



Michigan Department of
Health & Human Services

RICK SNYDER, GOVERNOR
NICK LYON, DIRECTOR

Instructions for completing the
**SAFE RESPONSE CLAIM FORM SEXUAL
ASSAULT FORENSIC EXAMINATIONS**

The SAFE Response program ensures that sexual assault victims are not billed for medical forensic exams, insurance deductibles or co-pay fees related to medical forensic exams. Insurance carriers remain the payer of first resort unless the patient does not have insurance or believes that billing their insurance will substantially interfere with his or her personal privacy or safety. SAFE Response will pay for exams, insurance deductibles, or co-pay fees, whether or not the victim chooses to report the assault to law enforcement immediately or at a future time. The SAFE Response program satisfies requirements the state must meet to qualify for federal funding supporting law enforcement efforts to stop domestic violence, sexual assault, and stalking.

PART 1: INSURANCE

SAFE Response will pay for an exam if:

- A patient who is a victim of sexual assault and has no insurance, or
- The patient believes that billing their insurance will substantially interfere with his or her personal privacy or safety, or
- Insurance is used but there are costs that the patient's insurance company will not pay, like co-pays or deductibles, SAFE Response will pay that portion.

SAFE Response will pay up to \$600 for any one exam, as follows:

- Up to \$400 for the use of an emergency room, clinic, or examination room; and the sexual assault medical forensic examination and related procedures other than laboratory services; and dispensing pharmaceutical items related to the sexual assault
- Up to \$125 for laboratory services
- Up to \$75 for dispensing pharmaceutical items related to the sexual assault

A health care provider must first utilize the patient's insurance before seeking payment from SAFE Response, unless the patient believes that billing insurance will substantially interfere with his or her personal privacy or safety. **You must have the patient's written permission to bill insurance and or SAFE Response.** (Part 1. a. "BILL INSURANCE" on page one of the SAFE Response claim form to bill insurance and (Part 1. a. "BILL SAFE RESPONSE" to bill SAFE Response). **Read the statements on the form to the patient and have the patient sign and date his or her billing preference on the form. (Patient's signature in section 2 does not qualify as permission to bill SAFE Response.)**

You can also seek payment for the exam from sources other than insurance or SAFE Response (e.g. grant or community funding), **as long as you do not bill the patient for any portion of the medical forensic exam.**

PART 2: PATIENT RELEASE OF INFORMATION

Read the disclosure notice on the form to the patient to obtain his/her written consent to release information to SAFE Response. SAFE Response uses the personally identifying information on the form to process claims for payment. SAFE Response may also use it to investigate or prosecute false financial claims by the health care provider. Note that SAFE Response must keep the patient's personal information private. Unless there is a claim for fraud against the health care provider, the information cannot be used as evidence in court without the patient's permission. It cannot be subpoenaed by an attorney, or collected by a Freedom of Information Act request. **(Please note: This part does not give written permission to bill insurance or SAFE Response)**

PART 3: INFORMATION ABOUT THE EXAM

The examining physician or nurse must sign and initial the exam certification where indicated. SAFE Response will only pay for exams that consist of all of the 4 elements listed below. **All of these elements must be medically indicated. SAFE Response will not pay claims for exams that do not include all of the 4 elements listed below.** To be eligible for payment from SAFE Response, a medical forensic exam must consist of all these elements:

- Collection of a medical history.
- A general medical examination, including, but not limited to, the use of laboratory services and the dispensing of prescribed pharmaceutical items.
- One or more of the following procedures: a detailed oral, anal, or genital examination
- Administration of all of the medically indicated portions of a standardized sexual assault evidence kit. As required by MCL 333.21527, the kit must be approved by the Department of State Police.

SAFE Response will only pay for an exam if the evidence kit is approved by the Department of State Police.

REPORTING THE SEXUAL ASSAULT TO POLICE

You cannot require a victim of sexual assault to report the assault to the police or talk to the police or prosecutor in order to get a medical forensic exam, or to have the costs of the exam paid by SAFE Response. However, hospitals, pharmacies, physicians, and surgeons have a duty to immediately report certain information required by **MCL 750.411** to their local police department when a person under their care is suffering from an injury inflicted by means of violence. You should consult your supervisor for advice about your role in carrying out this duty. If you make a police report, it is critically important for health care professionals to notify patients prior to making a report so that they can attend to their safety, if necessary. **However, patients ARE NOT required to talk to the police to have their medical forensic exam paid for.**

Part 4: BILLING

Refer to the SAFE CPT Code Listing for approved billing codes.

PART 5: AUDIT AND RECORDS AGREEMENT

The examining physician/nurse must sign and provide their license number in this section. If the SAFE kit was used in a hospital or another facility outside a SANE clinic, that facility's medical records administrator must sign this section. Signing this section is an agreement by the attending physician, nurse or medical records administrator to maintain the examining documents for not less than three years. The facility is also subject to an audit of said documents to verify the procedure was properly completed.

THERE IS OTHER HELP AVAILABLE FOR SEXUAL ASSAULT VICTIMS

In addition to SAFE Response payment for sexual assault medical forensic exams, the Michigan Crime Victim Services Commission through the Crime Victims Compensation Program may be able to assist sexual assault victims to pay for other eligible costs of the assault. However, unlike the SAFE Response Program that does not require a police report, the Crime Victims Compensation Program will only reimburse for these other costs if the victim reports the crime within certain time limits and works with law enforcement to investigate or prosecute the crime. Contact **517-373-7373** for more information about the Crime Victims Compensation Program.