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TO: The Honorable Joseph F. Vallario, Jr., Chair
Members, House Judiciary Committee
The Honorable Heather Mizeur

FROM: Pamela Metz Kasemeyer
Joseph A. Schwartz, III
J. Steven Wise
Danna L. Kauffman

DATE: March 11, 2014

RE: **OPPOSE UNLESS AMENDED** – House Bill 1341 – *Sexual Assault Survivors’
Right to Know Act*

On behalf of the American Congress of Obstetricians and Gynecologists, Maryland Chapter, (MDACOG), MedChi, The Maryland State Medical Society (MedChi), and The Maryland Chapter of the American College of Emergency Physicians (MDACEP) (MDACEP) we oppose House Bill 1341 unless amended.

House Bill 1341 requires a health care provider who performs a sexual assault evidence collection kit exam on a potential victim to provide the victim or their representative with contact information for the law enforcement agency which will handle the case.

MedChi supports the ability of a sexual assault victim to obtain this information from law enforcement. However, as drafted, House Bill 1341 places the responsibility for providing this information upon the individual *provider* who performs the exam. We believe the responsibility more appropriately lies with the *facility* where the exam is performed. These exams are typically performed in hospitals either by a physician in the Emergency Department, by the physician on duty at the time, or by a forensic nurse if the facility has a SAFE program. Providers who complete the exam and the processing of information, may not know the chain of custody following the exam. Accordingly, the responsibility should not lie with any one individual, but instead with the facility where the exam is performed.

Therefore, the above named organizations request that on page 2, line 3, the word “provider” be deleted and the word “facility” be inserted. With that amendment, they would no longer oppose the bill.

For more information call:

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