



June 28, 2021

The Governor has signed into law [House Bill 1739/Public Act 102-0022](#), which will require, beginning January 1, 2022, sexual assault survivors be notified in writing about the Illinois State Police sexual assault evidence tracking system. The Attorney General's office has indicated it will assist with the development of this written notification.

Similarly, when sexual assault evidence is collected from a survivor, the healthcare provider who collects the evidence must notify the survivor about the tracking system. This notification will be satisfied by providing information about the system and the victim's unique log-in information contained within the sexual assault evidence kit or generated by the sexual assault evidence tracking system.

Additionally, in response to the challenges and obstacles presented by the COVID-19 pandemic, PA 102-0022 will push back by one year the January 1, 2022 mandate, [outlined in 410 ILCS 70 \(PA 100-0775\)](#), requiring all treatment hospitals and treatment hospitals with pediatric transfer to have a Qualified Medical Provider available to provide a medical forensic exam within 90 minutes of patient arrival. The deadline is now January 1, 2023. The new law also deletes the January 1, 2022 sunset of a provision in current law allowing an adult survivor to be transferred to the closest treatment hospital, regardless of whether that hospital also treats pediatric patients. As a result, adult survivors will continue to be transferred to the closest treatment hospital.

PA 102-0022 also extends by six months, to December 31, 2021, a current provision allowing federally qualified health centers (FQHC) to complete a sexual assault treatment plan to be approved by the Illinois Department of Public Health (IDPH). This would enable an approved FQHC to provide medical forensic services to sexual assault survivors.

Additionally, IDPH recently proposed two amendments to SASETA, which were published in the [Illinois Register](#) on June 25 by the Joint Committee on Administrative Rules (JCAR). The pertinent language can be found on pages 7957 – 7969.

The proposed rulemaking implements IDPH's requirement to adopt rules for the qualifications of Sexual Assault Forensic Examiners (SAFEs). The proposed rules will require physicians and physician assistants seeking SAFE designation to meet didactic and clinical training requirements substantially similar to the Sexual Assault Nurse Examiner Education Guidelines established by the International Association of Forensic Nurses. The Office of the Attorney General will review documents submitted by physicians or physician assistants seeking certification as either adult/adolescent or pediatric/adolescent SAFEs.

Additionally, the rulemaking requires treatment hospitals, treatment hospitals with pediatric transfer, out-of-state hospitals, and approved pediatric health care facilities to register with the Illinois State Police to utilize the CheckPoint sexual assault evidence tracking system.

Those with questions or seeking to comment can do so through August 9, 2021 by contacting: Illinois Department of Public Health, Attention: Tracey Trigillo, Rules Coordinator, Lincoln Plaza, 524 S. 2nd Street, 6th Floor, Springfield Illinois, 62701, by calling 217-782-1159, or by emailing dph.rules@illinois.gov.

If you have any questions regarding the changes advanced by PA 102-0022, the proposed rule changes or SASETA, please [contact IHA](#).

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