

2026 Regular Session

HOUSE BILL NO. 1247 (Substitute for House Bill No. 884 by Representative Spell)

BY REPRESENTATIVE SPELL

CRIME/SEX OFFENSES: Creates a statewide Sexual Assault Nurse Examiner Coordinator

1 AN ACT

2 To amend and reenact R.S. 15:624(A)(1)(introductory paragraph) and (B) through (D), to
3 enact R.S. 15:555(A)(18), 557, and 624(E) and (F) and Part XI of Subchapter D of
4 Chapter 5-D of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised
5 of R.S. 40:1228.1 through 1228.11, and to repeal Part III-A of Subchapter D of
6 Chapter 5-D of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S.
7 40:1216.1, relative to sexual assault nurse examiners; to provide for the membership
8 of the Louisiana Sexual Assault Oversight Commission; to provide for the creation,
9 duties, and membership of a subcommittee of the Louisiana Sexual Assault
10 Oversight Commission; to provide for reporting requirements; to provide for a
11 statement of legislative intent; to provide for a purpose; to create the position of the
12 statewide sexual assault nurse examiner coordinator or "SANE" coordinator; to
13 provide for duties; to provide for definitions; to establish a TeleSANE training and
14 mobile SANE program; to provide for reports to law enforcement; to provide relative
15 to forensic medical examinations; to provide relative to standards of hospitals and
16 healthcare providers; to provide relative to the reproduction of certain records; to
17 provide for coordination; to provide for a public records exception; to provide for an
18 effective date; and to provide for related matters.

19 Be it enacted by the Legislature of Louisiana:

1 Section 1. R.S. 15:5624(A)(1)(introductory paragraph) and (B) through (D) are
2 hereby amended and reenacted and R.S. 15:555(A)(18), 557, and 624(E) and (F) are hereby
3 enacted to read as follows:

4 CHAPTER 3-C. LOUISIANA SEXUAL ASSAULT OVERSIGHT COMMISSION

5 §555. Louisiana Sexual Assault Oversight Commission; creation; membership;
6 meetings

7 A. The Louisiana Sexual Assault Oversight Commission is hereby created
8 within the Department of Justice, office of the attorney general. The commission
9 shall consist of the following members:

10 * * *

11 (18) The statewide sexual assault nurse examiner, or SANE, coordinator or
12 his designee.

13 * * *

14 §557. Louisiana Sexual Assault Oversight Commission; sexual assault response
15 standards subcommittee

16 A. The Sexual Assault Response Standards Subcommittee, referred to in this
17 Section as the "subcommittee", is hereby established as a subcommittee of the
18 Louisiana Sexual Assault Oversight Commission. The duties of the subcommittee
19 are as follows:

20 (1) Review sexual assault nurse examiner, or SANE, training protocols that
21 include but are not limited to both didactic and clinical preceptor training in
22 accordance with available best practices per a national training organization in order
23 to establish state sanctioned credentialing.

24 (2) Review and establish the standards and criteria of a statewide registry of
25 SANE-trained and SANE-credentialed nurses or healthcare providers and provide
26 recommendations regarding the appropriate state agencies to maintain and administer
27 the registry.

28 (3) Review and establish statewide sexual assault response protocols in
29 accordance with the needs and best practices identified within the regional sexual

1 assault response plans from each Louisiana Department of Health regional medical
2 director.

3 B. The subcommittee shall consist of the following twelve members:

4 (1) The statewide SANE coordinator or his designee.

5 (2) One practicing SANE-trained nurse, appointed by the attorney general,
6 who is affiliated with any state SANE nurse association.

7 (3) One representative from the Louisiana State Board of Nursing appointed
8 by the governor.

9 (4) The chief medical officer within the Louisiana Department of Health,
10 office of public health, or his designee.

11 (5) One representative of the Louisiana Hospital Association appointed by
12 the governor.

13 (6) One representative of a Louisiana sexual assault response center,
14 appointed by the governor, who provides advocacy services.

15 (7) One representative from the Louisiana Alliance of Children's Advocacy
16 Centers appointed by the governor.

17 (8) One representative from the Louisiana State Coroner's Association
18 appointed by the governor.

19 (9) One representative from the Louisiana District Attorneys Association
20 appointed by the governor.

21 (10) One representative from the Louisiana Sheriffs' Association appointed
22 by the governor.

23 (11) One representative from the Louisiana Association of Chiefs of Police
24 appointed by the governor.

25 (12) One representative from Louisiana State Police appointed by the
26 governor.

27 C. The statewide SANE coordinator or his designee shall serve as chairman
28 of the subcommittee. Members of the subcommittee shall serve at the pleasure of
29 the appointing authority and without compensation. Travel expenses, per diem, and

1 other expenses may be paid by the member's employer or appointing authority. The
2 office of the attorney general shall provide staff and administrative services needed
3 by the subcommittee to carry out the duties set forth in this Section.

4 D. The subcommittee shall fix a time and place for its meetings and shall
5 meet at least once every four months. Additional meetings may be held upon the call
6 of the chairman.

7 E. A majority of the total subcommittee membership constitutes a quorum
8 and any official action by the subcommittee requires an affirmative vote of a
9 majority of the quorum present and voting.

10 * * *

11 §624. Sexually oriented criminal offense data; reporting

12 A.(1) By February fifteenth of each year, each criminal justice agency,
13 including college and university campus police departments, shall report all of the
14 following information for the prior calendar year to the Louisiana Commission on
15 Law Enforcement and the Administration of Criminal Justice and the statewide
16 SANE coordinator as provided in R.S. 40:1228.1 et. seq. within the Louisiana
17 Department of Justice:

18 * * *

19 B. By February fifteenth of each year, each crime laboratory shall report the
20 number of sexual assault collection kits in their backlog for the prior calendar year
21 to the Louisiana Commission on Law Enforcement and the Administration of
22 Criminal Justice and to the statewide SANE coordinator as provided in R.S.
23 40:1228.1 et. seq. within the Louisiana Department of Justice.

24 C. By February fifteenth of each year, each Louisiana Department of Health
25 regional medical director shall submit his regional sexual assault response plan to the
26 chief medical officer within the Louisiana Department of Health, office of public
27 health, and the statewide SANE coordinator with inclusion of identified regional
28 gaps of access to forensic medical examinations.

1 D. By February fifteenth of each year, the Louisiana Commission on Law
2 Enforcement and Administration of Criminal Justice shall submit to the statewide
3 SANE coordinator the previous year's grants and expenditures towards SANE
4 services within each Louisiana Department of Health region.

5 ~~E.~~ E.(1) By March first of each year, the Louisiana Commission on Law
6 Enforcement and the Administration of Criminal Justice shall transmit the
7 information required in Subsections A and B of this Section to the chairman of the
8 Senate Committee on Judiciary B and the chairman of the House Committee on
9 Judiciary.

10 (2) The report shall also include the name and contact information of each
11 criminal justice agency, including each college and university campus police
12 department and each crime laboratory, that failed to submit the report required by
13 Subsections A and B of this Section.

14 ~~D.~~ F. As used in this Section, the following terms have the following
15 meanings:

16 (1) "Criminal justice agency" means any government agency or subunit
17 thereof, or private agency that, through statutory authorization or a legal formal
18 agreement with a governmental unit or agency, has the power of investigation, arrest,
19 detention, prosecution, adjudication, treatment, supervision, rehabilitation or release
20 of persons suspected, charged, or convicted of a crime; or that collects, stores,
21 processes, transmits, or disseminates criminal history records or crime information.

22 (2) "Reported sexual assault collection kit" means a kit that contains a
23 human biological specimen or specimens collected during a forensic medical
24 examination from the victim of a sexually oriented criminal offense who reported the
25 crime to law enforcement.

26 (3) "Sexual assault collection kit" means a kit that is designed to assist in the
27 preservation of a human biological specimen or specimens collected during a
28 forensic medical examination from the victim of a sexually oriented criminal
29 offense.

1 (4) "Sexually oriented criminal offense" includes any sexual assault offense
2 as defined in R.S. 44:51 and any sexual abuse offense as defined in R.S. 14:403.

3 (5) "Unreported sexual assault collection kit" means a kit that contains a
4 human biological specimen or specimens collected during a forensic medical
5 examination from the victim of a sexually oriented criminal offense who declined
6 to report the crime to law enforcement.

7 Section 2. Part XI of Subchapter D of Chapter 5-D of Title 40 of the Louisiana
8 Revised Statutes of 1950, to be comprised of R.S. 40:1228.1 through 1228.10, is hereby
9 enacted to read as follows:

10 PART XI. SERVICES FOR SURVIVORS OF SEXUALLY ORIENTED CRIMINAL
11 OFFENSES ACCESS ACT

12 §1228.1. Short title

13 This Part shall be known and may be cited as the "Services For Survivors of
14 Sexually Oriented Criminal Offenses Access Act".

15 §1228.2. Findings and purpose

16 A. The legislature hereby finds and declares all of the following:

17 (1) Sexual assault is a serious public health and criminal justice issue that
18 affects individuals of all ages, genders, and backgrounds throughout the state of
19 Louisiana.

20 (2) Timely, high-quality forensic medical examinations by a trained sexual
21 assault nurse examiner, referred to in this Part as "SANE", are critical to ensuring
22 survivor-centered care, collecting forensic evidence, and supporting prosecution of
23 sexual assault offenders.

24 (3) Access to SANE services is uneven across the state, with significant gaps
25 in rural and underserved regions.

26 (4) Establishing a statewide SANE coordinator and regional mobile SANE
27 nurse teams will improve equitable access to forensic nursing services for survivors
28 of sexual assault throughout the state.

1 B. The purpose of this Part is to ensure that every survivor of sexual assault
2 in this state has access to a trained sexual assault nurse examiner regardless of
3 geographic location, and to establish a coordinated, sustainable statewide
4 infrastructure for the performance of forensic medical examinations for survivors of
5 sexually oriented offenses.

6 §1228.3. Definitions

7 For the purposes of this Part, the following terms have the following
8 meanings:

9 (1) "Department" means the Louisiana Department of Justice.

10 (2) "Forensic medical examination" has the same meaning as defined in R.S.
11 15:622.

12 (3) "Healthcare provider" means either of the following:

13 (a) A physician, sexual assault nurse examiner, or other healthcare
14 practitioner licensed, certified, registered, or otherwise authorized and trained to
15 perform a forensic medical examination.

16 (b) A licensed hospital that operates an emergency department.

17 (4) "Healthcare services" mean services, items, supplies, or drugs for the
18 diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury,
19 or disease ancillary to a sexually oriented criminal offense.

20 (5) "Sexual assault collection kit" includes all evidence collected during a
21 forensic medical examination.

22 (6) "Sexually oriented criminal offense" has the same meaning as defined in
23 R.S. 15:622.

24 (7) "Sexual Assault Nurse Examiner" or "SANE" means a registered nurse
25 who has received specialized training as determined by the Sexual Assault Response
26 Standards Subcommittee in conducting forensic medical examinations for survivors
27 of sexually oriented criminal offenses.

1 (8) "Unreported sexual assault collection kit" means a sexual assault
2 collection kit for which a law enforcement agency has not received a related report
3 or complaint alleging that a sexual assault has occurred.

4 §1228.4. Statewide SANE coordinator; creation; duties

5 A. The department shall create and maintain the position of statewide sexual
6 assault nurse examiner, or SANE, coordinator. The statewide SANE coordinator
7 shall be trained as a SANE nurse in accordance with applicable national or statewide
8 guidelines and have at least two years of experience as a practicing SANE.

9 B. The duties of the statewide SANE coordinator shall include all of the
10 following:

11 (1) Developing, implementing, and overseeing a statewide strategic plan for
12 SANE services.

13 (2) Developing, implementing, and overseeing a plan to develop mobile
14 SANE teams across the state within the public health regions of the Louisiana
15 Department Health.

16 (3) Developing and maintaining standardized protocols, policies, and
17 procedures for sexual assault forensic examinations consistent with current best
18 practices as established by applicable accrediting bodies, the United States
19 Department of Justice, and other relevant authorities.

20 (4) Serving as a member of both the Louisiana Sexual Assault Oversight
21 Commission as provided in R.S. 15:555 and the Sexual Assault Response Standards
22 Subcommittee as provided in R.S. 15:557.

23 (5) In conjunction with the Sexual Assault Response Standards
24 Subcommittee as provided in R.S. 15:557, establishing and overseeing the following:

25 (a) Mandatory initial and continuing training requirements for all SANE
26 nurses providing services in the state, ensuring that trauma-informed and
27 evidence-based protocols are integrated into all education and practice settings.

28 (b) A statewide preceptor network, aligned with existing and available best
29 practice guidelines from both national and state organizations.

1 (6) Maintaining a statewide database tracking SANE service utilization,
2 response times, and gaps in coverage.

3 (7) Conducting a statewide assessment of access to forensic medical
4 examinations and developing a statewide coverage plan within two years of the
5 assessment's completion to ensure twenty-four-hour access to services in every
6 parish.

7 (8) Serving as the primary point of contact and liaison between the
8 department and hospitals, healthcare facilities, Louisiana sexual assault centers,
9 children's advocacy centers, law enforcement, district attorneys, and other
10 stakeholders regarding SANE services. Any healthcare facility, sexual assault
11 center, children's advocacy center, law enforcement agency, child protective services
12 agency, or other entity involved in the administration, documentation, or handling
13 of sexual assault forensic examinations or the care of the survivor shall report
14 incidents involving procedural deviation, evidence compromise, or patient safety
15 concerns. The SANE coordinator shall develop, receive, and retain all incident
16 reports and ensure appropriate review, investigation, and system oversight.

17 (9) Facilitating annual meetings in all regions of the state to solicit the input
18 of interested stakeholders in the region, including but not limited to all of the
19 following:

- 20 (a) Any SANE programs within the region.
- 21 (b) The coroner for each parish within the region.
- 22 (c) The sheriff for each parish within the region.
- 23 (d) The chief of police for any political subdivision located within the region.
- 24 (e) All hospitals with an emergency department located within the region.
- 25 (f) First responder organizations located within the region.
- 26 (g) Higher education institutions located within the region.
- 27 (h) The school board for each parish located within the region.
- 28 (i) Sexual assault advocacy organizations and children's advocacy centers
29 providing services within the region.

1 (j) The district attorney for each parish within the region or his designee.

2 (k) Each crime lab located within the region.

3 (l) Any nursing school in the region.

4 (10) In addition to the reporting requirements provided in R.S. 15:624,
5 submitting an annual report to the governor, attorney general, the president of the
6 Senate, and the speaker of the House of Representatives that details program
7 activities, service utilization data, identified needs, and recommendations for
8 improvement.

9 (11) Applying for and administering federal grants, federal funding, and any
10 other available funding sources to support SANE services statewide.

11 (12) Performing any other duties as the attorney general may assign
12 consistent with the purposes of this Part.

13 §1228.5. TeleSANE training and mobile SANE program

14 A. The department shall establish and oversee a statewide teleSANE training
15 program and a mobile SANE program as managed within the public health regions
16 of the Louisiana Department of Health to provide forensic medical examination
17 support and forensic medical examinations for survivors of sexually oriented
18 criminal offenses.

19 B. Each mobile SANE nurse or team within each public health region shall
20 have the capacity to do all of the following:

21 (1) Be available on an on-call or scheduled basis to respond to requests for
22 SANE services within respective assigned regions on a twenty-four-hour,
23 seven-day-a-week basis.

24 (2) Respond to requests for service and arrive at the designated examination
25 site within a reasonable time, with a goal of responding within one hour of
26 notification for acute forensic medical examinations when possible.

27 (3) Coordinate with hospitals, law enforcement, Louisiana sexual assault
28 center advocates, children's advocacy centers, and other responders to ensure
29 trauma-informed, victim-centered care.

1 (4) Provide services at any appropriate location within the region including
2 but not limited to hospital emergency departments, outpatient clinics, parish health
3 units, Louisiana sexual assault centers, children's advocacy centers, and law
4 enforcement facilities as agreed upon by the relevant entities.

5 C. All sexual assault collection kits used in a forensic medical examination
6 shall meet the standards developed by the department in collaboration with the
7 Sexual Assault Response Standards Subcommittee.

8 §1228.6. Reports to law enforcement

9 A. A licensed hospital or healthcare provider shall adhere to the following
10 procedures if a person presents for treatment as a sexual assault survivor:

11 (1) The hospital shall contact its regional SANE program to request that a
12 SANE nurse or SANE team be dispatched to the hospital or other location to perform
13 a forensic medical examination in coordination with available advocacy
14 programming.

15 (2)(a) Except as provided in Subparagraphs (b) and (c) of this Paragraph, a
16 survivor shall decide whether or not to report the incident to law enforcement
17 officials. No SANE nurse, SANE team, hospital, or healthcare provider shall require
18 the survivor to report the incident to receive medical attention or collect evidence.

19 (b) If a person under the age of eighteen presents for treatment as a sexual
20 assault survivor, the SANE nurse, SANE team, hospital, or healthcare provider shall
21 immediately notify the appropriate law enforcement agency or any other official
22 necessary to fulfill any mandatory reporting obligation required by law.

23 (c) If a survivor is physically or mentally incapable of making the decision
24 to report, the hospital or healthcare provider shall immediately notify the appropriate
25 law enforcement officials.

26 (d) If the survivor wishes to report the incident to law enforcement, the
27 hospital, a healthcare provider, or the SANE examiner shall contact the appropriate
28 law enforcement agency with jurisdiction over the location where the crime
29 occurred. If the location where the crime occurred cannot be determined, the

1 hospital or healthcare provider shall contact the law enforcement agency with
2 jurisdiction over the location where the forensic medical examination is performed
3 to determine the appropriate investigating agency.

4 B.(1) Any member of the hospital staff or a healthcare provider who, in good
5 faith, notifies the appropriate law enforcement official pursuant to Paragraph (A)(2)
6 of this Section is immune from any civil liability that otherwise could be incurred or
7 imposed because of the notification. The immunity extends to participation in any
8 judicial proceeding that results from the report.

9 (2) All reports made by the hospital or healthcare provider staff member
10 shall be made through the appropriate law enforcement agency dispatch. The
11 hospital or healthcare provider staff member shall obtain a file number and the
12 responding officer's name, and document the date, time, method of notification, and
13 the name of the official who received the notification to ensure compliance with this
14 Section.

15 §1228.7. Examination; advocate

16 A. Every sexual assault survivor shall be examined and treated by a qualified
17 healthcare provider, without undue delay, in a private space required to ensure the
18 health, safety, and welfare of the survivor. Examination and treatment, including the
19 forensic medical examination, shall be adapted as necessary to address the unique
20 needs and circumstances of each survivor. All survivors shall be afforded an
21 advocate whose communications are privileged in accordance with the provisions of
22 R.S. 46:2187, if one is available. With the consent of the survivor, an advocate shall
23 remain in the examination room during the forensic medical examination. With the
24 consent of the survivor, the examination and treatment of all sexual assault survivors
25 shall be in accordance with the Sexual Assault Survivor Bill of Rights as provided
26 in R.S. 46:1845.

27 B.(1) If the survivor does not wish to report the incident to law enforcement,
28 the SANE nurse or SANE team shall, upon completion of the forensic medical

1 examination, ensure the unreported sexual assault collection kit is not identified or
2 labeled with the survivor's identifying information and do either of the following:

3 (a) Contact the law enforcement agency with jurisdiction over the location
4 where the forensic medical examination was performed to transfer possession of the
5 unreported sexual assault collection kit for storage. The law enforcement agency
6 shall maintain all unreported sexual assault collection kits for a period of twenty
7 years.

8 (b) In a jurisdiction with a coroner-based SANE program that has the ability
9 to retain kits in accordance with evidentiary standards and proper chain of custody,
10 contact the coroner's office to transfer possession of the unreported sexual assault
11 collection kit for storage. The coroner shall maintain all unreported sexual assault
12 collection kits for a period of twenty years.

13 (2) No sexual assault collection kit shall remain at a hospital or medical
14 facility if the hospital or medical facility is unable to store the sexual assault
15 collection kit in a secure location that ensures proper chain of custody. If a hospital
16 or medical facility has a secure location that ensures proper chain of custody, the law
17 enforcement agency with jurisdiction over the location where the forensic medical
18 examination was performed shall take possession of the unreported sexual assault
19 collection kit within seventy-two hours upon notification of completion of the sexual
20 assault collection kit by the hospital or healthcare provider.

21 §1228.8. Prohibition on billing for forensic medical examination

22 A. No hospital, healthcare provider, nor the statewide SANE coordinator
23 shall directly bill a survivor of a sexually oriented criminal offense for any healthcare
24 services rendered in conducting a forensic medical examination, including the
25 healthcare services rendered in accordance with Paragraph (2) of this Subsection and
26 any of the following:

27 (1) Forensic examiner and hospital or healthcare facility services directly
28 related to the examination, including integral forensic supplies.

1 (2) Scope procedures directly related to the forensic medical examination,
2 including but not limited to anoscopy and colposcopy.

3 B. The provisions of this Section do not apply to either of the following:

4 (1) A healthcare provider billing for any medical services that are not
5 specifically set forth in this Section or provided for diagnosis or treatment of the
6 survivor for injuries related to the sexual assault.

7 (2) A survivor of a sexually oriented criminal offense seeking reparations in
8 accordance with the Crime Victims Reparations Act, R.S. 46:1801 et seq., for the
9 costs of any medical services that are not specifically set forth in this Section or
10 provided for the diagnosis or treatment of the survivor for injuries related to the
11 sexual assault.

12 C. The statewide SANE coordinator shall make available to every hospital
13 and healthcare provider licensed under the laws of this state a pamphlet containing
14 an explanation of the billing process for services rendered pursuant to this Section.
15 Every hospital and healthcare provider shall provide a copy of the pamphlet to any
16 person presented for treatment as a survivor of a sexually oriented criminal offense.

17 §1228.9. Hospital and healthcare provider standards

18 A. The procedures provided in this Part constitute the minimum standards
19 for the operation and maintenance of hospitals pursuant to this Part. Failure to
20 comply with these standards may constitute grounds for denial, suspension, or
21 revocation of the healthcare provider's license by the appropriate licensing board or
22 commission.

23 B. No hospital or healthcare provider shall refuse to examine or assist a
24 survivor on the grounds that the alleged offense occurred outside of or the survivor
25 is not a resident of the jurisdiction.

26 §1228.10. Reproduction of certain records

27 A. Upon request of a competent adult survivor of a sexually oriented
28 criminal offense, the healthcare provider that performed the forensic medical
29 examination shall provide a reproduction of any written documentation resulting

1 from the forensic medical examination of the survivor that is in the possession of the
2 healthcare provider. The documentation shall be provided to the survivor no later
3 than fourteen days after the healthcare provider receives the request or the healthcare
4 provider completes the documentation, whichever is later.

5 B. The reproduction of written documentation described in this Section shall
6 be made available at no cost to the survivor and may only be released at the direction
7 of the survivor who is a competent adult. The release of this documentation to the
8 survivor does not invalidate the survivor's reasonable expectation of privacy nor does
9 it become a public record.

10 §1228.11. Coordination with other state agencies and organizations

11 A. The statewide SANE coordinator and the mobile SANE nurse program
12 within each public health region of the Louisiana Department of Health shall
13 coordinate with the following state agencies and organizations as follows:

14 (1) The Louisiana State Police Crime Laboratory and the Bo Duhe Acadiana
15 Criminalistics Laboratory regarding sexual assault evidence kit standards, storage,
16 and processing.

17 (2) The Louisiana Foundation Against Sexual Assault regarding sexual
18 assault crisis services coordination.

19 (3) The Louisiana Alliance of Children's Advocacy Centers.

20 (4) The Louisiana Department of Children and Family Services.

21 (5) The Louisiana State Board of Nursing.

22 B. The department shall enter into memoranda of understanding or other
23 formal agreements as appropriate with hospitals, healthcare facilities, and other
24 entities to facilitate the provision of mobile SANE services.

25 C. The department may enter into a memorandum of understanding with
26 other state agencies in order to effectuate the provisions of this Part.

27 Section 4. R.S. 44:4.1(B)(27) is hereby amended and reenacted to read as follows:

28 §4.1. Exceptions

29 * * *

1 B. The legislature further recognizes that there exist exceptions, exemptions,
 2 and limitations to the laws pertaining to public records throughout the revised
 3 statutes and codes of this state. Therefore, the following exceptions, exemptions, and
 4 limitations are hereby continued in effect by incorporation into this Chapter by
 5 citation:

6 * * *

7 (27) R.S. 40:3.1, 31.14, 31.27, 39.1, 41, 73, 95, 96, 526, 528, 973.1, 978.2.1,
 8 1007, 1061.21, 1079.18, 1081.10, 1105.6, 1105.8, 1125.14, 1133.8, 1168.3, 1171.4,
 9 1203.4, 1231.4, 1228.10, 1379.1.1(D), 1379.3, 2009.8, 2009.14, 2010.5, 2017.9,
 10 2018, 2018.5, 2019, 2020, 2106, 2109.1, 2138, 2175.7(B)(1), 2193.6, 2532, 2845.1

11 * * *

12 Section 5. Part III-A of Subchapter D of Chapter 5-D of Title 40 of the Louisiana
 13 Revised Statutes of 1950, comprised of R.S. 40:1216.1, is hereby repealed in its entirety.

14 Section 6. This Act shall become effective upon signature by the governor or, if not
 15 signed by the governor, upon expiration of the time for bills to become law without signature
 16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 18 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1247 Original	2026 Regular Session	Spell
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Abstract: Creates a statewide Sexual Assault Nurse Examiner Coordinator.

Present law (R.S. 15:555) provides for the membership of the La. Sexual Assault Oversight Commission.

Proposed law retains present law and adds the statewide sexual assault nurse examiner, or SANE, coordinator or his designee as a member.

Proposed law establishes the Sexual Assault Response Standards Subcommittee as a subcommittee of the La Sexual Assault Oversight Commission and provides for the subcommittee's duties, membership, meetings, and procedures.

Present law (R.S. 15:624) provides for sexually oriented criminal offense data.

Proposed law retains present law and adds the statewide SANE coordinator within the La. Dept. of Health (LDH) as a recipient of the report.

Proposed law requires each LDH regional medical director to submit respective regional sexual assault response plans to the chief medical officer within the LDH, office of public health, and the statewide SANE coordinator with inclusion of identified regional gaps of access to forensic medical examinations by Feb. 15th of each year.

Proposed law requires the La. Commission on Law Enforcement and Administration of Criminal Justice (LCLE) to submit its grants and expenditures towards SANE services within each LDH region from the previous year to the statewide SANE coordinator by Feb. 15th of each year.

Proposed law shall be known and may be cited as the "Services For Survivors of Sexually Oriented Criminal Offenses Access Act".

Proposed law provides for a statement of legislative findings and purpose.

Proposed law defines the terms "department," "forensic medical examination", "healthcare provider", "healthcare services", "sexual assault collection kit", "sexually oriented criminal offense", "Sexual Assault Nurse Examiner" or "SANE", and "unreported sexual assault collection kit".

Proposed law provides for the creation of the statewide SANE coordinator within the La. Dept. of Justice, requires training and minimum experience of the coordinator as a SANE nurse in accordance with applicable national or statewide guidelines, and provides for duties of the coordinator.

Proposed law provides for the establishment and oversight of a statewide teleSANE training program and a mobile SANE program as managed within the public health regions of the LDH to provide forensic medical examinations and support for survivors of sexually oriented criminal offenses and provides for duties of the mobile SANE nurse or team.

Proposed law requires all sexual assault collection kits used in a forensic medical examination to meet the standards developed by the La. Dept. of Justice in collaboration with the Sexual Assault Response Standards Subcommittee.

Proposed law provides for procedures that a licensed hospital or healthcare provider is to adhere to if a person presents for treatment as a sexual assault survivor.

Proposed law provides for a limitation of liability for any member of the hospital staff or a healthcare provider who, in good faith, notifies the appropriate law enforcement official.

Proposed law provides for notification procedures and requires all reports by the hospital or healthcare provider staff member be made through the appropriate law enforcement agency dispatch. Further requires the hospital or healthcare provider staff member to obtain a file number and the responding officer's name, documenting the date, time, method of notification, and the name of the official who received the notification in order to comply with proposed law.

Proposed law provides relative to the examination of every sexual assault survivor pursuant to the Sexual Assault Survivors Bill of Rights, provides for adaptation of the examination and treatment, and provides for the opportunity to be afforded an advocate with privileged communications and who is to remain present during the examination.

Proposed law provides for the transfer, storage, maintenance, and disposal procedures governing sexual assault collection kits.

Proposed law prohibits billing any survivor of a sexually oriented criminal offense for any healthcare services rendered in conducting a forensic medical examination.

Proposed law does not apply to either of the following:

- (1) A healthcare provider billing for any medical services that are not specifically set forth in proposed law or provided for diagnosis or treatment of the survivor for injuries related to the sexual assault.
- (2) A survivor of a sexually oriented criminal offense seeking reparations in accordance with present law (R.S. 46:1801 et seq.), for the costs of any medical services that are not specifically set forth in proposed law or provided for the diagnosis or treatment of the survivor for injuries related to the sexual assault.

Proposed law requires the statewide SANE coordinator to make available to every hospital and healthcare provider a pamphlet containing an explanation of the billing process for services rendered pursuant to proposed law and requires every hospital and healthcare provider to provide a copy of the pamphlet to any person presented for treatment as a survivor of a sexually oriented criminal offense.

Proposed law constitutes the minimum standards for the operation and maintenance of hospitals pursuant to proposed law. Further provides that failure to comply with these standards may constitute grounds for denial, suspension, or revocation of the healthcare provider's license by the appropriate licensing board or commission.

Proposed law prohibits any hospital or healthcare provider from refusing to examine and assist a survivor on the grounds that the alleged offense occurred outside of or the survivor is not a resident of the jurisdiction.

Proposed law provides for the submission of a reproduction of any written documentation resulting from the forensic medical examination of the survivor no later than 14 days after the healthcare provider receives the request or the healthcare provider completes the documentation, whichever is later.

Proposed law requires the reproduction of written documentation to be made available at no cost to the survivor and to be released only at the direction of the survivor who is a competent adult. Further provides that the release of this documentation to the survivor does not invalidate the survivor's reasonable expectation of privacy and does not create public record.

Proposed law provides for coordination between the statewide SANE coordinator and the mobile SANE nurse program with certain state agencies and organizations.

Proposed law provides for duties of the La. Dept. of Justice and LDH relative to memorandums of understanding.

Present law (R.S. 44:4.1) provides for public records exceptions.

Proposed law amends present law to add a cross-reference to the public records exception contained in proposed law relative to reproduction of written documentation of a forensic medical examination that is provided to a survivor.

Present law (R.S. 40:1216.1) provides for procedures for survivors of a sexually oriented criminal offenses, immunity, regional plans, maximum allowable costs, definitions, and documents requested by the victim.

Proposed law repeals present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 15:624(A)(1)(intro. para.) and (B)-(D); Adds R.S. 15:555(A)(18), 557, and 624(E) and (F) and R.S. 40:1228.1-1228.10; Repeals R.S. 40:1216.1)