
DIGEST

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HB 1247 Re-Reengrossed

2026 Regular Session

Spell

Abstract: Creates a statewide sexual assault nurse examiner (SANE) coordinator within the state's sexual assault response system.

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", "reported sexual assault collection kit", "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 to 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 and provides for exceptions.

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 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.

Proposed law amends the definitions of the terms "reported sexual assault collection kit", "sexual assault collection kit", and "unreported sexual assault collection kit" to provide a consistent definition throughout present law (R.S. 15:622, 624, and 624.1 and R.S. 46:1842) and proposed law.

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.

Proposed law provides for duties of the La. State Law Institute relative to the proper placement of proposed law.

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

(Amends R.S. 15:622(A)(intro. para.) and (3)-(5), 624(A)(1)(intro. para.) and (B)-(D), and 624.1(B)(2), (C), and (I), R.S. 44:4.1(B)(27), and R.S. 46:1842(intro. para.) and (14); Adds R.S.

15:555(A)(18), 557, 622(A)(6) and (7), and 624(E) and (F), R.S. 40:1228.1-1228.11, and R.S. 46:1842(20) and (21), 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. Provide for the president or executive director of certain entities of proposed law, or their designees, to serve on the subcommittee.
2. Add the executive director of the La. Commission on Law Enforcement and Administration of Criminal Justice or his designee to the subcommittee.
3. 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.
4. Remove a provision providing that immunity extends to participation in any judicial proceeding that results from a report.
5. Prohibit a hospital, healthcare provider, or any statewide SANE coordinator from directly billing a survivor of a sexually oriented criminal offense in accordance with present law (R.S. 15:622(2)).
6. Provide the services that can be directly billed and provide for reimbursements.
7. Provide for coordination of statewide standards and uniform policies and procedures.
8. 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.
9. Make technical changes.

The House Floor Amendments to the reengrossed bill:

1. Make the definitions of "reported sexual assault collection kit", "sexual assault collection kit", and "unreported sexual assault collection kit" uniform throughout present law and proposed law.
2. Clarify that the contact made to the appropriate law enforcement agency pursuant to a survivor's wish to report an incident of sexual assault is for the purpose of transferring the reported sexual assault collection kit to the law enforcement agency.

3. Clarify that the transfer of an unreported sexual assault collection kit to a law enforcement agency is solely for the purpose of secure storage for the duration required by law.
4. Provide that initiation of a criminal investigation or submission of an unreported sexual assault collection kit to a forensic laboratory is not required unless the survivor elects to report the incident of sexual assault.
5. Make technical changes.