



Sexual Assault Survivors Emergency Treatment Act (SASETA)

Public Acts [100-0775](#) and [100-1087](#)

Implementation Timeframe

January 1, 2019

Hospitals:

- Hospitals need to submit new or revised treatment/transfer plans to incorporate new requirements and submit to Illinois Department of Public Health (IDPH) after Emergency Rules are issued. They are scheduled to be released January 2, 2019. Such plans will need to include an area wide treatment plan:
 - if transferring all patients (need written agreement with receiving hospital)
 - if transferring/receiving pediatric patients to/from another hospital, to a pediatric healthcare facility or to an out-of-state trauma center.
- Transfer hospitals need to have a written agreement with the receiving treatment hospital.
- A hospital applying to be a treatment hospital with approved pediatric transfer needs to receive IDPH approval of the plan prior to transferring pediatric survivors.
- Out-of-state trauma centers wishing to accept transfers of survivors need to submit a treatment plan consenting to the jurisdiction of IDPH and other requirements.
- New requirements for treatment hospitals:
 - Have a private, age-appropriate or developmentally appropriate space for exam.
 - Provide access to a shower after exam at no cost, unless shower facilities are unavailable.
 - Procedures for complying with mandatory reporting laws: Abused and Neglected Child Reporting Act; Abused and Neglected Long Term Care Facility Residents Reporting Act; Adult Protective Services Act; and Criminal Identification Act.
 - Offer medical advocacy services per MOU with rape crisis center, if available. (Task Force is developing sample MOU.)
 - Provide written information regarding children's advocacy center and rape crisis center, if applicable (supplied by the centers).
 - Provide information regarding medical forensic exam procedure, laws regarding consenting to such services and benefits/risks of evidence collection (prepared by Office of Attorney General (OAG)).
 - Protocols and identify positions of those providing follow-up care vouchers and access to the MEDI system.
 - New retention period of medical records pertaining to medical forensic services: 20 years after record created for adults; for survivors under age 18, 60 years after the survivor reaches age 18.
 - Have a tracking system and start reporting statistics to IDPH every six months with first report due July 1, 2019 including statistics starting January 1, 2019.
 - Protocols for ED staff training on sexual assault to be completed by July 1, 2020.

OAG needs to develop written materials for hospitals to give patients pertaining to medical forensic exam procedure, consent laws and benefits/risks of evidence collection.

March 1, 2019

- **OAG** to develop 2-hour on-line training for ED clinical staff.
- **OAG** to develop SANE Program:
 - Maintain a list of SANEs;
 - Provide didactic and clinical training opportunities and assist hospitals in trainings.

July 1, 2019

- **Treatment hospitals** must include photo documentation in treatment. The photos shall be stored and backed up securely in original file format and retained for 20 years for adults and 60 years after age 18 for children. The treatment plan needs to include protocol for limited access to the photos.
- **IDPH** to issue a report to General Assembly on status of hospitals/pediatric facilities and each July 1 thereafter: information on each hospital and what type of approved plan each has, status of any necessary plan of corrections, status of on-site reviews and area wide treatment plans.

October 1, 2019

- **IDPH** to post its report on its website and update it each quarter.

January 1, 2020

- **IDPH**, in consultation with **OAG**, to adopt rules on how physicians and physician assistants can show documentation to become sexual assault forensic examiners (SAFEs).

By July 1, 2020

- **Treatment hospitals** must have had ED attending physicians, PAs, APNs and RNs, who are not qualified medical providers, receive 2-hours of sexual assault training.
 - Thereafter, ED staff above to receive 2 hours of training every 2 years.

By January 1, 2022

- All **treatment hospitals** employ or contract with qualified medical providers (SANE, SAFE, child-abuse pediatrician) to initiate treatment within 90 minutes of a survivor presenting to the ED.

By January 1, 2023

- **Task Force** report to General Assembly on impact of out-of-state transfers and availability of treatment hospitals in Illinois.

January 1, 2024

- Ability to transfer to out-of-state trauma centers sunsets.
- Implementation Task Force sunsets.