

Forensic Nurse Examiner

Mandatory Reporting Tipsheet

Intimate Partner Violence	<p>Medical professionals are not mandated to report IPV/DV to LE if the victim does not choose to have evidence collected or the patient does not wish to report. Follow the reporting options available in CO.¹</p> <p>If the patient has experienced serious bodily injury, assault with a deadly weapon, is a child, elder, or at-risk adult then they are required to report. HB17-1322.¹ (*See these other reporting requirements below).</p> <ul style="list-style-type: none"> • Advocacy must be offered and documented in this patient population as well.¹ <p>Laws and resources</p> <ol style="list-style-type: none"> 1. https://leg.colorado.gov/bill_files/69182/download
Sexual Assault	<p>Medical professionals are not mandated to report SA to LE if the victim does not choose to have evidence collected or the patient does not wish to report. Follow the reporting options available in CO.¹</p> <p>If the patient has experienced serious bodily injury, assault with a deadly weapon, is a child, elder or at-risk adult then they are required to report. HB17-1322. (*See these other reporting requirements below).</p> <p>For Sexual assault specific reporting options for adults aged 18-69, please refer to the flowsheet attached.</p> <p>TIPS:</p> <p>Considered sexual assault if:</p> <ul style="list-style-type: none"> • “At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or • At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim”.² <p>Medical treatment:</p> <ul style="list-style-type: none"> • Minors of any age are able to consent to:³ <ul style="list-style-type: none"> ○ Sexually transmitted infections: Diagnosis and treatment ○ HIV: Diagnosis and treatment ○ Contraception: Minors of any age who request and need birth control ○ Treatment after Sexual Offense (Sexual Assault): Examinations, prescription and treatment of victim for any immediate condition caused by a sexual offense*. <p>*For this purpose, “sexual offenses” include (but are not limited to) sexual assault, sexual assault on a child and unlawful sexual contact as defined by Colorado law for minors of any age.</p>

Forensic Nurse Examiner

Mandatory Reporting Tipsheet

	<p>Laws and resources</p> <ol style="list-style-type: none"> https://ccasa.org/member-resources/colorado-reporting-options/ https://codes.findlaw.com/co/title-18-criminal-code/co-rev-st-sect-18-3-402/ https://coloradohealth.org/sites/default/files/documents/2017-05/Colorado_Minor_Consent_Law_Quick_Reference_Chart.pdf
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Elder and At-Risk Adults</p>	<p>Elderly: Anyone 70 years or older “At-risk” adult (ARA): 18 years or older and cannot obtain services necessary for their health, safety or welfare, OR who lack capacity to make or understand responsible decisions.</p> <p>What is considered abuse or neglect in this patient population?¹</p> <ul style="list-style-type: none"> • Non-accidental infliction of physical pain or injury • Confinement or restraint that is unreasonable under generally accepted caretaking standards • Unlawful sexual behavior <p>Who do I report it to?²</p> <ul style="list-style-type: none"> • For suspected or known abuse or neglect, mandatory reporter must inform Law enforcement: <ul style="list-style-type: none"> ○ Local law enforcement (based on where the abuse occurred) ○ County Adult Protective Services is also encouraged to be reported to. • For self-neglect, report can be made only to Adult County Protective Services <p>Laws and resources</p> <ol style="list-style-type: none"> (CRS 18-6.5-108)- https://content.leg.colorado.gov/sites/default/files/images/olls/crs2024-title-18.pdf Mandatory Reporting of Adult Mistreatment Colorado Department of Human Services
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Child Abuse</p>	<p>Child: Any person under the age of 18</p> <p>What is considered abuse or neglect?</p> <ul style="list-style-type: none"> • When a person causes injury to a child’s life or health, allows a child to be unreasonable put into a situation that constitutes a threat of injury to the child’s life or health, or participates in a pattern that results in malnourishment, lack of proper medical care, cruel punishment, mistreatment, collection of injuries that result in death or serious bodily injury. <p>Who do I report it to?</p> <ul style="list-style-type: none"> • Local law enforcement (based on where the abuse occurred) <ul style="list-style-type: none"> ○ For immediate safety and criminal investigation • Colorado Child Abuse and Neglect Hotline (1-844-CO-4-KIDS) <ul style="list-style-type: none"> ○ For safety issues within the home/immediate family • Notification to both is encouraged when the suspected abuse/neglect is occurring

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Mandatory Reporting Tipsheet

	<p style="text-align: center;">**Now calling the DHS hotline is sufficient, and there is no need to do a written report.** Child Abuse and Neglect Hotline Number: 844-CO-4-Kids</p>
Serious Bodily Injury	<p>Laws and resources:</p> <ol style="list-style-type: none"> 1. https://content.leg.colorado.gov/sites/default/files/images/olls/crs2024-title-19.pdf Section 19-3-304- (pg. 285) 2025a_1188_signed.pdf 19-3-307.
	<p>Serious bodily injury is defined as: A bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body*; or breaks, fractures, a penetrating knife or penetrating gunshot wound, or burns of the second or third degree. 18-1-901 (3)(p), C.R.S.¹</p>
	<p>Tip</p> <p>*This is where neurological impairment due to non-fatal strangulation is evident such as: loss of consciousness, loss of bowel or bladder (and in some instances, other neurological concerns). In these situations, the brain is the organ with protracted impairment, and the Serious Bodily Injury form can be filled out.²</p>
Tips	<p>Laws and Resources:</p> <ol style="list-style-type: none"> 1. SBI statute- SB23-034 Definition Of Serious Bodily Injury Colorado General Assembly 2. See attached document
	<ul style="list-style-type: none"> • Do not forget to document all conversations had with the patient about mandatory reporting, along with reports made, report numbers, names of those reported to and times. • For guidance, collaborate with your telehealth provider or call UCHHealth Memorial Central FNEs (719-365-8333).

Forensic Nurse Examiner

Mandatory Reporting Tipsheet

COLORADO SEXUAL ASSAULT REPORTING OPTIONS

Does the patient want to involve law enforcement and participate in a potential investigation?

YES

NO

Option: **Law Enforcement Report**

The reporting patient needs to decide:

- Do they want evidence collected?
- If they do opt for evidence collection, do they want the evidence stored (by law enforcement) or analyzed?

* Evidence collection portion of exam is billed to the investigating law enforcement agency.

Some considerations when choosing Medical Report or Anonymous:

- Patients have the right to evidence collection with either *Medical* or *Anonymous* Reporting.
- Patients can opt for storage of evidence with either *Medical* or *Anonymous* Reporting.
- *Medical* Reporting patients can opt to have their evidence analyzed (however they will have to interact with law enforcement at some point for the results as crime lab can only release results to law enforcement).
- *Anonymous* Reporting patients cannot opt to have their evidence analyzed (crime lab can not run analysis on an anonymous kit), only stored (for a minimum of two years- total time dependent on individual law enforcement agency policy).

Does the patient consent to law enforcement having their identity?

YES

NO

Option: **Medical Report**

The medical reporting patient needs to decide:

- Do they want evidence collected?
 - Notify law enforcement of the sexual assault and request a case number for the evidence. You may need to provide the patient's name and date of birth. This patient does not have to interact with law enforcement if they do not want to.
- If they do opt for evidence collection, do they want the evidence stored (by law enforcement) or analyzed?
- Educate the patient if they desire to change to a full law enforcement report, they should contact law enforcement.

* Evidence collection portion of exam is billed to Colorado Division of Criminal Justice (DCJ).

Option: **Anonymous Report**

The anonymous reporting patient needs to decide:

- Do they want evidence collected?
 - Evidence can be collected and stored but *cannot be analyzed*.
- Educate the patient if they desire to change to a medical report or a full law enforcement report, they should contact law enforcement.
- The medical record will be what ties the patient to their evidence, as law enforcement should have no identifying information.

* Evidence collection portion of exam is billed to Colorado Division of Criminal Justice (DCJ).

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XXX Hospital/Program

Patient Label

Medical Report of Serious Bodily Injury (SBI)

Patient name _____

Law Enforcement Agency _____ Case Number _____

Provider Attestation

_____, treated the patient above on _____
Name of provider Date

at _____
Facility/ Location where treatment took place.

Regarding serious bodily injury, it is my medical opinion that the above listed patient experienced physical injury which, either at the time of the actual injury or at a later time involved *[check all that apply]*:

- A substantial risk of death
- A substantial risk of serious permanent disfigurement
- A substantial risk of protracted loss or impairment of the function of any part or organ of the body
- Breaks, fractures
- Burns of the second or third degree
- Penetrating gunshot wound
- Penetrating knife wound

Description of Injuries/Explanation of serious bodily injury opinion (if applicable): _____

I do hereby attest that this information is true, accurate and complete to the best of my knowledge, and I understand that any falsification, omission, or concealment of material fact may subject me to administrative, civil, or criminal liability.

Name of provider (printed)

Signature of provider Date Time

"Serious Bodily Injury" means bodily injury which, either at the time of the actual injury or at a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree. CRS 18-1-901 (3)(p)
Please see Senate Bill 23-034 for addition of Penetrating Gunshot and Knife Wounds