

HCS HBs 3434, 3460 & 2628 -- STATEWIDE SEXUAL ASSAULT RESPONSE

SPONSOR: Williams

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Crime and Public Safety by a vote of 11 to 4 with 1 member voting present.

The following is a summary of the House Committee Substitute for HBs 3434, 3460 & 2628.

This bill creates the "Compassionate Assistance for Rape Emergencies (CARE) Act", which establishes the standard of care for hospitals and any health care facilities providing emergency care to sexual assault victims. Under the Act, the hospitals and health care facilities must orally inform each sexual assault victim the option to be provided emergency contraception, must provide the complete regimen of emergency contraception immediately to any victim who requests it, and must provide sexually transmitted infection screening and treatment to the victim.

The Department of Health and Senior Services must create all rules and regulations necessary to implement the provisions of the Act.

This bill establishes the "Missouri Statewide Sexual Assault Response Task Force", which will be composed of various members, including two members from the Senate, one appointed by the President Pro Tem of the Senate and one appointed by the Minority Floor Leader of the Senate; and two member of the House of Representatives, one appointed by the Speaker of the House and one appointed by the Minority Floor Leader of the House. The remaining Task Force members not otherwise specified to be appointed by department directors will be appointed by the Attorney General.

The Task Force will study best practices and make recommendations regarding the statewide response to sexual assault from the time of a complaint through each phase of the investigative, medical, advocacy, and justice system response. The bill specifies the Task Force's other duties and requirements. The Attorney General will provide administrative support to the Task Force. On or before December 31, 2028, the Task Force must submit its findings to the Governor and the General Assembly. The Task Force will expire on December 31, 2028.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this bill is about ensuring that when a sexual assault survivor in Missouri comes forward, the system is ready to make sure justice is achieved. Right now, the experience varies depending on where you live. Thousands assaults are reported but many assaults go unreported. The biggest barrier in reporting is the confidence in justice when you do report it. Missouri has made major progress in the rape kit backlog with the SAFE Act. Testing the kits has solved cold cases and has closed many open cases. The State still needs a fully integrated process. The Task Force has a sunset so this is meant to attack the problem at hand and not implement permanent bureaucracy. The attempt to address rural and urban issues in dealing with this issue is very helpful. The two different areas' needs are different and patients in those areas need to be helped differently.

Testifying in person for the bill were Representative Williams; Missouri Rural Health Association; Cheryl Robb-Welch, Missouri Coalition Against Domestic & Sexual Violence; and David Barnes, Missouri Emergency Nurses Association.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.