

1.1 **Senator Latz from the Committee on Judiciary and Public Safety, to which was**  
1.2 **referred**

1.3 **S.F. No. 1249:** A bill for an act relating to crime; requiring state to pay medical  
1.4 examination costs for criminal sexual conduct victim; amending Minnesota Statutes 2022,  
1.5 section 609.35.

1.6 Reports the same back with the recommendation that the bill be amended as follows:

1.7 Page 1, after line 4, insert:

1.8 "Section 1. Minnesota Statutes 2022, section 144.6586, subdivision 2, is amended to read:

1.9 Subd. 2. **Contents of notice.** The commissioners of health and public safety, in  
1.10 consultation with sexual assault victim advocates and health care professionals, shall develop  
1.11 the notice required by subdivision 1. The notice must inform the victim, at a minimum, of:

1.12 (1) the obligation under section 609.35 of the ~~county where the criminal sexual conduct~~  
1.13 ~~occurred~~ state to pay for the examination performed for the purpose of gathering evidence,  
1.14 that payment is not contingent on the victim reporting the criminal sexual conduct to law  
1.15 enforcement, and that the victim may incur expenses for treatment of injuries;

1.16 (2) the victim's rights if the crime is reported to law enforcement, including the victim's  
1.17 right to apply for reparations under sections 611A.51 to 611A.68, information on how to  
1.18 apply for reparations, and information on how to obtain an order for protection or a  
1.19 harassment restraining order; and

1.20 (3) the opportunity under section 611A.27 to obtain status information about an  
1.21 unrestricted sexual assault examination kit, as defined in section 299C.106, subdivision 1,  
1.22 paragraph (h).

1.23 Sec. 2. Minnesota Statutes 2022, section 145.4712, is amended to read:

1.24 **145.4712 EMERGENCY CARE TO SEXUAL ASSAULT VICTIMS.**

1.25 Subdivision 1. **Emergency care to female sexual assault victims.** (a) It shall be the  
1.26 standard of care for all hospitals and other health care providers that provide emergency  
1.27 care to, at a minimum:

1.28 (1) provide each female sexual assault victim with medically and factually accurate and  
1.29 unbiased written and oral information about emergency contraception from the American  
1.30 College of Obstetricians and Gynecologists and distributed to all hospitals by the Department  
1.31 of Health;

2.1 (2) orally inform each female sexual assault victim of the option of being provided with  
2.2 emergency contraception at the hospital or other health care facility; and

2.3 (3) immediately provide emergency contraception to each sexual assault victim who  
2.4 requests it provided it is not medically contraindicated and is ordered by a legal prescriber.  
2.5 Emergency contraception shall be administered in accordance with current medical protocols  
2.6 regarding timing and dosage necessary to complete the treatment.

2.7 (b) A hospital or health care provider may administer a pregnancy test. If the pregnancy  
2.8 test is positive, the hospital or health care provider does not have to comply with the  
2.9 provisions in paragraph (a).

2.10 Subd. 2. **Emergency care to male and female sexual assault victims.** It shall be the  
2.11 standard of care for all hospitals and health care providers that provide emergency care to,  
2.12 at a minimum:

2.13 (1) provide each sexual assault victim with factually accurate and unbiased written and  
2.14 oral medical information about prophylactic antibiotics for treatment of sexually transmitted  
2.15 ~~diseases~~ infections;

2.16 (2) orally inform each sexual assault victim of the option of being provided prophylactic  
2.17 antibiotics for treatment of sexually transmitted ~~diseases~~ infections at the hospital or other  
2.18 health care facility; and

2.19 (3) immediately provide prophylactic antibiotics for treatment of sexually transmitted  
2.20 ~~diseases~~ infections to each sexual assault victim who requests it, provided it is not medically  
2.21 contraindicated and is ordered by a legal prescriber."

2.22 Page 1, line 12, strike "full"

2.23 Page 1, line 14, after the period, insert "A hospital, emergency medical facility, or health  
2.24 care provider shall submit the costs for examination and any associated tests and treatment  
2.25 to the Office Of Justice Programs for payment. Upon receipt of the costs, the commissioner  
2.26 shall provide payment to the facility or health care provider. Reimbursement for an  
2.27 examination and any associated test and treatments shall not exceed \$1,400. Beginning on  
2.28 January 1, 2024, the maximum amount of an award shall be adjusted annually by the inflation  
2.29 rate."

2.30 Page 1, line 20, after "hospital" insert "or other licensed health care provider"

2.31 Page 2, after line 4, insert:

3.1 "Sec. 4. APPROPRIATION.

3.2 \$..... in fiscal year 2024 and \$..... in fiscal year 2025 are appropriated from the general  
3.3 fund to the commissioner of public safety to reimburse qualified health care providers for  
3.4 the expenses associated with medical examinations administered to victims of criminal  
3.5 sexual conduct as required under Minnesota Statutes, section 609.35."


3.6 Renumber the sections in sequence

3.7 Amend the title as follows:

3.8 Page 1, line 3, after the semicolon, insert "appropriating money;"

3.9 Amend the title numbers accordingly

3.10 And when so amended the bill do pass and be re-referred to the Committee on Health  
3.11 and Human Services. Amendments adopted. Report adopted.

3.12 .....  
3.13 (Committee Chair)

3.14 March 3, 2023.....  
3.15 (Date of Committee recommendation)