



Maryland
Hospital Association

Senate Bill 789– Sexual Assault Evidence Collection Kits - Preservation and Storage

Position: Support

March 28, 2023

House Judiciary Committee

MHA Position

On behalf of the Maryland Hospital Association's (MHA) 60 member hospitals and health systems, we appreciate the opportunity to comment in support of Senate Bill 789 as amended.

Across the state, hospital-based sexual assault forensic exam ([SAFE](#)) programs employ forensic nurse examiners. These registered nurses receive special training in evidence collection and are experts in delivering trauma-informed care to survivors of violence and abuse. State law ensures survivors of sexual assault have access to emergency medical treatment for injuries sustained as a result of the assault with no out-of-pocket expenses.

MHA has proudly served as a member of the [Maryland Sexual Assault Evidence Kit Policy and Funding Committee \(SAEK Committee\)](#) since its inception. This Committee has worked collaboratively to develop processes and issue guidance to stakeholders involved in supporting survivors of sexual assault. Recently discussions have focused on the definition of a sexual assault evidence kit. MHA supports the sponsor's amendments to the bill which specifies that the definition of a kit includes evidence collected by a health care provider from the body or clothing of a living or deceased person following an allegation or suspicion of a sexual assault. This definition strikes the right balance of excluding Do It Yourself kits while encompassing evidence that existed before sexual assault evidence collection kits were formally developed including the slides preserved by Dr Rudiger Breitenecker at Greater Baltimore Medical Center (GBMC) since the 1970's.

Dr Breitenecker, well ahead of his time, worked diligently to preserve thousands of samples from sexual assault survivors. The uncodified language in the sponsor's amendments allows GBMC to work with the SAEK Committee to develop a process that will preserve the integrity of these slides while also ensuring the contents can be tested if evidence is present. It cannot be underscored enough how critical it is that this process be done carefully and in collaboration with GBMC. MHA appreciates the sponsor's willingness to work together to ensure these slides are preserved and tested.

For these reasons, we ask for a *favorable* report on SB 789 as amended.

For more information, please contact:

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