

1 HOUSE BILL NO. 79
2 INTRODUCED BY A. REGIER
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A SEXUAL ASSAULT RESPONSE NETWORK
6 PROGRAM WITHIN THE DEPARTMENT OF JUSTICE AND A SEXUAL ASSAULT RESPONSE TEAM
7 COMMITTEE AND ASSIGNING DUTIES; REQUIRING THE SEXUAL ASSAULT RESPONSE TEAM
8 COMMITTEE TO ADOPT EDUCATIONAL AND CLINICAL STANDARDS FOR SEXUAL ASSAULT NURSE
9 EXAMINERS; PROVIDING FOR A SEXUAL ASSAULT RESPONSE NETWORK PROGRAM COORDINATOR;
10 ESTABLISHING CERTAIN PAYMENT STANDARDS AND PROCESSES; REQUIRING PERIODIC REVIEW
11 OF THE STANDARDS AND PROCESSES; PROVIDING RULEMAKING AUTHORITY; PROVIDING
12 DEFINITIONS; AMENDING SECTIONS 5-11-222 AND 46-15-405, MCA; AND PROVIDING AN EFFECTIVE
13 DATE."

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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17 NEW SECTION. Section 1. Sexual assault response network program. There is a sexual assault
18 response network program in the department of justice. The program, subject to the availability of appropriated
19 funds, consists of the agents and employees of the department whom the attorney general considers necessary
20 and appropriate, including the sexual assault response network program coordinator provided under [section 6].
21 The program has the duties provided under [section 4].
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23 NEW SECTION. Section 2. Sexual assault response team committee. (1) There is a sexual
24 assault response team committee in the department of justice.

25 (2) The committee is allocated to the department of justice for administrative purposes only as
26 prescribed in 2-15-121.

27 (3) The committee has the ~~independent and quasi-judicial authority and~~ duties provided for in
28 [section 5]. The provisions of 2-15-124 do not apply.

- 1 (4) Committee members must be appointed by the Montana attorney general.
- 2 (5) Committee members shall serve at the pleasure of the appointing authority and for no longer
- 3 than 4 years without reappointment. Committee membership includes but is not limited to:
- 4 (a) at least one sexual assault nurse examiner;
- 5 (b) ~~a representative from the Montana hospital association~~ HOSPITAL ADMINISTRATOR;
- 6 (c) ~~a representative from the Montana nurses association~~ REGISTERED NURSE OR ADVANCED
- 7 PRACTICE REGISTERED NURSE;
- 8 (d) a telehealth affiliate or provider;
- 9 (e) a representative from a victim service provider or organization;
- 10 (f) a representative from a law enforcement agency;
- 11 (g) a county attorney representative or designee;
- 12 (h) a member from the department of justice forensic sciences division;
- 13 (i) a member from the department of justice state attorney's office;
- 14 (j) a member from the department of justice information technology service desk; ~~and~~
- 15 (k) a representative of the office of state public defender; AND
- 16 (L) A MEMBER WITH A TRIBAL AFFILIATION who has experience working with indigenous survivors.
- 17 (6) Each member is entitled to reimbursement of travel expenses incurred while in performance of
- 18 committee duties by the department of justice as provided for in 2-18-501 through 2-18-503.
- 19 (7) A vacancy must be filled in the same manner as the original appointment.

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21 NEW SECTION. Section 3. Definitions. As used in [sections 1 through 7], unless the context clearly

22 indicates otherwise, the following definitions apply:

- 23 (1) "Committee" means the sexual assault response team committee established in [section 2].
- 24 (2) "Department" means the department of justice.
- 25 (3) "Program" means the sexual assault response network program established in [section 1].
- 26 (4) "SANE" or "sexual assault nurse examiner" means a registered nurse with education and
- 27 training in conducting forensic examinations of sexual assault victims.
- 28 (5) "SANE program" means a program that meets the requirements prescribed by the department