



CLARIFICATION OF THE MEDICAL MANDATED REPORTING STATUTE SEXUAL ASSAULT (SB15-128)

MEDICAL MANDATED REPORTING STATUTE

- C.R.S. § 12-36-135(1)(a)
- SB15-128 created a subsection for sexual assault – all other requirements remain the same.

REPORTING OPTIONS

Victims obtaining a medical forensic exam can choose one of three types of reports:

1. Law Enforcement Report

Victims choose to report to law enforcement and participate in the criminal justice system.

2. Medical Report

Victims obtain a medical forensic exam, but at the time of receiving medical services, choose not to participate with the criminal justice system. These victims provide identifying information to law enforcement and can choose to have their evidence tested.

3. Anonymous Report

Victims obtain a medical forensic exam, but at the time of receiving medical services, choose not to participate with the criminal justice system and not to provide any identifying information. Law enforcement will store these kits under a unique identifying number. These victims cannot choose to have their evidence tested.

No Report Required

Medical professionals have no obligation to report a sexual assault if the victim does not obtain a medical forensic exam.

PAYMENT PROGRAMS

Law Enforcement Report

Law enforcement pays for the evidence collection and the victim is eligible for victim compensation.

Medical Report

DCJ pays for the evidence collection and the SAVE Program pays for the costs associated with obtaining the medical forensic exam. The SAVE program can also pay medical costs related to any injuries sustained in the assault, up to a pre-determined cap.

Anonymous Report

DCJ pays for the evidence collection and the SAVE Program pays for the costs associated with obtaining the medical forensic exam. The SAVE program can also pay medical costs related to any injuries sustained in the assault, up to a pre-determined cap.

No Report

If no evidence is collected, any medical bills are the responsibility of the victim.