

CBHS Policies and Procedures



City and County of San Francisco
Department of Public Health
Community Programs
COMMUNITY BEHAVIORAL HEALTH
SERVICES

1380 Howard Street, 5th Floor
San Francisco, CA 94103
415.255-3400
FAX 415.255-3567

POLICY/PROCEDURE REGARDING: **Sexual Battery and Assault: Treatment Guidelines for Adult Patients**

Issued By: Jo Robinson, MFT
Director of Community Behavioral Health Services

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Manual Number: 3.09-2
References: California Code of
Regulations: Penal Code: Part 1,
Title 8, Chapter 9; and Part 1,
Title 9, Chapter 1; Evidence
Code, Section 1035.2

Technical revision. Replaces 3.09-2 of August 16, 2002

Purpose

To provide instructions to staff on how to respond to clients who have been victims of sexual assault/battery.

Scope

This policy applies to all CBHS mental health civil service programs and contract programs, substance abuse treatment programs, and Private Providers Network serving adult patients.

Definitions:

Sexual Battery:

Any physical contact, if that contact is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse.

Sexual Assault:

Physical contact is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another. Includes any of the following conduct: rape, unlawful sexual intercourse, sexual intercourse, sexual penetration, oral copulation, or sodomy.

Proving a sexual crime should be left to the police and prosecutors. In the event that a patient makes a reasonably credible statement that he/she has been sexually assaulted just prior to admittance or while staying at any San Francisco Inpatient or Outpatient Designated Facility or Crisis Service, please use the following procedures for adults 18 years and older. If under age 18, call the Child and Adolescent Sexual Abuse Resource Center at San Francisco General Hospital (415-206-8386).

1. Do not leave the patient alone. Provide a private area to talk. Keep the patient safe.
2. Ascertain as clearly as possible what occurred and who was involved. Notify the patient's individual therapist, or during evenings, nights, and weekends, notify the clinician designated at the facility. Do not over-interview and assess carefully the potential to overwhelm the patient.
3. Tell the patient that you would like to call San Francisco Rape Treatment Center (a program of UCSF Department of Psychiatry at SFGH), 2727 Mariposa Street, San Francisco, California 94110, and that you and they will assist the patient with crisis intervention and in making a decision regarding a police report. Document complaint in appropriate nursing, physician, or progress note.
4. If a patient wishes, call the Rape Treatment Center (RTC) at 415-437-3000. Discuss with RTC the appropriateness of transport to the RTC or an on-site exam or interview. If on-site, the patient should not be moved; the RTC staff will provide counseling on sexual assault issues and may provide evidence collection. The Adult Sexual Assault Examiners will do the evidence collection exam with the site physician and coordinate contact with the San Francisco Police Department. The patient must consent before the exam proceeds and have all aspects of treatment explained. Prior to the commencement of any initial medical evidentiary or physical exam, the patient should be notified by the medical provider that the patient has the right to have present a sexual assault victim counselor and at least one other support person of the patient's choosing. If transported to RTC, a variety of services will be provided free. They may include sexual assault crisis counseling, evidence collection, STD/HIV tests and treatment, and pregnancy tests (if indicated). The clinician should, if the patient wishes, coordinate treatment plans with the RTC. If a police interview is indicated, it should take place after the patient gets to the RTC. Discuss the appropriateness of this with the RTC as well as with the patient.
5. If the patient does not wish to make a police report, call the RTC. Staff is available for phone consults with the patient as well as with the hospital staff to discuss clinical and legal issues involved. The RTC staff can also make arrangements with the hospital staff for hospital patients for an in-person visit there to provide the patient with counseling around sexual assault issues. Medical follow-up is advised for STD/HIV and pregnancy testing - this should be done at the RTC.
6. The RTC staff will provide crisis counseling on sexual assault issues only and will coordinate this counseling with appropriate hospital/clinic personnel.
7. If the hospital/clinic staff have any questions regarding the treatment of patients who present themselves as sexual assault victims, call the RTC at 415-437-3000, available 24 hours/7 days. RTC staff is available for in-services to implement and further explain these guidelines. All RTC services are free to patients and staff.

Contact Person: Program Manager, Adult and Older Adult System of Care, 255-3441

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