



## Informational Bulletin: Sexual Assault Medical Evidentiary Examination Reimbursement

### General Information

California Penal Code §13823.95 directs Cal OES to reimburse law enforcement to offset the cost of conducting medical evidentiary examinations, for victims of sexual assault, from one of two sources of funds (i.e., federal grant fund and State General Fund). The source of funds depends on whether the victim, at the time of the examination, has determined to report the assault to law enforcement (State General Fund) or is undecided whether to report the assault to law enforcement (federal grant fund).

### Cal OES will reimburse law enforcement to offset the cost of medical evidentiary examinations as follows:

- The actual cost of the examination up to **\$911** for **victims that are undecided**, at the time of an examination, whether to report the assault to law enforcement.

*Examinations must have occurred on, or after, October 1, 2020.*

*Law enforcement may request reimbursement at this rate for the use of:*

- *The Forensic Medical Report: Abbreviated Adult/Adolescent Sexual Assault Examination (Cal OES 2-924), or*
- *The Forensic Medical Report: Acute Adult/Adolescent Sexual Assault Examination (Cal OES 2-923).*

- The actual cost of the examination up to **\$1,127** for **victims that have determined**, at the time of the examination, to report the assault to law enforcement, to the extent that funds are available.

*Examinations must have occurred on, or after, July 1, 2021.*

*Law enforcement may request reimbursement at this rate for the use of:*

- *The Forensic Medical Report: Acute Adult/Adolescent Sexual Assault Examination (Cal OES 2-923),*
- *The Forensic Medical Report: Nonacute Child-Adolescent Sexual Abuse Examination (Cal OES 2-925), or*
- *The Forensic Medical Report: Acute Child-Adolescent Sexual Abuse Examination (Cal OES 2-930).*

### How to Request Reimbursement

Complete the **Invoice for Reimbursement for Medical Evidentiary Examination (Cal OES 2-935)** and submit to Cal OES at [vsb@caloes.ca.gov](mailto:vsb@caloes.ca.gov) within **one year** of the examination.

The invoice form can be found on the Cal OES website at <https://www.caloes.ca.gov/governments-tribal/grants-management/forms>.

### Penal Code § 13823.95

- Costs incurred by a qualified health care professional, hospital, clinic, sexual assault forensic examination team, or other emergency medical facility for a medical evidentiary examination of a victim of a sexual assault, shall not be charged directly or indirectly to the victim of the assault.
- A victim of a sexual assault who seeks a medical evidentiary examination, shall be provided with a standardized medical evidentiary examination, and shall not be required to participate or to agree to participate in the criminal justice system, either prior to the examination or at any other time.
- The cost of a medical evidentiary examination performed by a qualified health care professional, hospital, or other emergency medical facility for a victim of a sexual assault shall be treated as a local cost and charged to and reimbursed within 60 days by the local law enforcement agency in whose jurisdiction the alleged offense was committed.
- The local law enforcement agency may seek reimbursement to offset the cost of conducting the medical evidentiary examination of a sexual assault victim who is undecided at the time of an examination whether to report to law enforcement or who has decided not to report to law enforcement. The Office of Emergency Services shall use the discretionary funds from the STOP (Services, Training, Officers, and Prosecutors) Violence Against Women Formula Grant Program, to offset the cost of the medical evidentiary examination.
- The local law enforcement agency may seek reimbursement to offset the cost of conducting the medical evidentiary examination of a sexual assault victim who has determined, at the time of the examination, to report the assault to law enforcement. This subparagraph does not permit a law enforcement agency to reduce the existing locally negotiated rate or rates for medical evidentiary examinations. Reimbursements shall be provided from funds to be made available upon appropriation for this purpose.