

Charlottesville/Albemarle Multidisciplinary Team Child Abuse Medical Exam Referral Protocol

The Charlottesville/Albemarle MDT will refer child victims of sexual assault or abuse and child victims of physical abuse or neglect for medical examinations where indicated. Medical examinations may be acute or non-acute in nature. Medical exams may include a forensic component for evidence gathering or may be a purely medical examination without a forensic component. Both forensic medical examinations and medical examinations will be referred to the University of Virginia (UVA) Medical Center, where the examination is to be performed by a Forensic Nurse Examiner (FNE). A forensic medical examination includes assessments to collect evidence and record injuries for criminal investigation and prosecutions and an assessment of the victim's medical situation related to the sexual abuse or assault or physical abuse or neglect. A medical examination without a forensic component addresses the victim's medical circumstances and needs as a result of the sexual abuse or assault or physical abuse or neglect.

The MDT will refer children for forensic medical examinations when any child victim discloses or other credible information exists to believe any of the following has occurred:

- Any anal or vaginal penetration;
- Any oral to genital contact; if reported within 24 hours

Cases not routinely referred for a forensic medical examination include:

- Skin-to-skin genital fondling;
- Sexual battery with skin contact but without penetration;
- Exposure to pornography; or
- Cases involving fondling over the victim's clothing.

Should a given case present special circumstances or particular questions based on the situation at hand, the UVA on-call FNE will make a review for the appropriateness of a forensic examination for the particular case.

The following children will be referred for an emergency medical exam without a forensic component

- Any child who appears to have serious or life-threatening injuries; or
- Any child where emergency medical intervention appears necessary for any reason to assure the health and safety of the child.

The following types of cases may warrant a referral for a non-emergency medical exam without a forensic component:

- Child already seen by pediatrician or gynecologist (would refer if there is a forensic issue or other medical concern that was not addressed in initial exam);
- Sexually active teen (unless there is a forensic need for the investigation);
- No disclosure of abuse but other reported circumstances reported that cause concern; or
- No sign of injury but concern of physical abuse.

Cases will be reviewed as needed for medical concerns or forensic purposes. Allegations can be reviewed by the UVA on-call FNE for the appropriateness of a medical exam. The family always has the option of seeing their own pediatrician for non-emergency medical examinations, if they choose.

The purposes of the forensic medical examinations and medical examinations without a forensic component in suspected child abuse or neglect cases include:

1. Ensuring the health, safety and well-being of the child;
2. Diagnosing, documenting, and addressing the medical conditions resulting from physical or sexual assault or abuse or neglect;
3. Differentiating medical findings resulting from abuse or neglect from those that may be explained by another medical condition unrelated to abuse or neglect;
4. Diagnosing, documenting, and addressing medical conditions unrelated to abuse or neglect;
5. Assessing the child for developmental, emotional, or behavioral concerns requiring further evaluation and treatment, and making appropriate recommendations for referrals;
6. Reassuring and educating the child and his or her family or other caretakers when indicated.

Participants in the medical evaluation include the following personnel:

- Forensic Nurse Examiner (FNE); and
- UVA Medical Center Social Worker.

Avoiding duplication of interviewing and history taking is accomplished through the following:

- If a forensic interview has already been conducted, the forensic interviewer will communicate what was said in the forensic interview to the FNE.
- If a forensic interview has not been conducted, obtaining a medical history from the child may include non-leading questions regarding abuse but should not duplicate the full investigative interview to be conducted with the child.
- Also see “Communication of Results,” which follows below.

Communication of Results

Request for Information Is Before or At the Same Time as A Medical Examination:

- Prior to the exam the FNE will explain the UVA release of confidential health information form to the patient or parent of the patient and will obtain two signed releases. One of the medical releases will be given to the police, and the other will be placed in the patient’s file.
- In non-caregiver cases, if the parent refuses to sign the release or is not present to sign the release, the police will obtain the record by other legal methods such as a court order or search warrant.
- After the exam the FNE will verbally review the findings with the detective and/or CPS social worker.

Request for Information after a Medical Examination:

- In caretaker cases, CPS verbally requests a copy of the records from the UVA Social Work Department. The UVA Social Worker faxes a copy of the Screening for Child Abuse and Neglect (SCAN) form and the report (including all forensic documentation, except the photographs) to CPS.
- In non-caretaker cases, the police will obtain a copy of the records by faxing the medical release directly to the UVA Medical Records Department.
- A FNE participates on the MDT and will be present or available by conference call at case reviews in order to consult on cases and communicate exam results to the MDT.

Payment

Virginia Injuries Compensation Fund (CICF) will pay for physical and sexual abuse/assault forensic medical exams as long as they are requested by law enforcement or CPS agencies during criminal investigations. UVA Medical Center also accepts insurance and Medicaid.

Translation Services

- UVA Medical Center uses professional interpreters or the CyraCom phone system.
- There is no additional charge for translation services.
- Family or other non-professional interpreters will not be used.

Advocates

- Sexual Assault Resource Agency (SARA) advocates are available to respond to all forensic exams in order to provide support for the family. The FNE will contact the SARA hotline for forensic medical exams.
- The hospital social worker who is in the hospital 24/7 will make a report to CPS, help with safety planning with support for the family, and help with logistical issues, e.g., transportation.

Acute Exams

Acute Exams can be conducted at the UVA Medical Center up to 72 hours (3 days) post-assault or if there is pain, bleeding, or any signs of instability or physical injury. Since this is a hospital exam, a physician is always available for treatment of injuries. The exams are provided by trained pediatric or adolescent FNEs and can include a Physical Evidence Recovery Kit (PERK) up to 72 hours if deemed advisable. The on-call FNE can be reached at 434-924-0000 (ask for the forensic nurse examiner on call).

Children requiring immediate referral for an acute exam:

1. Acute assault occurred within 72 hours;
 - a. Concern for the need for emergency contraception.
 - b. The need for post-exposure prophylaxis for sexually transmitted infection, including HIV.
 - c. There is a window of opportunity to collect possible physical evidence resulting from the assault, abuse, or neglect.
2. Concern for acute trauma (post traumatic bleeding, pain, dysuria, hematuria); or
3. Medical intervention is needed emergently to assure the health and safety of the child.

Exams

- Child exams are provided for children from infancy up to age 12.
- Post-pubescent children age 13 – 17 will receive an exam following the adolescent exam protocol.
- Exams are conducted by FNEs who are trained to conduct pediatric exams.
- The FNE conducting the exam is available to testify about the entire exam, including medical history.
- The Medical Director of the Forensic Team or the Attending Resident and a UVA Medical Center Social Worker are available for all forensic exams.

Referral Procedure for the Charlottesville/Albemarle MDT

1. Referrals may come from the MDT detective or CPS Social Worker.
2. Call the on-call FNE at 434-924-0000 (ask for forensic nurse on-call). Advise the nurse of your name, your agency, the child/family's situation, and your estimated time of arrival.
3. Response time is one hour from the time of notification for the FNE to arrive at the hospital.
4. The FNEs are also available for consultations over the phone if the referring agency is uncertain if an exam is warranted.
5. If a child victim presents at the hospital after an alleged sexual or physical assault, the FNE or other emergency department personnel will follow the UVA Medical Center child abuse reporting policy.

Non-Acute Forensic Medical Exams

Non-acute forensic medical exams can be conducted at University of Virginia Medical Center for child victims whose situations have been reported more than 72 hours after the incident of abuse, assault, or neglect. Exams can be completed for any child from infant to age 17. Call 434-924-0000 (ask for forensic nurse on call) to schedule an appointment.

- Child exams are provided for children from infancy up to age 12.
- Post-pubescent children age 13 – 17 will receive an exam following the adult exam protocol.
- Child exams are conducted by FNEs that are trained to conduct pediatric exams.
- The Medical Director of the Forensic Team or the Attending Resident and a UVA Medical Center Social Worker are available for all forensic exams.
- The FNE conducting the exam is available to testify about the entire exam, including medical history

Referral Procedure

- Referrals should come from the MDT detective or CPS Social Worker.
- Call the FNE at 434-924-000 (request forensic nurse examiner on-call) to schedule an appointment.
- The FNEs are also available for consultations over the phone if the referring agency is uncertain if an exam is warranted.
- The FNE conducting the exam is able to testify in court about forensic exam.

Exams for Physical Injuries from Abuse or Neglect

Medical evaluation of child victims of suspected physical abuse or neglect can be performed by pediatric physicians who are trained in pediatrics and patterned injury at the UVA Medical Center. Forensic nurse examiners are available for consults and photography as needed. Eligible children will be those children less than 18-years-old who are referred by the MDT police detective.

The goal of UVA Medical Center is to provide a comprehensive, appropriate, and objective medical evaluation and medical treatment to children suspected of being victims of physical abuse; to provide thorough and objective documentation of medical findings; to provide developmentally appropriate care to patients and appropriate information, supports and resources to parents and family members; and to collaborate with professionals responsible for the investigation of the physical abuse allegations.

The majority of physically abused children require a timely or immediate medical examination, either because of the severity of the injury or because of the transient nature of some injuries. Referral will be determined by the following information.

Children requiring immediate referral include:

1. All children who appear to have serious or life-threatening injuries; and
2. When medical intervention appears to be needed emergently to assure the health and safety of the child.

If an emergency physical exam is not warranted, but the child still requires a medical evaluation, the police detective or CPS worker can call the FNE at 434-924-0000 (request that the forensic nurse on call be paged) to discuss the appropriateness and/or timing of a medical appointment. Child can be referred to any medical facility specializing in pediatrics, including their own pediatrician for a medical exam.