

What does the SAEP do?

The program pays for the collection of evidence and pays for basic medical treatment for patients who present for a sexual assault exam.

What does the SAEP not pay for?

Expenses not related to the examination process (e.g., ambulance expenses, follow-up care, hospitalizations, surgical procedures, and triage). In such cases, the victim may file a separate claim for these expenses with the CVC program.

Who can file a claim with SAEP?

Any legally registered medical provider or as noted by KRS 216B. 400(9), the hospital, the sexual assault examination facility, the physician, the pharmacist, the health department, the sexual assault nurse examiner, and other qualified medical professional.

How much may be paid by the SAEP?

The actual cost but not to exceed the following amounts set in the administrative regulations 107 KAR 2:010;

SAFE Exam: Facility - \$250, Lab - \$100, Examiner - \$200, Meds - \$100

HIV Prophylaxis: Initial exam; Lab - \$150, Starter Kit - \$200, Anti-nausea - \$30

1st Follow up: Exam \$50, Labs \$50, Meds \$600

2nd Follow up: Exam \$50, Labs \$90

3rd Follow up: Exam \$50, Labs \$75

Can the patient or sexual assault victim file a claim with SAEP?

No. It is unlawful for the patient to be billed for these services. It is the responsibility of the medical provider to file a claim with SAEP.

What happens if, as a medical provider, we bill the patient for sexual assault examination services?

Kentucky law provides that any provider that bills a patient in contravention of KRS 216B.400 (9) may be fined. KRS 216B.400(9) specifically provides that *“No charge shall be made to the victim for these examinations, either by the hospital, the sexual assault examination facility, the physician, the sexual assault nurse examiner, the victim’s insurance carrier, or the Commonwealth.”*

What if as a physician I attend to the victim in the E.R, order the forensic exam but I do not do the exam, can I still be paid by the SAEP?

No, the SAEP pays the Examiner who performs the actual exam.

Will the SAEP pay for other services like Radiology, Pathology, X-ray exams or any other treatments of injuries to the patient due to the sexual assault?

No. The SAEP pays for the examiner's fees, Facility fees, Labs, Meds and HIV prophylaxis. The patient may file a separate claim with CVC.

What needs to be submitted to SAEP to get payment?

Hospitals and Medical Centers: The SAFE Forms which include the SAFE Exam/Treatment Billing Form (2 pages) and the SAFE Evidentiary Report; the UB-04 and in cases where the patient has insurance, the Explanation of Benefits (E.O.B).

In cases where the patient has been prescribed HIV Prophylaxis, the HIV Forms (Initial Exam, First Follow Up, Second Follow Up and Third Follow Up) should be filled out when the medication is dispensed or when the follow up exams are done. If the HIV meds are not going to be filled out at the same facility, the patient **must** be given the Treatment Voucher (completely filled out) and the HIV Forms so that they are not charged by the Pharmacy.

Pharmacies **must** completely fill out the relevant HIV forms including all the information about the Federal Tax I.D and where the payment will be sent. Pharmacies **must** submit itemized billing statements clearly showing the amount covered by the Insurance and the outstanding balance.

Child Advocacy Centers (CACs) **ONLY** must submit the Comprehensive Child Sexual Abuse Medical Exam/Treatment Billing Form and the itemized bills and E.O.Bs where the child has insurance.

All the forms must be **COMPLETELY** filled out in all sections to be considered complete. Failure to fill out all sections on any of the forms will result in the claim being denied.

How do we submit SAEP claims?

Claims can be mailed, e-mailed or submitted via fax. The e-mail address is portia.manhema@ky.gov.

Where do we find the SAFE Forms?

From the Kentucky Claims Commission Website on <http://cvcb.ky.gov/Pages/default.aspx>

Can a SAEP claim be denied?

Yes.

- If there is no bill submitted,
- If the SAFE forms are not completely filled out,
- If any page of the SAFE Forms is missing,
- If obsolete SAFE Forms are used,

- If insurance pays above the regulated amounts for SAEP,
- If the Evidentiary report shows that the exam was not fully completed,
- If the UB-04 or E.O.B has not been submitted.

Note: An incomplete form might include; examiner name not printed, no examiner signature, no examiner license number.

If we submit a claim or a bill and there is something missing, will we receive notice or some communication?

It is your responsibility to ensure that you submit everything that is required. Efforts will be made to communicate but it is best to ensure all required documents are submitted. Please call before submission to ensure you are submitting all the required documents. After submission, always follow up with a call to 502-782-8246 or e-mail portia.manhema@ky.gov to check on the status of your claim. It is also best to ensure that there are contact people that we can easily call or e-mail to communicate with about your claims.

Will a claim be paid if the patient declines a forensic exam but accepts medication?

No, a complete exam has to be performed for payment to be made.

Will a claim be paid if a forensic exam is started but not completed for whatever reason like the patient saying it is painful?

No, a complete exam has to be performed for payment to be made

Can we bill the patient's Insurance?

Yes. If a patient has insurance, whether Medicaid or Private insurance, that insurance should be billed **first** before billing the SAEP, but no co-pay or deductible may be charged as a condition for payment.

Is the patient required to report the assault to the police to get sexual assault services or for the SAEP to pay the claim?

A sexual assault victim is not required to report to law enforcement to receive sexual assault related services and the SAEP will pay any claims that are complete.

If the SAEP program denies a claim, can we re-bill to the patient?

No. Again, be advised that KRS 216B.400(9) specifically provides that *“No charge shall be made to the victim for these examinations, either by the hospital, the sexual assault examination facility, the physician, the sexual assault nurse examiner, the victim's insurance carrier, or the Commonwealth.”*

What are the Statutes that are relevant for the Sexual Assault Exam Program (SAEP)?

KRS 216B.400; 502 KAR 12, Section 3. A link leading to KRS 216B.400 is available on the website under the Sexual Assault Program heading on bullet point titled 2013 Statutory Revision Regarding Service Provider Filing of Claims

Whom should we contact with any questions about the Commission's SAEP Program?

Questions regarding the Commission's SAEP Program can be forwarded to either Staff Attorney G. Mitchell "Mitch" Mattingly at 502-782-8245 or the Executive Assistant Portia Mabasa at 502-782-8246 or to their respective emails: mitchell.mattingly@ky.gov, portia.manhema@ky.gov.