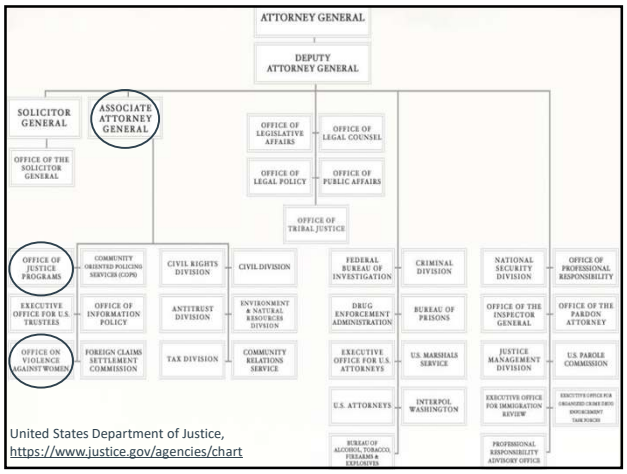
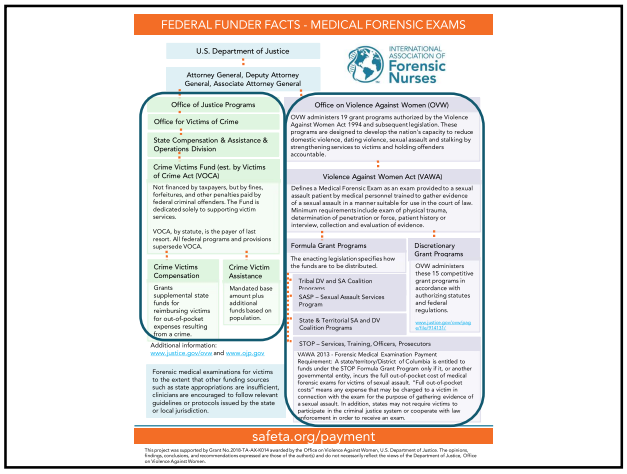


United States Department of Justice, https://www.justice.gov/agencies/chart



Polling Question

Which fund was established by the Victims of Crime Act, through the Office of Justice Programs?

1. STOP VAWA Formula Fund
2. Crime Victims Fund
3. Sexual Assault Services Formula Grant Program Fund

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True or False -

The Crime Victims Fund is **NOT** financed by taxpayer dollars but by fines, forfeitures, and other penalties paid by federal criminal offenders.

Polling Question

Which two crime victim programs were established by the Crime Victims Fund?

1. Crime Victim Reparation and Reimbursement
2. Crime Victim Compensation and Assistance
3. None of the above

Polling Question

Office of Justice Programs (OJP)

Office for Victims of Crime (OVC)

Improve the Nation's ability to help victims of crime

OVC Divisions - 5 areas

- State Compensation and Assistance and Operations Division

Crime Victims Fund (est. by Victims of Crime Act (VOCA) in 1984)

Financed by fines and penalties paid by convicted federal offenders, NOT from tax dollars.

VOCA Formula Grants -

Crime Victim Compensation

Crime Victim Assistance

Victims of Crime Act - VOCA

Federal Funding

- Criminal fines from convicted federal offenders
- Forfeited appearance bonds from convicted federal offenders
- Special forfeitures of collateral profits from crime
- Special assessments for individuals and corporations convicted of federal crimes
- Gifts, donations, and bequests by private parties

ovc.gov

Victims of Crime Act - VOCA

Crime Victim Compensation

Grants supplement state funds for reimbursing victims for out-of-pocket expenses resulting from a crime

Crime Victim Assistance

Mandated base amount, plus additional funds based on population

ovc.gov

SAFEta.org – Payment TA – Payment Resources – District of Columbia

DC Crime Victims Compensation

Compensable Costs:

- Medical expenses
- Mental health counseling: $3,000 for adults/$6,000 for children
- Temporary emergency food and housing
- Transportation costs
- Replacement of doors, windows, locks
- Attorneys Fees, etc.

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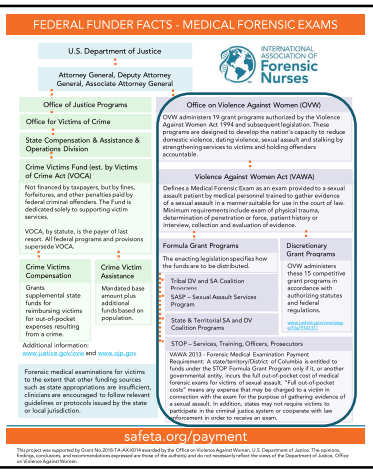

Office on Violence Against Women (OVW)

OVW administers 19 grant programs authorized by the Violence Against Women Act 1994 and subsequent legislation.

These programs are designed to develop the nation's capacity to reduce domestic violence, dating violence, sexual assault and stalking by strengthening services to victims and holding offenders accountable.

VAWA: Defines a Medical Forensic Exam as an exam provided to a sexual assault patient by medical personnel trained to gather evidence of a sexual assault in a manner suitable for use in the court of law. Minimum requirements include exam of physical trauma, determination of penetration or force, patient history or interview, collection and evaluation of evidence.

VAWA 2013

justice.gov/ovw

- Formula Grant Programs
- Discretionary Grant Programs

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Formula Grant Programs

OVW administered - enacting legislation specifies how the funds are to be distributed

STOP Formula Grant Program

- **S**ervices, **T**raining, **O**fficers, **P**rograms
- Develop and strengthen effective law enforcement and prosecution strategies

Sexual Assault Services Program (SASP)

- Direct intervention and related assistance for victims of sexual assault
- State and territory – assisting rape crisis centers and other nonprofit, nongovernmental organizations or tribal programs

State and Territorial SA and DV Coalitions Program

- State domestic violence coalition and sexual assault coalition for the purposes of coordinating victim services activities and collaborating and coordinating with federal, state, and local entities engaged in addressing violence against women

Tribal DV and SA Coalitions Program

- Development and operation of nonprofit, nongovernmental tribal domestic violence and sexual assault coalitions

justice.gov/ovw

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Discretionary Grant Programs

OVW administered – OVW is responsible for creating program parameters, qualifications, eligibility, and deliverables in accordance with authorizing statutes and federal regulations

1. Consolidated Grant Program to Address Children and Youth Experiencing Domestic and Sexual Assault and Engage Men and Boys as Allies+
2. Enhanced Training and Services to End Abuse in Later Life Program
3. Grants to Enhance Culturally Specific Services for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Program
4. Grants for Outreach and Services to Underserved Populations
5. Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence, and Stalking on Campus Program
6. Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction
7. Grants to Support Families in the Justice System
8. Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program
9. Legal Assistance for Victims Grant Program
10. Rural Sexual Assault, Domestic Violence, Dating Violence and Stalking Assistance Program
11. Sexual Assault Services Culturally Specific Program
12. Training and Services to End Violence Against Women with Disabilities Grant Program
13. Transitional Housing Assistance Grants for Victims of Domestic Violence, Dating Violence, Stalking, or Sexual Assault Program
14. Tribal Governments Program
15. Tribal Sexual Assault Services Program

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Forensic medical examinations for victims to the extent that other funding sources such as state appropriations are insufficient, clinicians are encouraged to follow relevant guidelines or protocols issued by the state or local jurisdiction.

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Overview of Payment Resources

SAFEta.org – Payment TA – Payment:

- Tools
- Resources*
- Research
- News

SAFEta.org
The Ultimate Source for Sexual Assault Forensic Examiner Technical Assistance

SAFEta.org – Payment TA – Payment Resources

SAFEta.org
The Ultimate Source for Sexual Assault Forensic Examiner Technical Assistance

SAFEta.org – Payment TA – Payment Resources - Oregon

Summary of payment program

- Billing
  - Sexual Assault Victim Emergency Medical Response (SAVE) Fund – administered by Oregon Department of Justice, Crime Victims' Assistance Section (CVAS)
- Payment
  - Sexual Assault Victims' Emergency Medical Response Fund / Application – Crime Victims' Compensation
- Coordination with Healthcare
  - Oregon's Coalition Against Domestic and Sexual Violence – Find Help

Example:
CVAS – pays for any or all of the elements of a 'complete' medical assessment (within 120 hours, no need to report to law enforcement)

Complete exam - $475 max/exam
Partial exam - $215 max/exam

SAFEta.org
The Ultimate Source for Sexual Assault Forensic Examiner Technical Assistance

SAFEta.org – Payment TA – Payment Resources - Ohio

Summary of payment program

- Billing
  - Ohio SAFE Program
- Payment
  - Ohio Victims of Crime Compensation Program
- Coordination with Healthcare

SAFEta.org
The Ultimate Source for Sexual Assault Forensic Examiner Technical Assistance

SAFEta.org – Payment TA – Payment Resources – Puerto Rico

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Summary of payment program

- Payment
  - Puerto Rico Office of Compensation and Services
  - Puerto Rico Crime Victims' Compensation Application | Brochure
- Coordination with Healthcare
  - Paz Para Las Mujeres (Peace for Women Coordinator, Inc. (CPM))

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County

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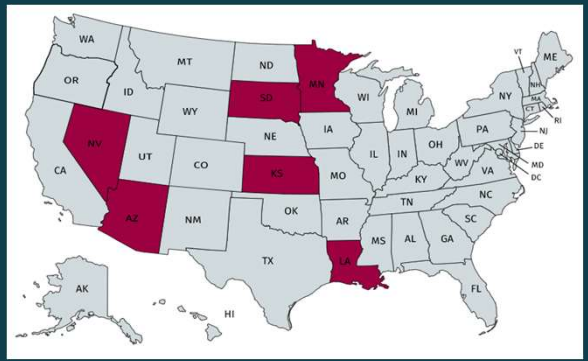
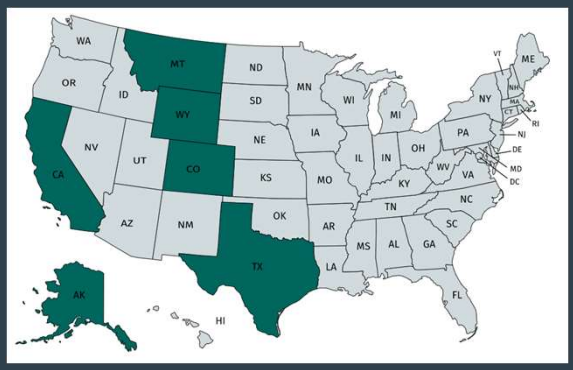


SAFEta.org

Law Enforcement



SAFEta.org

Military

TRICARE®

www.tricare.mil/

Department of Defense – Safe Helpline

safehelpline.org/

Forensic examinations, including evidence collection kits, are covered when provided in Civilian Health Care (CHC) facilities following a SA or DV.

Polling Question

What is your state/territory designated funding source that provides payment for the medical forensic exams?

(Select all that apply)

1. VOCA
2. VAWA - STOP
3. Crime victim compensation funds
4. Crime victim assistance funds
5. Specific line item in the state budget
6. Law enforcement funding
7. County administered
8. Other state source or sources
9. Not sure

Polling Question

Are medical forensic examinations that are performed in a different state/territory paid for by your state/agency?

1. My program or state pays for exams for all state residents regardless of where the exam is performed
2. My program or state does not pay for exams conducted in other states
3. I don't know who pays for these exams
4. Other (chat box)

Program Sustainability

- Goals / Plan
- Ideas / Vision / Mission
- Hospital stakeholders
- Various community-based stakeholders

Resources:

- A National Protocol for Sexual Assault Medical Forensic Exams
- OVCTTAC.gov – SANE Program Development and Operation Guide

Funding Programs

Grant Opportunities

Federal, State, and private grants, in-kind donations

Billing/Coding for Sexual Assault Exams

Fundraising

Hosting events/galas, community organizations

Expert Witness Fees

Fees – placed into your program

OVC – SANE Program Development and Operation Guide. Retrieved 2020, from: www.ovcttac.gov/saneguide/program-operational-costs-and-funding/

Patient Scenario Payment

A 18 year old patient presented to a local hospital, requesting a forensic nurse examiner to conduct a medical forensic exam. The patient expresses concern that her parents will find out about this hospital visit.

As a forensic nurse examiner and with the assistance of an advocate, what are some responses you could provide to the patient?

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Patient Scenario

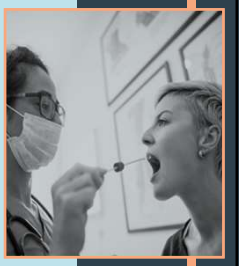
24 year old patient

C/o vaginal pain s/p penile-vaginal penetration

Exam, Kit, Tox, Photos, & Medication

Primary concern being the stranger who assaulted her took her entire handbag

What resources can you offer this patient?



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Patient Scenario

Payment

A patient received a bill for services from the medical forensic exam they had when in the emergency department at the local hospital.

As a forensic nursing program, what are some solutions to ensuring patients never receive a bill for the medical forensic exam?

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Medical Forensic Exam Payment TA project

info@safeta.org or projects@forensicnurses.org

Helpline: 877-819-SART

Talk to us

Contact the International Association of Forensic Nurses @ info@ForensicNurses.org 1-410-626-7805

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