

2024 Lobby Days

Talking Points for Assembly Bill 2843

Health Care Coverage for Rape and Sexual Assault Survivors

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(AAUW California Sponsored)

The Problem:

- Access to medical care after a sexual assault is not only necessary for the health of the survivor, but also for gathering evidence that leads to perpetrators' convictions.
- Only 20% of rape survivors seek medical care following a rape, which leaves predators on the streets, and places many survivors in potentially dangerous situations if they fear retribution for seeking care and/or reporting a rape. Cost considerations contribute to this underreporting. Out of every 1,000 rapes, there are only 50 arrests; of which, there are 28 convictions; and only 25 rapists serve time.
- Prohibitive cost is one of the reasons many sexual assault survivors do not seek medical care following their assault.
- Currently, rape kits and forensic exams are provided free of charge under the federal Violence Against Women Act.
- **However, ER visits are covered only for those who are on MediCal or MediCare (with sufficient coverage). Rape Survivors pay an average co-pay for ER visits of about 14% — or \$350 to \$500.**
- Other costs, including diagnostics, lab testing, emergency contraception, drug testing, medical treatment for physical trauma and followup care are subject to cost-sharing, which can have a chilling effect on survivors who wish to seek care, but are unable to afford the cost-sharing requirements for that care.
- The California Victims' Compensation Board (CalVCB) can be tapped into, but it only provides compensation after all available reimbursement and recovery sources are used, including medical insurance, disability insurance, employer benefits, and civil suits. The process takes time and requires the survivor to pay costs up front and potentially take on debt in a way that is detrimental as they await compensation. And not everyone is eligible for CalVCB.
- Another factor that prevents some rape survivors from seeking care is when their rapist is a domestic partner or spouse, and receiving a bill for co-pays can trigger further domestic violence for the survivor.

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The Proposed Solution - AB 2843:

- While many factors may impact a person's decision to seek care and/or report a rape, costs for medical care should not be one of them.
- AB 2843 eliminates cost-sharing, including deductibles, from being imposed on any rape survivor seeking medical care following a rape.
- AB 2843 removes the issue of cost-sharing as a barrier to a rape survivor seeking care and forensic testing. While forensic exams and rape kits are free, other costs associated with an ER visit are not, for those with private insurance. AB 2843 ensures that those individuals who wish to report a rape and file charges will have the benefit of a rape kit test and forensic exam to provide evidence to secure more convictions for acts of sexual violence. **In addition, they can receive the care that they need following a traumatic sexual attack.**

Ask your Senator or Assembly Member to vote “aye” on AB 2843!