The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Whitney Kauffeld.

## DIGEST 2022 Regular Session

Mizell

<u>Present law</u> provides that a healthcare provider must treat any patient who presents themselves for treatment as a victim of a sexually-oriented criminal offense and conduct forensic medical exams and preserve any evidence obtained for law enforcement to collect.

Proposed law retains present law.

SB 147 Original

<u>Proposed law</u> permits the victim of a sexually-oriented criminal offense to request and receive from a healthcare provider, whether or not the incident was reported to law enforcement, certain documents generated from a forensic medical exam, to include reports written by the sexual-assault nurse examiner (SANE), including examination of physical trauma, patient interview, medical history, triage and consultation, photographic documentation, results from alcohol-and-drug-facilitated sexual assault assessment and toxicology screening.

<u>Proposed law</u> requires that the healthcare provider produce those documents upon request of victim ten days after examination or as soon as available, but no later than 120 days from the date of examination.

<u>Proposed law</u> provides that the items to be provided pursuant to the <u>proposed law</u> are to be provided at no cost to the victim and may only be produced to the victim. <u>Proposed law</u> further provides that these records are not public records.

Effective August 1, 2022.

(Amends R.S. 40:1216.1(G); adds R.S. 40:1216.1(H))