



DEPARTMENT OF JUSTICE
CRIME VICTIM AND SURVIVOR SERVICES DIVISION

MEMORANDUM

DATE: November 16, 2020
TO: Interested Parties
FROM: Shannon Sivell, CVSSD Director
SUBJECT: Proposed Changes to Oregon Administrative Rule 137-084

Summary of Proposed Rule Changes:

The Sexual Assault Victims' Emergency (SAVE) Medical Response Fund increased the amount paid for sexual assault exams, STD prophylaxis and emergency contraception on July 1, 2019. At that time the Fund also expanded coverage to sexual assault victims by paying for all additional services provided in conjunction with the sexual assault exam. The Department of Justice expected an increased Fund payout; however, actual amounts could not be predicted.

A review of payments between July 1, 2019 and December 31, 2019 shows an increase that is not sustainable long term. Approximately 5 – 8% of SAVE claims are contributing to the majority of the increase. In order to maintain Fund stability while affecting the least amount of SAVE claims, the Department of Justice will implement a combined cap of \$2,000.00 on additional medical services and HIV medication provided by the hospital in conjunction with the sexual assault exam. A \$500.00 cap for non-hospital radiology and laboratory bills will also be implemented. These caps will be retroactive to July 1, 2019.

Approximately 92 – 95% of SAVE claims are below this maximum and providers will not notice any reduction on those claims. Maximum payment amounts for a sexual assault exam, STD prophylaxis, and emergency contraception will remain the same and are in addition to the \$2,500.00 caps.

Copies of the proposed Oregon Administrative Rule changes may be accessed in the following ways:

1. DOJ CVSSD website: <https://www.doj.state.or.us/crime-victims/victims-resources/victims-services/sexual-assault-victims-emergency-medical-response-save-fund/>
2. Email: Send an email requesting the proposed rules to valerie.smith@state.or.us
3. Paper copy: Call Valerie Smith at (503) 378-5348

Before the rules can become effective a specific time must be set aside for public comment on the proposed changes. The closing date for comments on the above rule change is **5:00 p.m., Thursday, December 3, 2020**. All comments must be received by the Department of Justice by that date.

Comments for the proposed amended rules can be made in writing at any time up to the closing date or verbally at the public hearing that will take place in Salem. All comments will receive the same consideration, whether written or verbal.

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Send written comments to:

Oregon Department of Justice
Crime Victim and Survivor Services Division
Attention: Valerie Smith
1162 Court Street NE
Salem OR 97301-4096

Email comments to: valerie.smith@state.or.us

Written comments must be received by the end of the business day, Thursday, December 3, 2020.

Telephonic public hearing time and location:

Thursday, December 3, 2020

2:00-3:00 p.m.

Crime Victim and Survivor Services Division

1162 Court St NE

Salem OR 97301

Telephonic public hearing information:

Those wishing to make oral comments at the public hearing must call no later than 2:15 p.m. (1-866-390-1828, participant code 8452560). The hearing will close at 2:15 if no one is in attendance. All oral comments made during the public hearing will be recorded. Comments will be limited to 10 minutes per speaker. If your comments will be longer than 10 minutes, please consider submitting them in writing.

If you are planning to attend the public hearing and require any special accommodation, please contact Valerie Smith at valerie.smith@state.or.us, or call Valerie at (503) 378-5348.

Following December 3, 2020, the Attorney General or her designee will make a final review taking into account all written and verbal comments. After this review the rules will be filed with the Oregon Secretary of State's Office and will become effective.

If you have any questions regarding the proposed rule amendment or the process, please email Valerie Smith at valerie.smith@state.or.us, or call Valerie at (503) 378-5348.

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