



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, DC 20301-4000

The Honorable William M. "Mac" Thornberry
Chairman
Committee on the Armed Services
U.S. House of Representatives
Washington, DC 20515

JUL 27 2015

Dear Mr. Chairman:

The enclosed report is in response to section 539 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2015 (Public Law 113-291), which requires the Department to submit a report on the adequacy of training and certifications for health care providers who conduct sexual assault forensic medical examinations (SAFEs), including improvements considered appropriate in the processes to select, assign, train and certify health care providers who conduct SAFEs.

The Assistant Secretary of Defense for Health Affairs (ASD(HA)) requested information from the Services regarding their training and certifying programs for health care providers who conduct SAFEs. The Services' programs for training and qualifications of sexual assault medical forensic examiners enhance screening and selection, training and a certifying process to assure high quality, compassionate care to Active Duty Service members and Military Health System beneficiaries requesting SAFE services. These programs comply with section 539 of the NDAA for FY 2015.

The ASD(HA) is working with the Services and the Sexual Assault Prevention and Response Office to monitor ongoing Service program progress and improvements that are already underway.

Thank you for your interest in the health and well-being of our Service members, veterans and their families. A similar letter is being sent to the Committee on Armed Services of the Senate.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Carson", with a long horizontal flourish extending to the right.

Brad Carson
Acting

Enclosure:
As stated

cc:
The Honorable Adam Smith
Ranking Member



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UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, DC 20301-4000

The Honorable John McCain
Chairman
Committee on the Armed Services
United States Senate
Washington, DC 20510

JUL 27 2015

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The ASD(HA) is working with the Services and the Sexual Assault Prevention and Response Office to monitor ongoing Service program progress and improvements that are already underway.

Thank you for your interest in the health and well-being of our Service members, veterans and their families. A similar letter is being sent to the Committee on Armed Services of the House of Representatives.

Sincerely

A handwritten signature in black ink, appearing to read "Brad Carson", written over a white background.

Brad Carson
Acting

Enclosure:
As stated

cc:
The Honorable Jack Reed
Ranking Member

**Report Required by the Carl Levin and
Howard P. “Buck” McKeon National Defense
Authorization Act for Fiscal Year 2015,
Section 539: Report on the Training and
Qualifications of Sexual Assault Forensic
Examiners**



**Office of the Assistant Secretary of Defense
Health Affairs**

June 2015

The estimated cost of report or study for the Department of Defense is approximately \$ 14,000 for FY15. This includes \$0 in expenses and \$ 14,000 in DoD labor.

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Executive Summary

Introduction

The Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2015 (Public Law 113-291), section 539 required a report to the Committee on Armed Services on the adequacy of training and qualifications of sexual assault forensic examiners that includes:

- (1) An assessment of the adequacy of training and certifications for health care providers who conduct sexual assault forensic medical examinations (SAFEs),
- (2) Improvements considered appropriate in the process to select and assign for health care providers who conduct SAFEs, and
- (3) Improvements considered appropriate for training and certifying health care providers who conduct SAFEs.

Assessment of the Adequacy of Training and Certification

The Department of Defense (DoD) has designated the term “Sexual Assault Medical Forensic Examiner (SAMFE)” to describe all healthcare providers who are trained in the medical management needs and authorized to provide SAFEs for survivors of sexual assault. This includes all providers identified in the NDAA for FY 2015, section 539 (a)(1)-(2).

Department of Defense Instruction (DoDI) 6495.02 “Sexual Assault Prevention and Response Program Procedures” establishes policy to assure appropriate selection, assignment, training and certifying of SAMFEs. The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)) has reviewed Service reports and has found that the Services have adequate screening, selection, training and requirements for certifying that health providers meet the requirements to conduct SAFEs and practice as SAMFEs.

Improvements to Screening, Selection, Training and Certifying of Providers

The DoD expects to publish an enhancement to the policies that assure appropriate selection, assignment, training and certifying of SAMFEs by the end of August, 2015. Prior to the enactment of the NDAA for FY 2015, section 539, requirements for selection, screening, training and certification were covered by policy in a Secretary of Defense (SECDEF) memorandum signed on April 17, 2014. This memorandum directed the Acting Under Secretary for Personnel and Readiness, in coordination with the Secretaries of the Military Departments, to identify common criteria and standards for screening, selection, and training and, as applicable, certification/licensure of sensitive positions, including healthcare providers authorized to perform sexual assault forensic exams. Change 2 to the current policy (DoDI 6495.02, noted above) includes these improvements. OASD(HA) has reviewed Service reports and finds that the Services have implemented policies to assure appropriate selection, assignment, training and

certification of healthcare providers consistent with the SECDEF memorandum and section 539 of NDAA for FY 2015.

Screening and Selection

- The Services have reported that they have established enhanced selection processes for health providers to be trained to become SAMFEs.
 - All licensed providers must pass a National Screening Background Check.
 - The Centralized Credentials Quality Assurance System (CCQAS) database, a Department of Defense (DoD) automated credentialing information system for privileged providers, is used to track compliance with the criteria and training to perform SAFEs.
 - Information on compliance with sensitive position criteria and training to perform SAFEs is documented and in a tracking system for non-privileged nurses.
 - The only non-licensed independent providers who may be authorized to perform SAFEs are Navy Independent Duty Corpsmen (IDCs). They only would be assigned to perform SAFEs in isolated locations, such as a ship at sea, when there is not access to a licensed provider. They must be recommended by the command privileging authority prior to sensitive position assignment and must pass a background check that is free of a record of sex-related offenses, domestic violence or child abuse.

Training and Certifying of SAFE providers

- The Services have reported that they have appropriate training programs in place to assure that providers in the Military Health System (MHS) are trained and certified at the Service level as able to apply best practices and standards to conduct SAFEs.
 - All training programs meet or exceed the Department of Justice recommended standards in “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents,” April, 2013 and (both are the most current versions). However there are Service differences in the amount of time allotted to the training.
 - DoD will publish an update to the sexual assault policy in the near future that will reference the Department of Justice recommended standards “National Training Standards for Sexual Assault Medical Forensic Examiners,” June, 2006, which sets a standard of 40 hours for training.
 - In order to be authorized to perform SAFEs, all Services require that there is endorsement by a commanding officer or privileging authority noted in CCQAS or the performance tracking system (for nurses and IDCs) indicating completion of training.

- All Services require ongoing continuing competency assessment.

Summary

The Services' programs for training and qualifications of SAMFEs assure enhanced screening and selection to include a national background check and approval by a commanding officer or privileging authority and confirmation of completion of training and continued competency. However, there are differences between Services in the amount of time allotted to training. DoD will publish an update to the sexual assault policy in the near future that will reference the Department of Justice recommended standards "National Training Standards for Sexual Assault Medical Forensic Examiners," June, 2006, which sets a time standard of 40 hours for training

The ASD(HA) provides oversight of the capability to provide SAFEs to Active Duty Service members and other eligible beneficiaries who are sexual assault survivors presenting to military treatment facilities (MTFs) through review of Service annual reports. Additionally, OASD (HA) monitors the program performance related to healthcare management on an ongoing basis throughout the year by participation in the Sexual Assault Prevention and Response Integrated Program Team and the Health Affairs Women's Health Issues Working Group (HAWHIWG). The HAWHIWG, chaired by a representative of OASD (HA) and attended by representatives from all Services, includes discussions of issues related to the healthcare management of both male and female survivors of sexual assault.

Department of Defense Response to NDAA FY 15, Section 539

Introduction

The Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), section 539 required a report to the Committee on Armed Services of the House of Representatives and the Senate on the adequacy of training and qualifications of sexual assault forensic examiners that includes:

- (1) An assessment of the adequacy of training and certifications for health care providers who conduct sexual assault forensic medical examinations (SAFEs),
- (2) Improvements considered appropriate in the process to select and assign for health care providers who conduct SAFEs, and
- (3) Improvements considered appropriate for training and certifying health care providers who conduct SAFEs.

Assessment of the Adequacy of Training and Certification

The Department of Defense has designated the term “Sexual Assault Medical Forensic Examiner (SAMFE)” to describe all healthcare providers who are trained in the medical management needs and provide SAFEs for survivors of sexual assault. This includes all providers identified in section 539 of the NDAA for FY 2015.

Department of Defense Instruction (DoDI) 6495.02 “Sexual Assault Prevention and Response Program Procedures¹” establishes policy to assure appropriate selection, assignment, training and certifying of SAMFEs. The Office of the Assistant Secretary of Defense for Health Affairs (OASD(HA)) has reviewed Service reports and has found that the Services have adequate screening, selection, training and requirements for certifying that health providers have meet the requirements to conduct SAFEs.

Improvements to Screening, Selection, Training and Certifying Providers

The DoD expects to publish an enhancement to the policies that assure appropriate selection, assignment, training and certifying of SAMFEs by the end of August, 2015. Prior to the enactment of the NDAA for FY 2015, section 539, requirements for selection, screening, training and certification were covered by policy in a Secretary of Defense (SECDEF) memorandum signed on April 17, 2014². This memorandum directed the Acting Under Secretary for Personnel and Readiness, in coordination with the Secretaries of the Military Departments, to identify common criteria and standards for screening, selection, and training and, as applicable,

¹ <http://www.sapr.mil/public/does/directives/649502p.pdf>

² http://www.dodig.mil/ELetter/Documents/announcementProjects/SUCDEF_Sensitive_Position_Screening_Memo.pdf

certification/licensure of sensitive positions, including healthcare providers authorized to perform sexual assault forensic exams. Change 2 to the current policy (DoDI 6495.02, noted above) includes these improvements. OASD(HA) has reviewed Service reports and finds that the Services have implemented policies to assure appropriate selection, assignment, training and certifying that healthcare providers trained to perform SAFEs comply with both the SECDEF memorandum and section 539 of the NDAA for FY 2015.

Screening and Selection

- The Services have reported that they have established enhanced selection processes for SAMFEs.
 - All licensed providers must pass a National Screening Background Check.
 - The Centralized Credentials Quality Assurance System (CCQAS) database, a Department of Defense (DoD) automated credentialing information system for privileged providers, is used to track compliance with the criteria and training to perform SAFEs.
 - Information on compliance with sensitive position criteria and training to perform SAFEs is documented and in a tracking system for non-privileged nurses.
 - The only non-licensed independent providers who may be authorized to perform SAFEs are Navy Independent Duty Corpsmen (IDCs). They only would be assigned to perform SAFEs in isolated locations, such as a ship at sea, when there is not access to a licensed provider. They must be recommended by the command privileging authority prior to sensitive position assignment and must pass a background check that is free of a record of sex-related offenses, domestic violence or child abuse.

Training and Certifying SAFE Providers

- The Services have reported that they have appropriate training programs in place to assure that providers in the Military Health System (MHS) are trained and certified at the Service level as able to apply best practices and standards to conduct SAFEs.
 - DoD has published an update to the sexual assault policy (DoDI 6495.02, Incorporating Change 2, Effective July 7, 2015) that adds reference to the Department of Justice recommended standards “National Training Standards for Sexual Assault Medical Forensic Examiners,” June, 2006, which sets a standard of 40 hours for training. This establishes a common standard for training requirements for the services.
 - In order to be authorized to perform SAFEs, all Services require that there is endorsement by a commanding officer or privileging authority noted in CCQAS or the performance tracking system (for nurses and IDCs) indicating completion of training.
 - All Services require ongoing continuing competency assessment

Service Responses

Army

- All Army SAMFE applicants must have enhanced background screenings that include the Department of Justice Sex Offender Registry check, Army Central Registry Check and local criminal investigation division background checks.
- Army SAMFE training provides a comprehensive education program based on the DoJ National Protocol and the DoJ Training Standards.^{4, 5}
- The training program prepares students to work in coordination with other responders to meet the medical and behavioral health care needs, documentation of injuries and the collection of forensic information to support the needs of adolescent/adult sexual assault patients who present for a SAFE.
- The Army Medical Command (MEDCOM) SAMFE training is divided into two phases; (1) a two- week, 80-hour didactic/clinical skills training and (2) final competency assessment within six months of finishing the training, to verify proficiency in the performance and skills at their home duty station. Training must be completed in sequence and successful completion of both phases is required within the specified time-frame to receive the SAMFE completion certification and achieve the SAMFE certificate of competency.
- The MEDCOM SAMFE training is the preferred training method for Army personnel, other training methods, including civilian Sexual Assault Nurse Examiner (SANE) training, must obtain approval from the MEDCOM Sexual Harassment/Assault Response and Prevention (SHARP) Program Office.
- SAMFE candidates are not issued a certificate of completion by the MEDCOM SHARP Program Office until training is completed, and, at their home duty station the candidate has:
 - Conducted three supervised SAFEs with an approved SAMFE preceptor who has provided verification in writing.
 - Undergone a “mock” direct and cross examination by an attorney and proctored by a preceptor.
 - Observed a Case Management Group (CMG)/Sexual Assault Review Board (SARB) meeting.

⁴ U.S. Department of Justice, Office on Violence Against Women, “A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents,” April, 2013. <https://www.ojvw.gov/pdf/ovw/241903.pdf>

⁵ U.S. Department of Justice, Office on Violence Against Women, “National Training Standards for Sexual Assault Medical Forensic Examiners,” June, 2006. <https://www.ojvw.gov/pdf/ovw/213827.pdf>

- Annual verification of clinical competencies is necessary to continue in the role of a SAMFE. This includes:
 - Conducting a minimum of three SAFEs within the past 12 months.
 - A minimum of four sexual assault- specific continuing education hours annually.
 - Documentation of a Sexual Assault Medical Director (SAMD)-led case review.

Navy

- Licensed independent providers receive criminal background checks as part of the credentialing process prior to assuming patient care duties. Non-licensed Independent Providers are required to be endorsed by the command privileging authority prior to sensitive position assignment.
- Navy SAMFE training is a multidisciplinary training appropriate for registered nurses, advanced practice nurses, physicians, physician assistants and independent duty corpsmen (IDCs). Licensed providers and IDCs who are trained, credentialed/certified and/or privileged to perform pelvic and genitalia examinations receive 15 hours of training produced in two DVDs.
 - The first DVD was produced jointly by the International Association of Forensic Nurses and Dartmouth-Hitchcock Medical Center administered via a grant provided by the Department of Justice and meets the criteria detailed in the DoJ National Protocol⁶.
 - The second DVD covers topics specific to Navy Medicine and provides links to guiding policy.
 - The DVD training includes demonstration of knowledge mastery in each section that acts as a gateway to advance to the final module
 - Both DVDs are mapped to and are aligned with the DoJ National Protocol⁷.
- Health providers without pelvic or genitalia examination competency or privileges must complete the Navy Medicine Sexual Assault Forensic Examination Competency Assessment in addition to the DVD trainings annually.

⁶ U.S. Department of Justice, Office on Violence Against Women, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," April, 2013. <https://www.ojvaw.gov/pdffiles1/ovw/241903.pdf>

⁷ Ibid

- Upon completion of required DVD training and competency assessment, if required, the trainings are entered into the Fleet Management & Planning System (FLTMPS) and must be endorsed or certified by the privileging or command authority.
- The privileging or command authority is responsible for assurance that providers remain current on their skills.

Air Force

- All privileged providers undergo screening attestation statements on professional competence, moral character, ethical conduct, mental health and substance abuse on accession and every two years thereafter reflected on the application for privileging. This information is documented in the CCQAS database.
- Providers both privileged and non-privileged are held accountable to the Air Force Clinical Code of Conduct for unprofessional and disruptive behaviors that threaten the provision of safe, high quality care.
- AF medical treatment facility (MTF) personnel who perform SAFEs must meet the minimum requirements for initial and refresher training including:
 - A minimum of a 40-hour forensic SAFE training course and five accurately performed case/mock exams reviewed by a competent sexual assault examiner.
 - Refresher requirements include accurate accomplishment of five case/mock exams per year as reviewed by a competent SAMFE. In addition, the initial training of 40 hours may be repeated to fulfill annual refresher training needs.
 - Those AF MTF personnel who perform SAFE must repeat initial training every five years.
- In 2014 the Air Force began using the Army SAMFE course described above.
- After attending a formal SANE/SAFE/SAMFE course, graduates maintain proof of completion of certification and training requirements in either their credentials record via CCQAS or in their Competency Assessment Folder (non-privileged nurses)
- The Chief of the Medical Staff (SGH) and Chief Nurse (SGN) are responsible for ensuring that all providers including and nursing staff maintain required certifications and that staff meet all training requirements to include mandatory recertification requirements.
- Documentation of training and competency assessment will be completed prior to performance of SAFEs in MTFs.

Summary

The Services' programs for training and qualifications of SAMFEs assure that enhanced screening and selection to include a national background check and approval by a commanding officer or privileging authority and confirmation of completion of training and continued competency. These improvements were made in response to a DoD SECDEF memorandum, dated April 17, 2014⁸, and comply with section 539 of NDAA for FY 2015.

40
hours

However, there are differences between Services in the amount of time allotted to training. DoD will publish an update to the sexual assault policy in the near future that will reference the Department of Justice recommended standards "National Training Standards for Sexual Assault Medical Forensic Examiners," June, 2006, which sets a time standard of 40 hours for training

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⁸ http://www.dodig.mil/EI/attest/Documents/announcementProjects/SECDEF_Sensitive_Position_Screening_Memo.pdf