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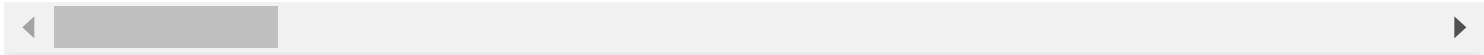
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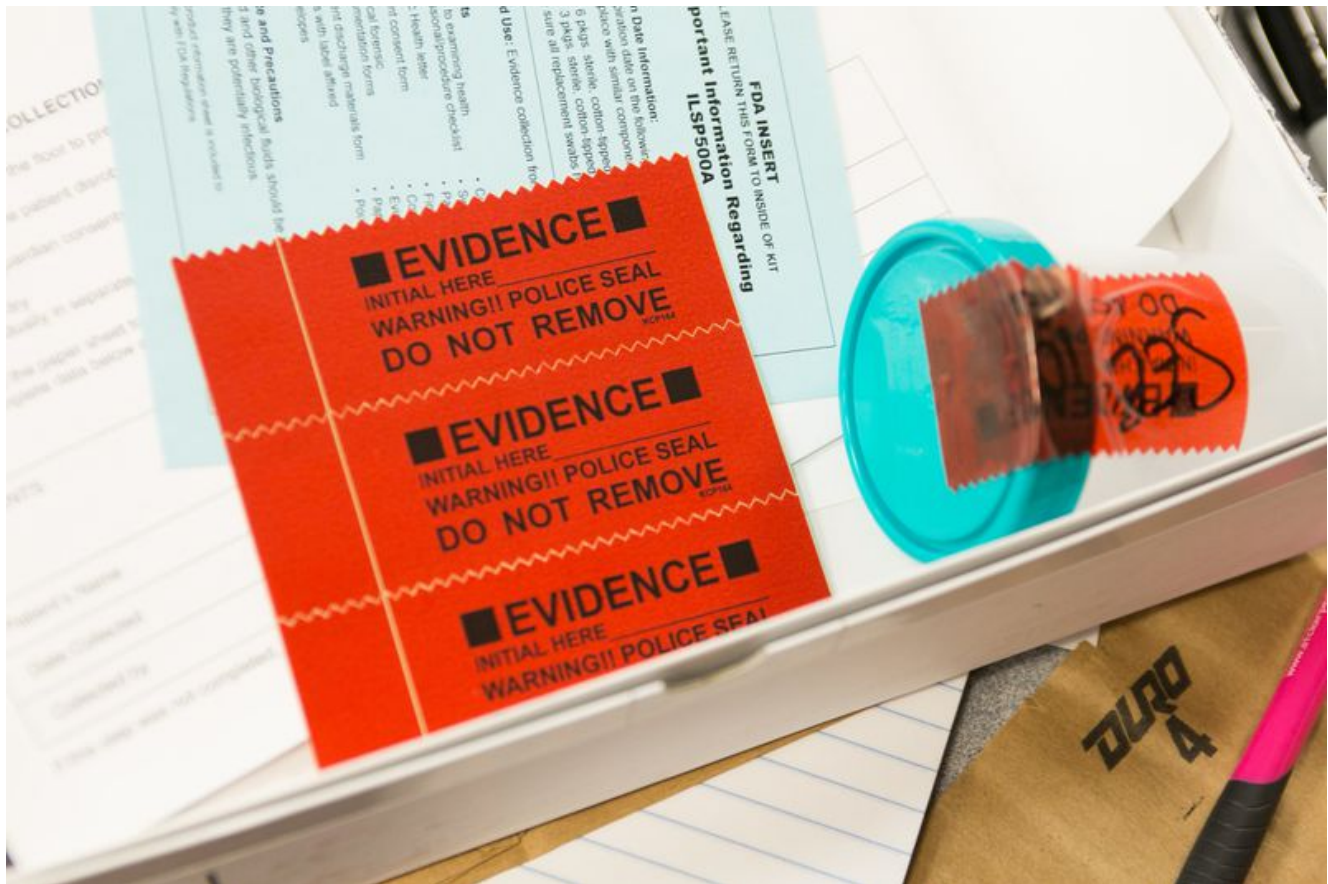
Op-ed: Billing insurance for rape kits isn't just a money issue. It's a safety issue for survivors.

By **MONIKA PITZELE**
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Police seals to protect evidence are shown in a rape kit during sexual assault nurse examiner training at West Suburban Medical Center in Oak Park. (Kristan Lieb/for the Chicago Tribune)

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As an emergency room doctor who has examined and treated many survivors of sexual assault and domestic violence, I can tell you a lot about abuse — and probably none of it would surprise you. It's the worst time in each victim's life. Rates have skyrocketed during the pandemic. And health care system resources are far from perfect.

But here is one thing that might surprise you: There is something very easy that we can do, right now, to directly help people who will likely suffer from domestic violence and abuse. We can make sure that Illinois joins the 42 other states that allow victims/survivors to opt out of billing their private insurance for medical forensic exams, commonly known as rape kits, or who do not bill private insurance at all.

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There are two main scenarios when billing private insurance may deter survivors from seeking care or put them at risk. First, it is very common for abuse to happen at home — including by spouses or parents who may be the family's primary insurance holders. Second, young adults still on their parents' insurance may not be ready to disclose to their family what happened, and their concern for privacy may delay their care.

In both scenarios, the survivors are not responsible for any costs of the exam, as they are covered by all insurance providers and copays are covered by state funds. However, the exams will still show up on the explanation of benefits sent from the hospital, potentially deterring the victim from seeking care and/or putting the victim in further danger if their abuser also has access to that documentation.

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One of the most dangerous moments in an abusive relationship is when the victim is trying to leave the perpetrator. By keeping the mandated billing of private insurance, we are forcing survivors to disclose to their perpetrators that they sought help — which can be seen as a threat to the perpetrator. This puts the victim — whom we should be doing everything in our power to protect — in further danger.

There is an Illinois law that was intended to help this matter. It states that if a person has any concerns that they could be in danger because of claim-related information, they could request that any relevant communication should be done by alternative means or at alternative locations. On the surface, this appears to be a viable solution that would allow the survivor to send all the bills and statements to a different address — as long as they are aware of the existence of the law.

But let's put it in perspective: A survivor trying to get out of an abusive situation, after a major trauma and an unplanned emergency room visit for sexual and physical assault, will have many things on their mind. Calling or writing a letter to their insurance company — the insurance company may require that the request be made in writing — will certainly not be top of the list, especially when they have to worry about their survival and the safety of their children.

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This option may be realistic when there is time to plan, but in a crisis situation, it is too much risk to entrust someone's well-being to a process that is a minefield of

both human and procedural errors, with every mistake having the potential of being a lethal one. If the survivor is a minor, the request to the insurance must be made by a parent or a guardian — but what if the parent is the abuser? Clearly, this provision, although well-intended, does not provide a realistic plan for domestic violence survivors to seek medical care in times of crisis.

The majority of other states do not require billing of private insurance for sexual assault exams. In those states, the cost is covered by state or federal funds, and we should be able to do the same — state funds already cover uninsured patients in Illinois.

Experiences in other states suggest that the expected number of survivors who would exercise this option is not very high. On the other hand, having this option would help a person who is trying to get themselves out of an abusive relationship. It may also help younger patients still on their parents' insurance who need care and want to maintain privacy in some of their worst moments.

The consequences of the mandate to bill private insurance can be very serious. But also because of all the possible dangers, the victim may decide not to even seek the care they need — both for the injuries they may have, as well as to collect evidence for potential prosecution. What's more, they risk the long-term effects of untreated sexually transmitted infections and mental health trauma.

Allowing the survivor to opt out of billing their private insurance can go a long way to protecting their privacy and safety in extreme situations. Rarely is there an opportunity like this one — in which a procedural challenge that is entirely in our hands to change can make a real positive impact on the lives of individuals who need it. It is time for Illinois to join the rest of the country in taking care of some of our most vulnerable citizens.

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Dr. Monika Pitzele is a forensic examiner for sexual assaults and the Illinois College of Emergency Physicians representative on the Illinois Sexual Assault Medical Forensic Services Implementation Task Force.

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