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SENATE BILL NO. 1041

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance and Appropriations on January 29, 2025)

(Patron Prior to Substitute—Senator Perry)

A BILL to amend and reenact § 9.1-191 of the Code of Virginia and to amend the Code of Virginia by adding in Article 8 of Chapter 5 of Title 32.1 a section numbered 32.1-162.15:12, relating to Virginia Forensic Nursing Advisory Council established; sexual assault forensic examiners; physical evidence recovery kits.

Be it enacted by the General Assembly of Virginia:

1. That § 9.1-191 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 8 of Chapter 5 of Title 32.1 a section numbered 32.1-162.15:12 as follows:

§ 9.1-191. Virginia Sexual Assault Forensic Examiner Coordination Program.

A. The Department shall establish a ~~the Virginia sexual assault forensic examiner coordination program~~ *Sexual Assault Forensic Examiner Coordination Program (the Program)*. The ~~program~~ Program shall be headed by a coordinator (the Coordinator). The Coordinator shall:

1. Create and coordinate an annual statewide sexual assault forensic nurse examiner training program in partnership with the Attorney General, the Department of Health, the Virginia Hospital and Healthcare Association, the Victim Compensation Fund, the International Association of Forensic Nurses, and the Secretary of Health and Human ~~Services Resources, and the Virginia Forensic Nursing Advisory Council~~;

2. Coordinate the development and enhancement of sexual assault forensic examiner programs across the Commonwealth that include prevention of secondary trauma to survivors of sexual assault and culturally sensitive training for health professionals;

3. Participate in the development of hospital protocols and guidelines for treatment of survivors of sexual assault in partnership with the Department of Health;

4. Coordinate and strengthen communications among sexual assault nurse examiner medical directors, sexual assault response teams, and hospitals for existing and developing sexual assault nurse examiner programs;

5. Provide technical assistance for existing and developing sexual assault forensic examiner programs, including local sexual assault forensic examiner training programs;

6. Create and maintain a statewide list, updated biannually, to include the following:

a. A list of available sexual assault forensic examiners, sexual assault nurse examiners, sexual assault forensic nurse examiners, and pediatric sexual assault nurse examiners;

b. The location and facility affiliation of each examiner;

c. The duty hours for each examiner and affiliated facility for sexual assault exam services; and

d. The location of available local sexual assault forensic examiner training programs;

7. Coordinate, share, and disseminate the list created pursuant to subdivision 6 to the emergency operations communications system available to emergency medical services and law-enforcement agencies as well as the internal emergency and hospital communications system;

8. Share and disseminate the list created pursuant to subdivision 6 with all other relevant agencies, including law-enforcement agencies, attorneys for the Commonwealth, victim-witness programs, sexual assault service organizations, the Department of Juvenile Justice, the Department of Social Services, the Department of Education, and school divisions;

9. Create sexual assault nurse examiner recruitment materials for universities and colleges with nursing programs in partnership with the State Council of Higher Education for Virginia; and

10. Support and coordinate community education and public outreach, when appropriate, relating to sexual assault nurse examiner issues for the Commonwealth.

B. The Coordinator may request and shall receive from every department, division, board, bureau, commission, authority, or other agency created by the Commonwealth, or to which the Commonwealth is a party, or any political subdivision thereof, cooperation and assistance in the performance of its duties. The Coordinator may also consult and exchange information with local government agencies and interested stakeholders.

C. The Coordinator shall report annually on or before October 1 to the Governor and the General Assembly. The report shall include a summary of activities for the year and any recommendations to address sexual assault exams within the Commonwealth, including budget needs to increase the availability of sexual assault exam services across the Commonwealth. The Department shall ensure that such report is available to the public.

§ 32.1-162.15:12. Virginia Forensic Nursing Advisory Council.

A. The Virginia Forensic Nursing Advisory Council (the Council) is hereby established as an advisory

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60 *board within the meaning of § 2.2-2100 in the executive branch of state government. The Council shall*  
61 *consist of five members to be appointed by the Governor. Each member shall have expertise in forensic*  
62 *examination of sexual assault victims and shall currently reside and practice in the Commonwealth. Members*  
63 *shall be appointed for terms of four years and shall not be eligible to serve for more than two consecutive*  
64 *terms.*

65 *B. The Council shall review and make recommendations as necessary to the Board concerning:*

66 *1. Criteria to become a sexual assault forensic examiner;*

67 *2. The process for certification as a sexual assault forensic examiner;*

68 *3. The curriculum and training program of an entity seeking approval to train sexual assault forensic*  
69 *examiners;*

70 *4. Qualifications of prospective sexual assault forensic examiners; and*

71 *5. Strategies for expanding access to sexual assault forensic examiners.*

72 *C. The Council shall periodically, but at least annually, submit a report to the General Assembly*  
73 *regarding the status of sexual assault forensics in the Commonwealth, including any recommendations to*  
74 *improve the quality of such services throughout the Commonwealth.*