

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO.

Introduced by

Senator Lyson

1 A BILL for an Act to amend and reenact section 12.1-34-07 of the North Dakota Century Code,
2 relating to reimbursement for medical screening examinations which precede acute forensic
3 medical examinations.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 12.1-34-07 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **12.1-34-07. ~~Acute~~ Medical Screening and acute forensic medical examinations**
8 **costs - Reimbursement by attorney general - Use of evidence.**

- 9 1. An acute forensic medical examination is an examination performed on an alleged
10 victim of criminal sexual conduct for the purpose of gathering evidence of an
11 alleged crime and is performed within ninety-six hours after the alleged crime
12 unless good cause is shown for the delay in performing the examination. When an
13 acute forensic medical examination is performed, the costs incurred by a health
14 care facility or health care professional for performing the acute forensic medical
15 examination or any preliminary medical screening examination may not be
16 charged, either directly or through a third-party payer, to the alleged victim.
- 17 2. Upon submission of appropriate documentation, the attorney general, within the
18 limits of legislative appropriations, shall reimburse the health care facility or a
19 health care professional for the reasonable costs incurred in performing ~~an the~~
20 medical screening and acute forensic medical examination.
- 21 3. Evidence obtained during ~~an acute forensic~~ a medical examination under this
22 section may not be used against an alleged victim for the prosecution of the
23 alleged victim for a separate offense.