

1 A bill to be entitled
2 An act relating to crime victim assistance; amending
3 s. 960.03, F.S.; revising the definition of "crime"
4 for purposes of crime victim assistance; amending s.
5 960.28, F.S.; increasing the maximum monetary
6 reimbursement amount for certain medical providers;
7 providing an effective date.
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9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Paragraph (a) of subsection (3) of section
12 960.03, Florida Statutes, is amended, and paragraph (g) is added
13 to that subsection, to read:

14 960.03 Definitions; ss. 960.01-960.28.—As used in ss.
15 960.01-960.28, unless the context otherwise requires, the term:

16 (3) "Crime" means:

17 (a) A felony or misdemeanor offense committed by an adult
18 or a juvenile which results in physical injury or death, a
19 violation of s. 800.04, a forcible felony committed by an adult
20 or juvenile which directly results in psychiatric or
21 psychological injury, or a felony or misdemeanor offense of
22 child abuse committed by an adult or a juvenile which results in
23 a mental injury, as defined in s. 827.03, to a person younger
24 than 18 years of age who was not physically injured by the
25 criminal act. The mental injury to the minor must be verified by

26 | a psychologist licensed under chapter 490, by a physician
27 | licensed in this state under chapter 458 or chapter 459 who has
28 | completed an accredited residency in psychiatry, or by a
29 | physician who has obtained certification as an expert witness
30 | pursuant to s. 458.3175 or s. 459.0066. The term also includes a
31 | criminal act that is committed within this state but that falls
32 | exclusively within federal jurisdiction.

33 | (g) An act of intentionally touching in a lewd or
34 | lascivious manner the breasts, genitals, genital area, or
35 | buttocks, or the clothing covering them, of a person aged 16 or
36 | 17 years, or forcing or enticing a person aged 16 or 17 years to
37 | so touch the actor when such act is without the person's consent
38 | and directly results in psychiatric or psychological injury.

39 | Section 2. Subsection (2) of section 960.28, Florida
40 | Statutes, is amended to read:

41 | 960.28 Payment for victims' initial forensic physical
42 | examinations.—

43 | (2) The Crime Victims' Services Office of the department
44 | shall pay for medical expenses connected with an initial
45 | forensic physical examination of a victim of sexual battery as
46 | defined in chapter 794 or a lewd or lascivious offense as
47 | defined in chapter 800. Such payment shall be made regardless of
48 | whether the victim is covered by health or disability insurance
49 | and whether the victim participates in the criminal justice
50 | system or cooperates with law enforcement. The payment shall be

51 | made only out of moneys allocated to the Crime Victims' Services
52 | Office for the purposes of this section, and the payment may not
53 | exceed \$1,000 ~~\$500~~ with respect to any violation. The department
54 | shall develop and maintain separate protocols for the initial
55 | forensic physical examination of adults and children. Payment
56 | under this section is limited to medical expenses connected with
57 | the initial forensic physical examination, and payment may be
58 | made to a medical provider using an examiner qualified under
59 | part I of chapter 464, excluding s. 464.003(14); chapter 458; or
60 | chapter 459. Payment made to the medical provider by the
61 | department shall be considered by the provider as payment in
62 | full for the initial forensic physical examination associated
63 | with the collection of evidence. The victim may not be required
64 | to pay, directly or indirectly, the cost of an initial forensic
65 | physical examination performed in accordance with this section.

66 | Section 3. This act shall take effect July 1, 2019.