

April 9, 2009

H 1342. RVAP/ENSURE GRANT ELIGIBILITY. Filed 4/8/09. *TO ENSURE THAT NORTH CAROLINA CONTINUES TO BE ELIGIBLE FOR STOP VIOLENCE AGAINST WOMEN FORMULA GRANT PROGRAM FUNDING; AND TO INCREASE THE AUTHORITY OF THE DIRECTOR OF THE CRIME VICTIMS COMPENSATION COMMISSION AND THE COMMISSION ITSELF TO CONSIDER PROXIMATE CAUSE WHEN DETERMINING WHETHER TO MAKE AN AWARD; AND TO MAKE VARIOUS OTHER CHANGES TO THE RAPE VICTIMS ASSISTANCE PROGRAM.*

Repeals GS 143B-480.2 and amends GS 143B-480.1 as follows. Clarifies that the Assistance Program for Victims of Rape and Sex Offenses (Program) pays for the cost of a forensic medical examination for victims of a sexual assault or attempted sexual assault. Prohibits the medical facility or professional from (1) billing victims, their insurance, Medicaid, Medicare, or any other collateral source for the examination and (2) seeking reimbursement from the program after one year from the date of exam. Requires medical facilities and medical professionals who perform such examinations to do so using a Sexual Assault Evidence Collection Kit. Modifies the Program payment schedule (was in GS 143B-480.2(c)) to permit payment to a physician or SANE (Sexual Assault Nurse Examiner) nurse of \$350, payment of a hospital or facility fee of \$250, and payment of other expenses deemed eligible by the Program (was an ambulance fee) of \$200. Requires a medical facility or medical professional who performs the examination to encourage victims to submit an application for reimbursement of additional medical expenses to the Crime Victims Compensation Commission (Commission) for consideration of those expenses. Moves the judicial review and rule-making provisions from GS 143B-480.2 into GS 143B-480.1.

Amends GS 143B-480.3 to increase from \$7,500 to \$12,500 the amount of a claim that the Director of the Crime Victims Compensation Commission may decide without making a recommendation to the Commission.

Amends GS 15B-11 to allow the *Director* or the Commission to deny claims from victims when it finds that there was contributory misconduct that was a proximate cause of becoming a victim. Makes technical and conforming changes. Effective July 1, 2009.

Intro. by Bordsen, McLawhorn, Howard, GS 15B, 143B
Justus.

June 3, 2009

H 1342. FREE MED. EXAM-VICTIMS OF RAPE/SEX OFFENSES (NEW). Filed 4/8/09. Senate committee substitute makes the following changes to 1st edition. Changes the title to *AN ACT TO PROVIDE FREE FORENSIC MEDICAL EXAMINATIONS FOR VICTIMS OF RAPE AND SEX OFFENSES; TO INCREASE THE AUTHORITY OF THE DIRECTOR OF THE CRIME VICTIMS COMPENSATION COMMISSION AND THE COMMISSION ITSELF TO CONSIDER PROXIMATE CAUSE WHEN DETERMINING WHETHER TO MAKE AN AWARD; AND TO MAKE VARIOUS OTHER CHANGES TO THE RAPE VICTIMS ASSISTANCE PROGRAM.*

Repeals GS 143B-480.3(a) regarding the reduction of benefits and makes conforming changes to the catchline for GS 143B-480.3. Makes clarifying and technical changes.

July 2, 2009

H 1342. FREE MED. EXAM-VICTIMS OF RAPE/SEX OFFENSES. Filed 4/8/09. Senate committee substitute makes the following changes to 2nd edition. Amends proposed GS 143B-480.1(f) by deleting the requirement that a victim meet the Crime Victims Compensation Commission eligibility requirements to be reimbursed for additional expenses beyond the forensic examination. Also deletes the requirement that the medical facility or medical professional performing a forensic medial exam inform the victim before providing any services that are not covered by the assistance program.

July 8, 2009

H 1342. FREE MED. EXAM-VICTIMS OF RAPE/SEX OFFENSES. Filed 4/8/09. Senate amendment makes the following changes to 3rd edition. Makes this act effective when it becomes law (was, effective July 1, 2009).

July 27, 2009

SL 2009-354 (H 1342). FREE MEDICAL EXAM—VICTIMS OF RAPE/SEX OFFENSES. *AN ACT TO PROVIDE FREE FORENSIC MEDICAL EXAMINATIONS FOR VICTIMS OF RAPE AND SEX OFFENSES; TO INCREASE THE AUTHORITY OF THE DIRECTOR OF THE CRIME VICTIMS COMPENSATION COMMISSION AND THE COMMISSION ITSELF TO CONSIDER PROXIMATE CAUSE WHEN DETERMINING WHETHER TO MAKE AN AWARD; AND TO MAKE VARIOUS OTHER CHANGES TO THE RAPE VICTIMS ASSISTANCE PROGRAM.* Summarized in *Daily Bulletin* 4/9/09, 6/3/09, 7/2/09, and 7/8/09. Enacted July 27, 2009. Effective July 27, 2009.