

Sexual Assault/Child Sexual Abuse: Emergency Department Response

All Licensed Emergency Departments Shall Provide Medical Forensic Examinations for Sexual Assault Victims per Arkansas Code 12-12-403 a; 403 e

Allegation of sexual assault/abuse: Is the patient under 18 years of age?

NO

1. Ask patient if they would like an advocate. If so, call _____. It is not a HIPAA violation to place this call.
2. If the sexual assault occurred within 96 hours, ED will offer/provide a Rape Kit Exam.
3. The incident does not have to be reported to law enforcement in order to provide Rape Kit exam.
4. If patient wants to report for investigation, make police report.
5. No exam shall be performed without patient's consent.
6. Basic health exam and STI/pregnancy prophylaxis should still be offered even if Rape Kit collection declined.



YES

Make mandated report to AR Child Abuse Hotline (1-800-482-5964). Include safety concerns in report.

Report Accepted by Hotline?

Yes

No

Ask hotline if Arkansas State Police/Crimes Against Children Division (ASP-CACD) **or** Department of Children and Family Services (DCFS) will be assigned as primary

Arkansas State Police/ Crimes Against Children Division (ASP-CACD) assigned:

-HOLD for contact by Arkansas State Police/ Crimes Against Children Division to coordinate plan of care

Department of Children and Family Services (DCFS) Assigned:

-No rape kit needed if offender < 10 years old (regardless of time frame)
-Basic health exam
-Contact Department of Children and Family Services (DCFS) on-call if immediate safety concern

Is the patient under 18 years of age **AND** there was either lack of consent or ability to consent?

OR

Is the patient under 16 years of age and more than 3 years age difference between age of patient and alleged offender (regardless of consent)?

Yes

Make police report

Did the event occur in the last 96 hours?

No

Coordinate with CACD and based on their recommendations, Provide/refer for Rape Kit Exam.

Yes

Rape kit not indicated. Basic health exam. Test for Sexually Transmitted Infections and pregnancy if indicated.