Instructions for Completing the SAFE Response Claim Form

SEXUAL **A**SSAULT **F**ORENSIC **E**XAMINATIONS

The SAFE Response Program ensures that sexual assault victims are not billed for medical forensic exams, insurance deductibles or co-pays related to the medical forensic exams. Insurance carriers remain the payer of first resort unless the patient does not have insurance or believes that billing insurance will substantially interfere with her/his personal privacy or safety. The SAFE Response Program 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 the requirements the state must meet to qualify for federal funding supporting law enforcement efforts to stop domestic violence, sexual assault and stalking.

The SAFE Response Program cannot pay for exams for assaults that occur when a patient was confined in a correctional facility. Please contact the correctional facility for payment of the examination through the Michigan Department of Corrections.

PART 1: INSURANCE

The SAFE Response Program will pay for an exam if:

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

Please read the following statement to the Victim that is printed on page 1 of the claim form:

> *In order to bill your insurance, we must have your written permission. If your insurance is billed, you do not have to pay any co-pay or deductibles. However, if you believe that billing your insurance will put your personal privacy or safety at risk, you do not have to have your insurance billed.*

Mark "A" if the victim has insurance. If the victim does have insurance, the please indicate if the victim chooses to bill their insurance or SAFE Response.

or

Mark "B" if the victim does not have insurance.

The Provider then must sign the bottom of page 1 of the claim form indicating that the statements were read to the victim.

PART 2: PATIENT RELEASE OF INFORMATION

Read the following disclosure, which is printed on the top of page 2 of the claim form, to the victim. Once read, please 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 the 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 four of the following elements listed:

- Collection of medical history
- A general medical exam
- One or more of the following procedures: a detailed oral, anal or genital examination
- Administration of a standardized sexual assault evidence kit approved by the Department of the State Police, as provided in MCL 333.21527.

*An element that was not completed because the patient voluntarily withdrew from the exam after it began may be initial as long as it was attempted, and the case file notes reflect it.

*SAFE Response will only pay for an exam if the evidence kit is approved by the Department of State Police. Please note, conducting additional evidence collection that is not contained in the standardized kit will not disqualify an exam from payment by SAFE Response so long as the procedures in the standardized kit were also performed where medically indicated.

Please indicate the time elapsed between the sexual assault and the provision of the exam. **If the exam occurs over 96 hours after the exam or the timeframe is unknown OR if the patient is a pediatric patient (age 12 or younger) you must submit page 9 of the Michigan Forensic Evaluation form with your SAFE Response Claim.**

PART 4: AUDIT AND RECORDS AGREEMENT

The provider completing the exam OR a hospital medical records staff may sign this portion agreeing to maintain adequate records and files, including records documenting the examination and that may support the activities, expenditures and reimbursement related to the SAFE Response Program for no less than 4 years from the date of submission of the reimbursement request. The signatory also agrees to permit upon reasonable notification and at reasonable times, access by authorized representatives of the Department, Federal Grantor Agency and State Auditor General any records, files and documentation related to this examination, to the extent authorized by applicable state or federal law, rule or regulation.

PART 5: CONTACT INFORMATION

Please provide the hospital/provider's name, Federal Tax ID number and address along with a contact person/phone number that can be reached if there are any questions regarding the SAFE Response claim.

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 to complete a medical forensic exam or have the cost 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 the patient prior to making a report so that they can attend to her/his safety, if necessary. **Patients ARE NOT required to speak to the police.**

OTHER HELP AVAILABLE FOR SEXUAL ASSAULT VICTIMS

In addition to SAFE Response payment for sexual assault forensic exams, the Michigan Crime Victim Services Commission through the Crime Victim Compensation Program may be able to assist sexual assault victims to pay for other eligible costs associated with the assault. Unlike the SAFE Response Program that does not require a police report, the Crime Victim Compensation Program will only reimburse for these other costs if the victim report the crime within certain time limits and works with law enforcement to investigate or prosecute the crime (waivers may apply). Contact **517-241-7373** for more information about the Crime Victim Compensation Program.

SAFE Response Website

SAFE Response (michigan.gov)

This website includes:

- A link to a recorded YouTube Presentation
  - Presentation starts at 10:20 minutes into the recording
  - Instructions specific to the SAFE Claim Form starts at 14:00
  - Information for our Crime Victim Compensation Program that a victim may qualify for (different from SAFE response and is not the obligation of the provider) starts at 23:57
  - QA starts at 26:50
- SAFE Response Claim form and Instructions
- SAFE CPT Code Listing
- SAFE Response Brochure
- Crisis Hotline Phone Numbers

Please submit all claim forms and supporting information to:

- Email: mdhhs-michigancrimevictim@michigan.gov
- Fax: 517-335-2439
- Mail: **Crime Victim Services Commission, SAFE Response**
  Grand Tower, Suite 113
  235 S Grand Avenue
  PO Box 30037
  Lansing, MI 48909