



## **Information for survivors of sexual assault at a health care facility that is not a SAFE-ready facility.**

Texas law requires all health care facilities with emergency rooms to have staff capable of performing a sexual assault exam. Staff are trained in forensic evidence collection techniques. There are also specialized staff available at some SAFE-ready facilities.

Texas law requires health care facilities that are not SAFE-ready to give survivors of sexual assault this information form and notify survivors of their right to choose to have an exam at this facility or to be transferred to another facility. <sup>1</sup>

As a survivor of sexual assault, you have the right to receive a forensic medical examination at this emergency room if you are requesting the examination not later than 120 hours (5 days) after the assault.

A report to law enforcement is not required, but if you make a report, the law enforcement agency must request a forensic medical examination for use in the investigation or prosecution of the offense.

### **What is a SAFE-ready facility?**

- "SAFE-ready facility" means a health care facility designated as a sexual assault forensic exam-ready facility under the Texas Health & Safety Code, §323.0015.
- A SAFE-ready facility uses a certified sexual assault nurse examiner or a physician with specialized training to conduct a forensic medical examination of a sexual assault survivor, or uses telemedicine to consult with a system of sexual assault forensic examiners, regardless of whether a report to law enforcement is made.

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<sup>1</sup> Form developed under TX HSC 323.0051 *Information form for sexual assault survivors at certain facilities*. Updated 1/9/2020.

**What are the benefits of a forensic medical examination?**

A forensic medical examination is a procedure to assess a victim's health care needs relating to sexual assault and to collect any evidence for possible use in a law enforcement investigation and prosecution.

The individual conducting the exam has been specially trained to provide compassionate, sensitive and comprehensive care to sexual assault survivors and is prepared to testify in court proceedings if necessary. This individual has up-to-date information on all aspects of care, is also familiar with the legal system, and can provide accurate information about a survivor's options and what happens if the survivor decides to report the sexual assault.<sup>2</sup>

**This facility is not a SAFE-ready facility. The nearest SAFE ready facility is:**

**NAME:**

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**ADDRESS:**

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The website for the Health and Human Services Commission's list of SAFE-ready facilities: <https://hhs.texas.gov/doing-business-hhs/provider-portals/health-care-facilities-regulation/information-sexual-assault-survivors>.

You may call 1-800-656-HOPE (4673) to be connected to a rape crisis center for free and confidential assistance.

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<sup>2</sup>A *Guide for Survivors of Sexual Assault*, Texas Association Against Sexual Assault, Austin TX, available at <https://texaslawhelp.org/article/guide-survivors-sexual-assault>.

## **How to Submit a Complaint against a Regulated Health Facility**

Complaints may be emailed, faxed, mailed, or delivered by phone via the complaint hotline: <https://hhs.texas.gov/doing-business-hhs/provider-portals/health-care-facilities-regulation/file-a-complaint-a-health-facility>

Email: [hfc.complaints@hhsc.state.tx.us](mailto:hfc.complaints@hhsc.state.tx.us)

Fax: 833-709-5735

Complaint hotline: (888) 973-0022

Mailing address:

Health and Human Services Commission

Complaint and Incident Intake

Mail Code E-249

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