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## DIGEST

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HB 1247 Reengrossed

2026 Regular Session

Spell

**Abstract:** Creates a statewide sexual assault nurse examiner (SANE) 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 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 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 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.

- (3) Any testing related to the sexual assault or recommended by the healthcare provider.
- (4) Any medication provided during the forensic medical examination.

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 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 entities.

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) and R.S. 44:4.1(B)(27); Adds R.S. 15:555(A)(18), 557, and 624(E) and (F) and R.S. 40:1228.1-1228.11; Repeals R.S. 40:1216.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the engrossed bill:

1. Make technical changes.
2. Provide that the president or executive director, or their designee, of certain entities listed in proposed law serve on the subcommittee.
3. Add the executive director, or his designee, of the La. Commission on Law Enforcement and Administration of Criminal Justice to the subcommittee.
4. Relative to capacity to respond to a request for service provide for consideration of geographic parameters within the region and resulting travel time required for SANE nurse response.
5. Remove provision providing that immunity extends to participation in any judicial proceeding that results from a report.
6. Provide that no hospital, healthcare provider, or any statewide SANE coordinator can directly bill a survivor of a sexually oriented criminal offense in accordance with present law (R.S. 15:622(2)).
7. Provide for what services can be directly billed and provide for reimbursements.
8. Provide for coordination of statewide standards and uniform policies and procedures.
9. Require the statewide SANE coordinator and each mobile SANE nurse program to coordinate with the La. Commission on Law Enforcement and Administration of Criminal Justice.