**Section 545.20 Definitions**

Act – the Sexual Assault Survivors Emergency Treatment Act.

*Advanced practice registered nurse* or APRN *− has the meaning* ascribed *in Section 50-10 of the Nurse Practice Act*. (Section 1a of the Act)

Alcohol-facilitated sexual assault − the use of any alcoholic beverage in the commission of a sexual assault.

*Ambulance provider − an individual or entity that owns and operates a business or service using ambulances or emergency medical services vehicles to transport emergency patients.* (Section 1a of the Act)

*Approved pediatric health care facility* − *a health care facility, other than a hospital, with a sexual assault treatment plan approved by the Department to provide medical forensic services to sexual assault survivors under the age of 18 who present with a complaint of sexual assault within seven days* after the assault, *who have disclosed past sexual assault by a specific individual and were in the care of that individual within the last seven days*, or who have a clinical indication for medical forensic services beyond seven days. (Section 1a of the Act)

*Areawide sexual assault treatment plan* or areawide plan − *a plan,* *developed by hospitals or by hospitals and approved pediatric health care facilities in a community or area to be served,* *which provides* *for medical forensic services to sexual assault survivors* *that* *shall be made available by each of the participating hospitals and approved pediatric health care facilities.* (Section 1a of the Act)

*Board-certified child abuse pediatrician – a physician certified by the American Board of Pediatrics in child abuse pediatrics*. (Section 1a of the Act)

*Board-eligible child abuse pediatrician – a physician who has completed the requirements set forth by the American Board of Pediatrics to take the examination for certification in child abuse pediatrics*. (Section 1a of the Act)

Caregiver – any person who is legally responsible for providing care to the patient or who renders support to the patient.

*Department – the Department of Public Health.* (Section 1a of the Act)

Drug-facilitated sexual assault − the use of a chemical submissive agent in the commission of a sexual assault, given without consent of the victim, that produces relaxant effects, blackouts, coma, impaired judgment, or loss of coordination.

*Emergency contraception − medication* *as approved by the federal Food and Drug Administration (FDA) that can significantly reduce the risk of pregnancy if taken within 72 hours after sexual assault.* (Section 1a of the Act)

*Follow-up health care – health care services related to a sexual assault, including laboratory services and pharmacy services, rendered within 180 days* after *the initial visit for medical forensic services.* (Section 1a of the Act)

*Health care professional – a physician, a physician assistant, a sexual assault forensic examiner, an APRN, a registered professional nurse, a licensed practical nurse, or a sexual assault nurse examiner.* (Section 1a of the Act)

*Hospital – a hospital licensed under the Hospital Licensing Act or operated under the University of Illinois Hospital Act, any outpatient center* or freestanding emergency center licensed under 77 Ill. Adm. Code 518 *included in the hospital's sexual assault treatment plan where hospital employees provide medical forensic services, and an out-of-state hospital that has consented to the jurisdiction of the Department under Section 2.06* of the Act*.* (Section 1a of the Act)

*Law enforcement agency having jurisdiction – the law enforcement agency in the jurisdiction where an alleged sexual assault or sexual abuse occurred.* (Section 1a of the Act)

*Licensed practical nurse – has the meaning* ascribed *in Section 50-10 of the Nurse Practice Act*. (Section 1a of the Act)

*Medical forensic services – health care delivered to patients within or under the care and supervision of personnel working in a designated emergency department of a hospital or an approved pediatric health care facility. "Medical forensic services" includes, but is not limited to, taking a medical history, performing photo documentation, performing a physical and anogenital examination, assessing the patient for evidence collection, collecting evidence in accordance with a statewide sexual assault evidence collection program administered by the Illinois State Police using the Sexual Assault Evidence Collection Kit, if appropriate, assessing the patient for drug-facilitated or alcohol-facilitated sexual assault, providing an evaluation of and care for sexually transmitted infection and human immunodeficiency virus (HIV), pregnancy risk evaluation and care, and discharge and follow-up healthcare planning*. (Section 1a of the Act)

*Pediatric health care facility – a clinic or physician's office that provides medical services to patients under the age of 18*. (Section 1a of the Act)

*Pediatric sexual assault survivor – a person under the age of 13 who presents for medical forensic services in relation to injuries or trauma resulting from a sexual assault*. (Section 1a of the Act)

*Photo documentation – digital photographs or colposcope videos stored and backed-up securely in the original file format*. (Section 1a of the Act)

*Physician – a person licensed to practice medicine in all its branches* as defined in the Medical Practice Act of 1987.(Section 1a of the Act)

*Physician assistant – has the meaning* ascribed *in Section 4 of the Physician Assistant Practice Act of 1987.* (Section 1a of the Act)

*Prepubescent sexual assault survivor – a female who is under the age of 18 years and has not had a first menstrual cycle or a male who is under the age of 18 years and has not started to develop secondary sex characteristics who presents for medical forensic services in relation to injuries or trauma resulting from a sexual assault.* (Section 1a of the Act)

*Qualified medical provider – a board-certified child abuse pediatrician, board-eligible child abuse pediatrician, sexual assault forensic examiner, or sexual assault nurse examiner who has access to photo documentation tools, and who participates in peer review.* (Section 1a of the Act)

*Registered Professional Nurse – has the meaning* ascribed *in Section 50-10 of the Nurse Practice Act*. (Section 1a of the Act)

*Sexual assault:*

*An act of sexual conduct; as used in this* Part, *"sexual conduct" has the meaning* ascribed *under Section 11-0.1 of the Criminal Code of 2012; or*

*Any act of sexual penetration; as used in this* Part*, "sexual penetration" has the meaning* ascribed *under Section 11-0.1 of the Criminal Code of 2012 and includes,* *without limitation, acts prohibited under Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012.* (Section 1a of the Act)

*Sexual Assault Evidence Collection Kit – the Illinois State Police Sexual Assault Evidence Collection Kit; a prepackaged set of materials and forms to be used for the collection of evidence relating to sexual assault.* *The standardized evidence collection kit for the State of Illinois shall be the* *Sexual Assault* *Evidence Collection Kit.* (Section 1a of the Act)

*Sexual assault forensic examiner − a physician or physician assistant who has completed training that meets or is substantially similar to the Sexual Assault Nurse Examiner Education Guidelines established by the International Association of Forensic Nurses*. (Section 1a of the Act)

*Sexual assault nurse examiner –* an APRN or *registered professional nurse who has completed a sexual assault nurse examiner* (SANE) *training program that meets the Forensic Sexual Assault Nurse Examiner Education Guidelines established by the International Association of Forensic Nurses.* (Section 1a of the Act)

*Sexual assault services voucher − a document generated by a hospital or approved pediatric health care facility at the time the sexual assault survivor receives outpatient medical forensic services that may be used to seek payment for any ambulance services, medical forensic services, laboratory services, pharmacy services, and follow-up healthcare provided as a result of the sexual assault*. (Section 1a of the Act)

*Sexual assault survivor* or survivor *– a person who presents for medical forensic services in relation to injuries or trauma resulting from a sexual assault.* (Section 1a of the Act)

*Sexual assault transfer plan – a written plan developed by a hospital and approved by the Department, which describes the hospital's procedures for transferring sexual assault survivors to another hospital, and an approved pediatric health care facility, if applicable, in order to receive medical forensic services.* (Section 1a of the Act)

*Sexual assault treatment plan − a written plan that describes the procedures and protocols for providing medical forensic services to sexual assault survivors who present themselves for such services, either directly or through transfer from a hospital or approved pediatric health care facility.* (Section 1a of the Act)

*Transfer hospital – a hospital with a sexual assault transfer plan approved by the Department.* (Section 1a of the Act)

*Transfer services – the appropriate medical screening examination and necessary stabilizing treatment prior to the transfer of a sexual assault survivor to a hospital or an approved pediatric health care facility that provides medical forensic services to sexual assault survivors pursuant to a sexual assault treatment plan or areawide sexual assault treatment plan.* (Section 1a of the Act)

*Treatment hospital – a hospital with a sexual assault treatment plan approved by the Department to provide medical forensic services to all sexual assault survivors who present with a complaint of sexual assault within seven days* after the assault, *who have disclosed past sexual assault by a specific individual and were in the care of that individual within the last seven days*, or who have a clinical indication for medical forensic services beyond seven days. (Section 1a of the Act)

*Treatment hospital with approved pediatric transfer – a hospital with a treatment plan approved by the Department to provide medical forensic services to sexual assault survivors 13 years old or older who present with a complaint of sexual assault within seven days* after the assault*, who have disclosed past sexual assault by a specific individual and were in the care of that individual within the last seven days*, or who have a clinical indication for medical forensic services beyond seven days. (Section 1a of the Act)

Unauthorized personnel − all individuals whose presence in the examination room is not desired or required either by the hospital or by the survivor (e.g., representatives of the media).

(Source: Amended at 47 Ill. Reg. 18705, effective January 1, 2024)