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BILL ANALYSIS



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Senate Bill 153 (as introduced 2-9-17)
Sponsor: Senator Rebekah Warren
Committee: Judiciary

Date Completed: 2-21-17

CONTENT

The bill would amend the Sexual Assault Victims' Medical Forensic Intervention and Treatment Act to require at least 80% of the money in the Sexual Assault Victims' Medical Forensic Intervention and Treatment Fund to be distributed to entities that perform required services (as currently provided) or demonstrate immediate capacity to perform those services, and allow entities to subcontract particular services.

The Act created the Fund and provides for the Domestic Violence Prevention and Treatment Board to spend money from it, as appropriated. At least 80% of the money must be distributed to entities that do all of the following:

- Perform the procedures required by sexual assault evidence kits.
- Provide specialized assistance to victims.
- Operate under the auspices of or in partnership with a local sexual assault crisis center.
- Comply with the standards of training and practice of the International Association of Forensic Nurse Examiners or a similar organization designated by the Board in consultation with the Department of Health and Human Services (DHHS).
- Provide access to medical forensic intervention and treatment services 24 hours a day.

Under the bill, not less than 80% of the money would have to be distributed to entities that did, or demonstrated immediate capacity to do, all of the following:

- Perform, or subcontract with another entity through an agreement approved by the Board to perform, the procedures required by sexual assault evidence kits in a manner that complied with the standards of training and practice of the International Association of Forensic Nurses or a similar organization designated by the Board in consultation with the DHHS.
- Provide specialized assistance to victims.
- Operate under the auspices of or in documented partnership with a local sexual assault crisis center.
- Provide, or subcontract with another entity through an agreement approved by the Board to provide, access to medical forensic intervention and treatment services 24 hours a day.

The Act also provides that not more than 15% of the money may be spent for medical forensic intervention-related training and technical assistance for staff members and for needs assessment. Not more than 10% may be spent for administrative costs incurred by the Board in implementing and administering the Act. The Board must distribute money by awarding grants and contracts in a manner that reflects Michigan's population, geographic area, and

rural and urban diversity using criteria the Board develops in consultation with the DHHS. The bill would retain those provisions.

MCL 400.1535

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate negative fiscal impact on the State, and no fiscal impact on local units of government. Under the bill, the State could face a cost increase resulting from an expansion of the number of entities that demonstrated the capacity to fulfill the requirements of the Act. By extending the distribution of Fund money to entities that may not be able to fulfill the requirements themselves, but are able to subcontract with another entity that can, the bill could lead to an increase in the Board's distributions from the Sexual Assault Victims' Medical Forensic Intervention and Treatment Fund. Additionally, the Board could face a minor increase in administrative expenses from the requirement that it approve agreements between entities that cannot fulfill the requirements of the Act and subcontractors who can.

Fiscal Analyst: Ellyn Ackerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.