

*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-pays related to medical forensic exams. Insurance carriers remain the payer of first resort unless the patient does not have insurance or believes that that billing insurance will substantially interfere with her/his personal privacy or safety. SAFE Response will pay for exams, insurance deductibles, or co-pays, 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 has no insurance, or

The patient believes that billing insurance will substantially interfere with her/his 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 \$1200 for any one exam, as follows:

Up to \$700 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 (\$150 of this maximum is designated for certified examining providers or examining providers who perform the exam under the direct, in-room supervision of a certified examining provider)

Up to \$500 for laboratory services and/or 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/her personal privacy or safety. You must have the patient's written permission to bill insurance. **Read the statement on the form to the patient and have the patient sign and date his or her billing preference on the form.**

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.

### 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.** An element that has not been completed because the patient voluntarily withdrew from it after it was begun may be initialed as long as it was attempted and case file notes reflect it. 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

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.** Note that conducting additional evidence collection that is not contained in the standardized kit will not disqualify an examination from payment by SAFE Response, as long as the procedures in the standardized kit were also performed where medically indicated.

#### 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.**

#### 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