

Introduced by

Senator Larson

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

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

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

6 **12.1-34-07. Medical screening and acute forensic medical examinations costs -**
7 **Reimbursement by attorney general - Use of evidence.**

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

- 1 professional for the reasonable costs incurred in performing the medical screening and
2 acute forensic medical examination. ~~Beginning on April first of the final year of each~~
3 ~~biennium, the~~The attorney general, subject to legislative appropriations, shall
4 reimburse each accredited children's advocacy center located in the state for a
5 forensic interview that is not reimbursable by ~~insurance~~, Medicaid, or crime victims
6 compensation.
- 7 4. Evidence obtained during a medical examination under this section may not be used
8 against an alleged victim for the prosecution of the alleged victim for a separate
9 offense.