

or temporary care or custody or responsibility for supervision of a child, or by any household or family member.

(ii) "Sexual abuse" includes:

1. Incest, rape, or sexual offense in any degree;
2. Sodomy; and
3. Unnatural or perverted sexual practices.

(b) If a physician or a hospital provides any of the services described in subsection (c) of this section to a victim of an alleged rape or sexual offense or a victim of alleged child sexual abuse, the services shall be provided without charge to the individual and the physician or hospital is entitled to be paid by the Department for the costs of providing the services.

(c) The services to which this section applies are:

(1) A physical examination to gather information and evidence as to the alleged crime;

(2) Emergency hospital treatment and follow-up medical testing for up to 90 days after the initial physical examination in paragraph (1) of this subsection; and

(3) For up to 5 hours of professional time to gather information and evidence as to the alleged sexual abuse, an initial assessment of a victim of alleged child sexual abuse by:

- (i) A physician;
- (ii) Qualified hospital health care personnel;
- (iii) A mental health professional; or
- (iv) An interdisciplinary team expert in the field of child abuse.

(d) (1) A physician who examines a victim of alleged child sexual abuse under the provisions of this section is immune from any civil liability that may result from the failure of the physician to obtain consent from the child's parent, guardian, or custodian for the examination or treatment of the child.

(2) The immunity extends to:

- (i) Any hospital with which the physician is affiliated or to which the child is brought; and
- (ii) Any individual working under the control or supervision of the hospital.

DRAFTER'S NOTE:

Error: Title of bill being cured failed to give notice of certain provisions entitling certain hospitals to payment from the Department of Health and