



West Virginia Foundation for
Rape Information and Services, Inc.

Patient Information

FAQs about the Medical Forensic Examination

What is a Medical Forensic Exam?

When someone has been sexually assaulted or sexually abused, a medical forensic exam is conducted. The medical forensic exam involves a head-to-toe exam in which your healthcare provider will be looking for any injuries and evidence that could be used in the investigation and prosecution of the crime. The purpose of the medical forensic exam is to assess your healthcare needs, coordinate treatment of any injuries, and collect evidence for potential use during case investigation and prosecution (U.S. Department of Justice, 2004, pp. 30-2).

In West Virginia, only a specially trained healthcare provider may conduct a medical forensic exam. This includes Sexual Assault Nurse Examiners (SANEs), physicians, certified physician assistants, and advanced practice registered nurses (APRNs) who have specialized education and clinical experience in the medical evaluation and collection of forensic samples for a patient who has experienced sexual assault.

What Happens in a Medical Forensic Exam?

The medical forensic exam can take several hours to complete, depending on your unique needs. The hospital will contact a rape crisis center advocate to speak with you about options and resources to help you. If you wish, this advocate can stay with you throughout the exam to support you. Additionally, you may have a person of your choice present in the room for support.

Your healthcare provider will only perform the steps of the exam that you agree to have done. You have the right to decline any portion of the exam that you are not comfortable with.

What Is Involved in the Medical Forensic Exam?

The medical forensic exam is conducted by a qualified health care provider and can involve the following components:

Consent: The healthcare provider will discuss consent for the medical forensic exam. They will provide you with options for your exam and have you sign for a consent form. Even if you consent to the exam, you can choose if you want to skip portions of the exam. The healthcare provider will ask permission to do each step of the exam.

Medical History: The healthcare provider will review your previous medical history. The provider will also ask questions regarding the details of the assault. The information you provide will help to guide the rest of your medical forensic exam.

Physical Exam: The healthcare provider will perform a head-to-toe exam. They will be looking for injuries and identifying sites that may be potential sources of evidence. This usually includes a detailed exam of your private areas (breasts, genitals, and anal area).

Photography: Photographs and/or video recordings of any injuries or potential sites of evidence may be needed. Your healthcare provider will ask your permission before taking any photographs. All photographs are stored securely at the hospital, but may eventually be used by law enforcement or in prosecution.

Evidence Collection: The West Virginia Sexual Assault Evidence Collection Kit (SAECK) will be used to collect all possible evidence from your body. All evidence is important. Types of evidence that may be collected include: clothing, debris, swabs from the surface of the body, hair combings, oral and anogenital swabs, and toxicology samples (blood and urine samples). Evidence can only be collected if you are having an exam performed within 96 hours of your assault.

Drug and Alcohol Screening: Your healthcare provider will ask you about any drug or alcohol use before and after the assault and any symptoms related to drug and alcohol use. It is important to be truthful about any drug or alcohol use as this can impact findings and indicate the possibility of drug or alcohol facilitated sexual assault or abuse. Urine and/or blood may be collected to help the crime lab interpret findings.

Medical Treatment: Any medical concerns will be treated during your medical forensic exam. You will be evaluated for risk of sexually transmitted diseases, including HIV, and be given any necessary medications to prevent or treat any diseases. Any risk of pregnancy will be assessed. Medication to prevent unwanted pregnancy is available if appropriate.

Discharge and Follow-up: Your healthcare provider will review all discharge information, including recommended follow-up and testing timelines.

Tracking Location of Your Kit: You can track the location of your kit using your unique kit ID at <https://go.wv.gov/kit>. A wallet card with your kit tracking number should be provided by the healthcare provider. You must have the kit tracking number in order to use this system and cannot search by your name or birthday. Your kit will show as one of the following options:

- The kit is at the hospital
- The kit is at the lab
- The kit has been returned to law enforcement
- The kit is stored at Marshall University Forensic Science Center as a non-report (if you chose this option at the time of the exam).

The West Virginia State Police Forensic Laboratory cannot release any information to you about the results of your kit after testing. You do have the right to be informed by the investigating law enforcement agency about the results of the medical forensic exam.

Non-report Medical Forensic Examination

In West Virginia, adult victims who present for examination within 96 hours may choose to have evidence collected without reporting the crime to law enforcement. Assault and abuse of children (under 18) or incapacitated adults per West Virginia Law must be reported to the West Virginia Department of Health Services and law enforcement by healthcare providers.

If you choose not to report the assault to law enforcement but want evidence collected, the kit will be sent to Marshall University Forensic Science Center (MUFSC) where it can be stored for 20 years. At any time you can choose to report the assault to law enforcement should you choose, as there is no statute of limitations on reporting a sexual assault in West Virginia.

Blood and urine samples that are collected as part of the toxicology kit for potential drug or alcohol facilitated sexual assault do degrade over time. This means that this evidence may not be useable in investigating the crime after a period of time.

Who Pays for the Medical Forensic Examination?

The West Virginia Forensic Medical Examination Fund (WVC§61-8B-16) was established to pay for “all reasonable and customary costs of a forensic medical examination.” For the medical facility and examiner to be paid for through this fund, the exam must be done within 96 hours of the assault. No payment from the fund is provided for non-forensic procedures or treatment—therefore, victims will most likely be responsible for any medical treatment, either through private pay or private insurance. Victims who report the assault to law enforcement within 72 hours, as well as victims who have a forensic medical examination conducted within 96 hours of the assault (regardless of their reporting status), can apply to the West Virginia Crime Victims Compensation Fund for reimbursement of out-of-pocket medical costs. Rape crisis center advocates can assist victims in applying for these funds.

Sexually Transmitted Infection (STI) after Sexual Assault or Abuse

It is common to be scared that you or your child may contract a sexually transmitted infection after sexual assault or abuse. The decision to test for sexually transmitted infections is made on an individual basis based on risk factors and signs and symptoms present on exam. If testing is collected as a part of your medical forensic exam and is positive, this may be a pre-existing infection that was present before the assault.

The most common infections that are transmitted because of sexual assault and abuse are trichomoniasis, bacterial vaginosis, gonorrhea, and chlamydia. Your healthcare team will provide you with medications that help prevent you from contracting these infections.

While STIs cause a wide range of symptoms, the most common signs and symptoms include: vaginal or penile discharge pain, anogenital itching or odor, urinary symptoms, and anogenital lesions or ulcerations. Should you develop any symptoms, you should have STI testing.

People who have been sexually assaulted are also at risk of contracting HPV. Some strains of HPV cause genital warts, while others can cause cancers. Vaccinations are available to help reduce the risk of contracting HPV if you are between 9-45 years old.

Children are not routinely treated with medications to prevent sexually transmitted infections. Instead, your healthcare team will assess your child's risk of exposure to STIs and perform testing to rule out infection.

Pregnancy Risk

If you are at risk of becoming pregnant from sexual assault, your healthcare team may be able to provide you with emergency contraception. Emergency contraception helps reduce the risk of an unwanted pregnancy. Ask your healthcare provider about your options if you are concerned about pregnancy. Your healthcare provider will provide you with information about any medication that is provided to prevent an unwanted pregnancy.

While most have no side effects from emergency contraception pills, side effects include nausea and vomiting. If you vomit within 3 hours of taking the medication, you will need to take a second dose as soon as possible.

Advocacy Services Provided by Rape Crisis Centers

To provide support and help, the hospital will contact a sexual assault victim advocate once you arrive for treatment. A victim advocate can provide free, confidential, and non-judgmental emotional support, social service referrals, and guidance following a sexual assault. A victim advocate can provide information to help you make informed decisions. A victim advocate is available from the time you notify someone about the sexual assault and beyond the point when other agencies have ended their involvement.

In a case of abuse against a child, the local Child Advocacy Center will be a resource and support for forensic services, along with CPS and law enforcement.

What if the Assault Occurred in a Different State?

If you were sexually assaulted in a different state, but are seeking treatment in a hospital in West Virginia, all processes of the medical forensic exam will be the same. You will still have access to a victim advocate at the time of your exam, and you will still receive the same level of care and treatment.

If you are reporting the crime to law enforcement, the healthcare provider will contact the law enforcement agency in the jurisdiction where the crime occurred. You can contact that law enforcement agency for additional information about their processes and next steps.

If you are having a medical forensic exam but not reporting the assault to law enforcement, the kit will be sent to the Marshall University Forensic Science Center and stored. Should you decide to report the assault in the future, you will report to the law enforcement agency that has jurisdiction in the area where the assault occurred. They will be able to retrieve the kit for testing.

Resources

Below are state and national resources:

RAINN – Rape, Abuse & Incest National Network operates the only national hotline for survivors. RAINN connects callers to the nearest rape crisis center for emotional support and referral information by calling 1-800-655-HOPE.

West Virginia Child Advocacy Network (WVCAN) is the network of the state's child advocacy centers that ensure the children in West Virginia have access to high-quality, evidence-based forensic services that put their well-being at the heart of abuse investigations (<https://wvcn.org/>).

West Virginia Foundation for Rape Information FRIS is the state's sexual assault coalition. WVFRIS works with the rape crisis centers and other allied professionals to develop and strengthen intervention and prevention programs in the state (<http://www.fris.org>).

References

Centers for Disease Control and Prevention. (n.d.). *Emergency contraception*. Centers for Disease Control and Prevention.
<https://www.cdc.gov/contraception/hcp/usspr/emergency-contraception.html>

Centers for Disease Control and Prevention. (2021, July 22). *Sexual Assault and Abuse and STIs STI treatment guidelines*. Centers for Disease Control and Prevention.
<https://www.cdc.gov/std/treatment-guidelines/sexual-assault-adults.htm#print>

West Virginia Foundation for Rape Information and Services (WVFRIS). (n.d.) *What is a Medical Forensic Exam?* West Virginia Foundation for Rape Information and Services (WVFRIS). [WhatIsaMedicalForensicExam](#)

Revised 7-25



The WV Foundation for Rape Information and Services is the coalition of rape crisis centers and allied professionals.