

May 12, 2022

#### Emergency Department Clinical Staff Training Reminder

Sexual assault treatment hospitals and treatment hospitals with pediatric transfer are required to ensure that emergency department attending physicians, physician assistants, advanced practice registered nurses and registered professional nurses providing clinical services that do not meet the definition of a qualified medical provider (sexual assault nurse examiner, sexual assault forensic examiner or child abuse pediatrician) receive two hours of sexual assault training every two years.

First required by July 1, 2020, updated training for 2022 is now available and instructions on how to access the training and how to receive CMEs/CEUs can be found [here](#).

#### SANE Training

The Office of Attorney General is offering Adult/Adolescent Sexual Assault Nurse Examiner (SANE) 40-hour didactic training via webex on June 16, June 17, June 23 and June 24, 9 a.m. - 5 p.m. Attendance at all four days is required for training completion. The application deadline is May 31, 2022. The training is comprised of a combination of pre-work and live training. Participants can complete the pre-coursework at their convenience; however, the assignments must be completed by the due date provided. Instructions regarding the pre-work will be released on Tuesday, May 17, 2022, and students must complete the pre-work assignments by Monday, June 13, 2022.

Here are links to the [invitation letter](#) and [application](#). Please review the [Adult/Adolescent SANE Clinical Log](#) before applying to learn about training requirements.

#### Legislative Action

Two bills amending the Sexual Assault Survivors Emergency Treatment Act (SASETA) passed during the General Assembly's spring session:

Public Act 102-0699/HB 4700 (pg. 523) was signed into law by the Governor, amends SASETA:

- A hospital, approved pediatric health care facility or health care professional providing medical forensic services to a sexual assault survivor on or after July 1, 2022 required to be reimbursed by HFS, the Illinois Sexual Assault Emergency Treatment Program under HFS, or the appropriate Medicaid managed care organization, shall be reimbursed at a rate of at least \$1,000.

Public Act 102-1097 amends SASETA:

- Extends reimbursable follow-up care from 90 days to 180 days.
- Allows a survivor that is not the subscriber or primary policyholder of their insurance policy to opt out of billing their private insurance and the bill to then be submitted to the Dept. of Healthcare and Family Services (HFS) Sexual Assault Emergency Treatment Program for reimbursement. Note the increase in reimbursement for this program outlined above.
- Makes numerous changes to the requirements applicable to an approved federally qualified health center (FQHC), scheduled to be repealed Dec. 31, 2023, related to treatment plans, personnel, signage, reporting, etc.
- Changes to the Sexual Assault Medical Forensic Services Implementation Task Force include the addition of one member representing FQHCs, delays the Task Force report to the General Assembly to Jan. 1, 2024, which now includes the impact of FQHCs providing services to survivors, and sunsets the Task Force on Jan. 1, 2025.

[HB 347 SA 2](#), House Calendar order of Concurrence, SA2:

Senator Crowe, IHA, Office of the Attorney General and other stakeholders reached agreement on various provisions originally included in [SB 970](#), but too late for final passage in both chambers before session concluded. IHA intends to ask for concurrence during the Veto Session this fall.

- Prohibits the Dept. of Public Health (IDPH) from imposing fines during 2023 for non-compliance with the Act, although the requirement for treatment hospitals to have a qualified medical provider on site within 90 minutes beginning Jan. 1, 2023 remains in place.
- Adds new fines for hospitals and approved pediatric health care facilities related to submitting treatment/transfer plans or plans of correction to IDPH within certain timeframes.
- It extends out-of-state hospital participation until 2029 and changes the requirement from being a trauma hospital to being a hospital located in a county that borders Illinois.
- Amends the definition of approved pediatric health care facility and pediatric health care facility to provide services to patients under age 18.
- Adds another member representing child advocacy centers to the Implementation Task Force and the Task Force report is required to include the status of pediatric sexual assault care.

#### Updated Regulations

The Sexual Assault Survivors Emergency Treatment Code, revised in the [April 15, 2022 Illinois Register](#) (pgs. 6066-6103) incorporates several Public Acts, prior proposed rulemaking and an emergency amendment:

Allows FQHCs to submit sexual assault treatment plans to IDPH for approval and provide medical forensic services to sexual assault survivors through Dec. 31, 2023.

- Adjusts definitions to allow for medical forensic services to be provided beyond seven days if clinically indicated.
- Includes or updates references to various related state, federal and association guidelines.
- Requires area-wide sexual assault treatment plans to indicate which facility is responsible for transporting survivors back to the location where the survivor originally sought medical forensic services, unless transportation is arranged by the survivor or a non-offending parent/guardian.
- Requires a qualified medical provider to provide the services starting Jan. 1, 2023.
- Survivors are to be notified of the Illinois State Police sexual assault evidence tracking system.
- Clarifies when law enforcement may remain in the room due to safety concerns.

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