**Section 545.55 Treatment and Transfer of Pediatric Sexual Assault Survivors**

a) Transfer of Medically Stable Pediatric Sexual Assault Survivors

1) *If a medically stable pediatric sexual assault survivor presents at a transfer hospital or treatment hospital with approved pediatric transfer that has a plan approved by the Department requesting medical forensic services, then the hospital emergency department staff shall contact an approved pediatric health care facility, if one is designated in the hospital's plan*.

2) *If the transferring hospital confirms that medical forensic services can be initiated within 90 minutes after the patient's arrival at the approved pediatric health care facility following an immediate transfer, then the hospital emergency department staff shall notify the patient and non-offending parent or legal guardian that the patient will be transferred for medical forensic services and shall provide the patient and non-offending parent or legal guardian the option of being transferred to the approved pediatric health care facility or the treatment hospital designated in the hospital's* transfer *plan. The pediatric sexual assault survivor may be transported by ambulance, law enforcement, or personal vehicle.*

3) *If medical forensic services cannot be initiated within 90 minutes after the patient's arrival at the approved pediatric health care facility, there is no approved pediatric health care facility designated in the hospital's* areawide *plan, or the patient or non-offending parent or legal guardian chooses to be transferred to a treatment hospital, the hospital emergency department staff shall contact a treatment hospital designated in the hospital's* areawide *plan to arrange for the transfer of the patient to the treatment hospital for medical forensic services, which are to be initiated within 90 minutes after the patient's arrival at the treatment hospital. The treatment hospital shall provide medical forensic services and shall not transfer the patient to another facility. The pediatric sexual assault survivor may be transported by ambulance, law enforcement, or personal vehicle.* (Section 5.3 of the Act)

b) Treatment of Medically Stable Pediatric Sexual Assault Survivors

1) *If a medically stable pediatric sexual assault survivor presents at a treatment hospital that has a plan approved by the Department, and the pediatric sexual assault survivor requests medical forensic services, then the hospital emergency department staff shall contact an approved pediatric health care facility, if one is designated in the treatment hospital's* areawide *treatment plan*.

2) *If medical forensic services can be initiated within 90 minutes after the patient's arrival at the approved pediatric health care facility following an immediate transfer, the hospital emergency department staff shall provide the patient and non-offending parent or legal guardian the option of having medical forensic services performed at the treatment hospital or at the approved pediatric health care facility. If the patient or non-offending parent or legal guardian chooses to be transferred, the pediatric sexual assault survivor may be transported by ambulance, law enforcement, or personal vehicle.*

3) *If medical forensic services cannot be initiated within 90 minutes after the patient's arrival at the approved pediatric health care facility, there is no approved pediatric health care facility designated in the hospital's* areawide *plan, or the patient or non-offending parent or legal guardian chooses not to be transferred, the hospital shall provide medical forensic services to the patient*.

4) *If a pediatric sexual assault survivor presents at an approved pediatric health care facility requesting medical forensic services or the facility is contacted by law enforcement or the Department of Children and Family Services requesting medical forensic services for a pediatric sexual assault survivor, the services shall be provided at the facility if the medical forensic services can be initiated within 90 minutes after the patient's arrival at the facility. If medical forensic services cannot be initiated within 90 minutes after the patient's arrival at the facility, then the patient shall be transferred to a treatment hospital designated in the approved pediatric health care facility's* areawide *plan for medical forensic services. The pediatric sexual assault survivor may be transported by ambulance, law enforcement, or personal vehicle*. (Section 5.3 of the Act)

(Source: Added at 44 Ill. Reg. 6326, effective April 10, 2020)