

The purpose of this FAQ document is to provide an outline for advocates, healthcare providers and their communities that would like to start or are supporting a Sexual Assault Nurse Examiner (SANE) program.

Forensic exams are crucial in the aftermath of sexual violence as they play a pivotal role in providing comprehensive medical care, collecting forensic evidence, and supporting survivors. These specialized exams are conducted by trained nurses who ensure a trauma-informed and survivor-centered approach. Beyond medical needs, forensic exams are instrumental in aiding law enforcement investigations by gathering crucial evidence. Additionally, the exams serve as a starting point for survivors to access support services and counseling, fostering a path towards healing and justice. The thorough documentation and evidence collection during forensic exams enhance the criminal justice system's ability to hold perpetrators accountable while respecting survivors' rights and dignity.

### Accessing Medical Care

Survivors can access a forensic exam in a variety of ways:

1. Reporting sexual assault to law enforcement
  - If the survivor is under 18 the sexual assault must be reported to law enforcement and Child Protective Services.
  - If the survivor is 18 years and older and has not experienced serious bodily injury, the following options are available: Full Law Enforcement Report with Evidence Collection, Partial Report with Evidence Collection or Anonymous Reporting with Evidence Collection. *See Law Enforcement in Multidisciplinary section*
2. Contacting a network program
3. Presenting to a medical facility for care

If a survivor presents to a medical facility for care:

- The medical provider shall evaluate the survivor for any immediate medical needs and then offer a forensic exam
- If the survivor consents to a forensic exam, the medical provider should contact their local Domestic Violence and Sexual Assault program and request that an advocate meet with the survivor at the medical facility.
  - [Find your nearest advocacy agency here](#)

**Survivors have the right to pause or stop any part of the exam and withdraw consent at any time.**

## Process of Forensic Exams

The process includes:

- A Sexual Assault Kit will be completed - There is one standard sexual assault kit used in Nebraska. It is manufactured by Sirchie Evidence Company.
- Head-to-toe exam - It may include photographing injuries and a full body examination, including internal examinations of the mouth, vagina, and/or anus. It may also include taking samples of blood, urine, and swabs of body surface areas. The SANE performing the exam may take pictures to document injuries and the examination. With permission, they may also collect items of clothing, including undergarments. Any other forms of physical evidence that are identified during the examination may be collected and packaged for analysis, such as a torn piece of the perpetrator's clothing, a stray hair, or debris.
- Review of Findings – The SANE will review any significant findings, address sustained injuries including STI and reproductive needs.

[Review the Nebraska Medical Sexual Assault Protocol](#)

## Confidentiality and Privacy

Hospitals are committed to upholding confidentiality and privacy during forensic exams, adhering to the stringent guidelines of the Health Insurance Portability and Accountability Act (HIPAA), which shields survivor information unless mandatory reporting is essential.

Advocates are also bound by rigorous confidentiality guidelines when supporting survivors undergoing forensic exams, ensuring that sensitive information shared during the advocacy process is kept strictly confidential to protect the survivor's privacy and well-being. [Review Nebraska Statute 29-4303](#)

## Multidisciplinary Information

Law Enforcement - If reporting is not mandatory and a survivor chooses to make contact with law enforcement at the time of evidence collection the SAK (Sexual Assault Kit) evidence will need to be associated with the investigating officer's report in the agency's records management system. If the survivor chooses to not make contact with law enforcement at the time of evidence collection (through either the Anonymous or Partial Reporting options) then the agency will pick-up the SAK for storage.

1. Full Law Enforcement Report with Evidence Collection - The survivor wishes to report the crime to law enforcement and is opting to have evidence collected. The provider must notify the law enforcement agency in the jurisdiction where the sexual assault occurred.
2. Partial Report with Evidence Collection - Some survivors who present themselves for medical forensic treatment may, because of the trauma they have experienced or for other reasons, be undecided over whether to formally report the crime to law enforcement. Partial reporting survivors

may also choose to later convert their case to a full law enforcement report by reinitiating contact with the appropriate law enforcement agency.

3. Anonymous Reporting with Evidence Collection - Survivors also have the right to have forensic evidence collected without providing their name or any other personal information to law enforcement. The anonymous report ensures that these survivors have the opportunity to preserve evidence that would otherwise be destroyed. The survivor may convert their case at any time to a full law enforcement or partial report.

Advocates - Advocates may provide support, crisis intervention, information, and referrals before, during, and after the exam process. They often provide comprehensive, longer-term services designed to aid survivors in addressing any needs related to the assault, including but not limited to counseling and legal (civil, criminal, and immigration) and medical system advocacy.

Legal – Forensic nurses may be summoned to testify in court under [statute 27-803](#), which allows their expert testimony based on their specialized knowledge, skills, and experiences in assessing and treating survivors of violence or trauma. This provision recognizes the valuable contribution forensic nurses make to legal proceedings by providing insights into the medical and forensic aspects of cases, enhancing the judicial understanding of complex situations.

### **Estimated Costs**

#### SANE Training

Registered Nurses must complete a minimum of 40 hours of didactic coursework that yields a minimum of 40 continuing nursing education contact hours from an accredited provider of nursing education, or academic credit or the national equivalent from an accredited educational institution; and Clinical components, speculum training, and Nebraska's forensic exam protocol.

Nebraska recommends SANE Nurses complete training through [International Association of Forensic Nurses \(IAFN\)](#). Training can cost between \$300-600 depending on location and IAFN membership status.

#### Payment for Forensic Exams

Payment for forensic exams is provided through the Sexual Assault Payment Program (SAPP). Reimbursement is submitted through the [Nebraska Attorney General's Office website](#). Covered costs include: examination of physical trauma, determination of force, survivor interview, collection and evaluation of evidence, an examination facility fee, medically required supplies and laboratory fees for collection and processing.

#### Potential out-of-pocket costs

Additional medical needs shall be billed to the survivor's insurance (if applicable) or through application to the [Crime Victims Reparations program](#).

## Considerations for Incarcerated Individuals

Under the U.S. Prison Rape Elimination Act (PREA), incarcerated individuals that have experienced sexual violence have the right to the same services as those in the community. PREA standards mandate specific considerations, including the use of restraints and the presence of law enforcement.

- **Security Measures:** Incarcerated survivors may be shackled during forensic exams as a precautionary measure.
- **Law Enforcement Presence:** Throughout the examination, law enforcement officers may remain in the exam room, balancing security with the survivor's rights.
- **Informed Decision-Making:** Incarcerated survivors must be informed of their rights, including the option to skip or stop the exam, empowering them in their healthcare decisions.
- **Correctional Investigations:** Education about the correctional agency's investigative procedures ensures transparency, allowing survivors to comprehend the unfolding investigation.

## Telehealth Forensic Exams

Telehealth forensic exams broaden access to vital forensic healthcare services for survivors of sexual violence. This ensures timely and confidential assessment, evidence collection, and support, particularly benefitting those in remote or underserved areas. The telehealth program addresses the need for specialized care in locations without on-site trained nurses, offering a trauma-informed approach through the medical forensic interview and kit collection.

### Benefits

- Increased accessibility for survivors in remote or underserved areas
- Reduces barriers to timely care
- Allows healthcare facilities to provide SANE services without trained forensic nurses on site

### Limitations

- Potential discomfort or hesitation from survivors (including those that experienced online exploitation)
- Access to technological equipment
- Ongoing costs

*Please note that this document herein is not exhaustive and may not encompass all aspects of Sexual Assault Nurse Examiners (SANEs) or Forensic Exam Programs.*

*For additional questions or clarifications contact [info@nebraskacoalition.org](mailto:info@nebraskacoalition.org)*

## Resources

[Nebraska Medical Sexual Assault Protocol](#)

[Building Sustainable SANE Programs](#)

[Hope Behind Bars](#)

[International Association of Forensic Nurses Education Guidelines](#)

[A National Protocol for Sexual Assault Medical Forensic Examinations \(OJP\)](#)

[SANE Program Development and Operation Guide \(OVC\)](#)

[SANE Sustainability \(NSVRC\)](#)

**Questions or Need Support? Contact [info@nebraskacoalition.org](mailto:info@nebraskacoalition.org)**