

SUBJECT: Creating state telehealth center for sexual assault forensic medical exams

COMMITTEE: Homeland Security and Public Safety — favorable, without amendment

VOTE: 7 ayes — Nevárez, Paul, Burns, Calanni, Goodwin, Israel, Lang

0 nays

2 absent — Clardy, Tinderholt

SENATE VOTE: On final passage, April 4 — 31-0

WITNESSES: For — Chris Kaiser, Texas Association Against Sexual Assault;  
(*Registered, but did not testify*: Lisa Harst, Children's Advocacy Centers of Texas; Priscilla Camacho, Dallas Regional Chamber; James Grace, Jr., Houston Area Women's Center; Greg Hansch and Alissa Sughrue, National Alliance on Mental Illness-Texas; Eric Kunish, National Alliance on Mental Illness-Austin; Kristen Lenau, Texas Council on Family Violence; Kevin Stewart, Texas Emergency Nurses Association; Piper Nelson, The SAFE Alliance; Lori Adelman)

Against — None

BACKGROUND: Interested parties have noted that many Texas communities are not served by a sexual assault nurse examiner who is trained to collect evidence relating to sexual assault crimes and that a statewide telehealth center with expertise in the area could increase Texans' access to these services.

DIGEST: SB 71 would require the attorney general to establish the statewide telehealth center for sexual assault forensic medical examination to expand access to sexual assault nurse examiners for underserved populations.

The center could facilitate, in person or with technology, the provision by a sexual assault nurse examiner of:

- training or technical assistance to a sexual assault examiner on conducting a forensic medical exam on a survivor and the use of telehealth services; and
- consultation, guidance, or technical assistance to a sexual assault examiner during a forensic medical examination on a survivor.

The center could facilitate the use of telehealth services during an exam with permission from the facility or entity where a forensic medical examination on a survivor was conducted and to the extent authorized by other law.

The center and the attorney general would be required to develop operation protocols to comply with laws and rules governing:

- telehealth services;
- standards of professional conduct for licensure and practice;
- standards of care;
- maintenance of records;
- technology requirements;
- data privacy and security of patient information; and
- the operation of a telehealth center.

The attorney general would be required to consult with persons with expertise in medicine and forensic medical examinations, a statewide sexual assault coalition, a statewide organization with expertise in the operation of children's advocacy programs, and attorneys with expertise in prosecuting sexual assault offenses.

The attorney general could enter into contracts and adopt rules to implement the bill.

The Legislature could appropriate money to the attorney general to establish the center. The attorney general could provide funds to the center for operations, training, travel expenses incurred by a sexual assault nurse examiner, equipment and software, and any other purpose considered appropriate by the attorney general.

The bill would take effect September 1, 2019.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of \$1 million to general revenue related funds through fiscal 2020-21