



## Resources:

# Improving Survivors' Access to Confidential Health Care Services

\*\*\*Privacy is an evolving area of law. Be sure to check your jurisdiction's laws to confirm the continued accuracy of the statutes discussed in the resources listed below.\*\*\*

### **General Resources**

U.S. Department of Justice, A National Protocol for Sexual Assault Medical Forensic Examinations: Adults/Adolescents, <https://www.ncjrs.gov/pdffiles1/ovw/241903.pdf>

Victim Rights Law Center, Mandatory Reporting of Non-Accidental Injuries: A State-by-State Guide. Contact [privacyTA@victimrights.org](mailto:privacyTA@victimrights.org)

Victim Rights Law Center, Privilege and Confidentiality Between Professionals: When Is There a Waiver? Contact [privacyTA@victimrights.org](mailto:privacyTA@victimrights.org)

Victim Rights Law Center, FAQs: Privacy Laws Impacting Survivors in Your Jurisdiction (forthcoming). Contact [privacyTA@victimrights.org](mailto:privacyTA@victimrights.org)

EVAWI, Training Bulletin: More on Advocates, Routine Notification, and HIPAA, <http://www.evawintl.org/Library/DocumentLibraryHandler.ashx?id=65>

American Hospital Association, Guidelines for Releasing Information to Law Enforcement <http://www.aha.org/content/00-10/guidelinesreleasinginfo.pdf>

### **Incarcerated Survivors**

U.S. Department of Justice, Recommendations for Administrators of Prisons, Jails, and Community Confinement Facilities for Adapting the U.S. Department of Justice's "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," <http://www.justice.gov/sites/default/files/ovw/legacy/2013/08/12/confinement-safe-protocol.pdf>

U.S. Department of Justice, National Standards to Prevent, Detect, and Respond to Prison Rape, [http://ojp.gov/programs/pdfs/prea\\_final\\_rule.pdf](http://ojp.gov/programs/pdfs/prea_final_rule.pdf)

### **Military Sexual Assault**

Department of Defense Instruction No. 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures (revised July 7, 2015), <http://www.dtic.mil/whs/directives/corres/pdf/649502p.pdf>

## **Indian Country**

Southwest Center for Law and Policy, Sexual Assault Forensic Examinations, Services, Training, Advocacy, and Resources (SAFESTAR), <http://www.swclap.org/safestar/>

National Indian Law Library, Finding Tribal Codes and Ordinances, <http://www.narf.org/nill/triballaw/codes.html>

Indian Child Protection and Family Violence Prevention Act, 18 U.S.C. § 1169, <https://www.law.cornell.edu/uscode/text/18/1169>

Victims of Child Abuse Act, 42 U.S.C. § 13031, <https://www.law.cornell.edu/uscode/text/42/13031>

## **Minors**

Center for Adolescent Health and the Law, State Minor Consent Laws: A Summary (3d edition 2010), <http://www.cahl.org/publications/consent-confidentiality-protection/>

NDAAs. Minor Consent to Medical Treatment Laws (2013)  
[http://www.ndaa.org/pdf/Minor%20Consent%20to%20Medical%20Treatment%20\(2\).pdf](http://www.ndaa.org/pdf/Minor%20Consent%20to%20Medical%20Treatment%20(2).pdf)

Children's Bureau. Mandatory Reports of Child Abuse and Neglect (2013)  
<https://www.childwelfare.gov/pubPDFs/manda.pdf>

Victim Rights Law Center, Minors and Mandatory Reporting Flow Chart for OVW Grantees. Contact [privacyTA@victimrights.org](mailto:privacyTA@victimrights.org)

Journal of Adolescent Health, Position Paper, Protecting Adolescents: Ensuring Access to Care and Reporting Sexual Activity and Abuse (2004),  
[https://www.adolescenthealth.org/SAHM\\_Main/media/Advocacy/Positions/Nov-04-Protecting Adolescents Ensuring Access to Care and Reporting Sexual Activity and Abuse.pdf](https://www.adolescenthealth.org/SAHM_Main/media/Advocacy/Positions/Nov-04-Protecting%20Adolescents%20Ensuring%20Access%20to%20Care%20and%20Reporting%20Sexual%20Activity%20and%20Abuse.pdf)