

HOUSE BILL 136

E4, J1

(PRE-FILED)

51r0128
CF SB 199

By: **Chair, Judiciary Committee (By Request – Departmental – Office of Crime Prevention and Policy)**

Requested: September 29, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Sexual Assault Exam and Treatment Reimbursement**

3 FOR the purpose of providing that the Governor’s Office of Crime Prevention and Policy,
4 rather than the Criminal Injuries Compensation Board, is responsible for payment
5 to a physician, qualified health care provider, and hospital for providing certain
6 services to a victim of an alleged rape or sexual offense or a victim of alleged child
7 sexual abuse; and generally relating to reimbursement for sexual assault exams and
8 treatments.

9 BY repealing and reenacting, with amendments,
10 Article – Criminal Procedure
11 Section 11–1007(b) and 11–1008(c)(2)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2024 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Criminal Procedure**

17 11–1007.

18 (b) If a physician, a qualified health care provider, or a hospital provides a service
19 described in subsection (c) of this section to a victim of an alleged rape or sexual offense or
20 a victim of alleged child sexual abuse:

21 (1) the services shall be provided without charge to the individual; and

22 (2) the physician, qualified health care provider, or hospital:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) is entitled to be paid by [the Criminal Injuries Compensation
2 Board as provided under Subtitle 8 of this title] **THE GOVERNOR'S OFFICE OF CRIME**
3 **PREVENTION AND POLICY** for the costs of providing the services;

4 (ii) shall provide written or electronic verification signed by a
5 physician or qualified health care provider to [the Criminal Injuries Compensation Board]
6 **THE GOVERNOR'S OFFICE OF CRIME PREVENTION AND POLICY** that services
7 described in subsection (c) of this section were rendered to a victim of an alleged rape or
8 sexual offense or a victim of alleged child sexual abuse; and

9 (iii) may not include in any request to obtain payment under this
10 subsection a narrative describing the alleged offense of a victim or a photograph of the
11 victim.

12 11-1008.

13 (c) (2) (i) A victim who receives treatment under this subsection may
14 decline to provide health insurance information or submit personal information to a
15 payment assistance program if the victim believes that providing the information would
16 interfere with personal privacy or safety.

17 (ii) The physician, qualified health care provider, or hospital
18 providing a victim with treatment and follow-up care under paragraph (1) of this
19 subsection shall inform the victim of the victim's right to decline to provide health
20 insurance information or submit personal information to a payment assistance program.

21 (iii) If a victim declines to provide health insurance information or to
22 submit personal information to a payment assistance program:

23 1. the treatment and follow-up care shall be provided
24 without charge to the victim; and

25 2. the physician, qualified health care provider, or hospital
26 providing the treatment or follow-up care is entitled to be paid by [the Criminal Injuries
27 Compensation Board as provided under Subtitle 8 of this title] **THE GOVERNOR'S OFFICE**
28 **OF CRIME PREVENTION AND POLICY** for the costs of providing the services.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
30 1, 2025.