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HOUSE BILL 1016

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State of Washington

66th Legislature

2019 Regular Session

**By** Representatives Caldier, Cody, Griffey, Mosbrucker, Maycumber, Macri, Jinkins, Slatter, Shea, Van Werven, Irwin, Fitzgibbon, Appleton, Wylie, Doglio, Robinson, Chambers, Orwall, Stanford, Rude, Frame, Leavitt, Walen, and Young

Prefiled 12/05/18. Read first time 01/14/19. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to hospital notification of availability of  
2 sexual assault evidence kit collection; adding a new section to  
3 chapter 70.41 RCW; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.41  
6 RCW to read as follows:

7 (1) By July 1, 2020, any hospital that does not provide sexual  
8 assault evidence kit collection, or does not have appropriate  
9 providers available to provide sexual assault evidence kit collection  
10 at all times, shall develop a plan, in consultation with the local  
11 community sexual assault agency, to assist individuals with obtaining  
12 sexual assault evidence kit collection at a facility that provides  
13 such collection.

14 (2) Beginning July 1, 2020:

15 (a) If a hospital does not perform sexual assault evidence kit  
16 collection or does not have appropriate providers available, the  
17 hospital shall, within two hours of a request, provide notice to  
18 every individual who presents in the emergency department of the  
19 hospital and requests a sexual assault evidence kit collection that  
20 the hospital does not perform such collection or does not have  
21 appropriate providers available; and

1           (b) Pursuant to the plan required in subsection (1) of this  
2 section, if the hospital does not perform sexual assault evidence kit  
3 collection or does not have appropriate providers available, hospital  
4 staff must coordinate care with the local community sexual assault  
5 agency and assist the patient in finding a facility with an  
6 appropriate provider available.

7           (3) Failure of a hospital to comply with this section is  
8 punishable by a civil penalty of two thousand dollars.

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