

# North Dakota Board of Nursing Practice Guidance Sexual Assault Forensic Examination Procedures

Guidance regarding the interpretation and application of the Nurse Practices Act may be adopted by the Board as a means of providing direction to licensees and stakeholders who seek to ensure safe nursing practice and address issues of concern relevant to public protection [*Nurse Practices Act (NPA), North Dakota Century Code (NDCC) 43-12.1-08 (2)(p)*].

*Board approved practice guidance does not carry the force and effect of the law/rules. Each licensed nurse is "responsible and accountable to practice according to the standards of practice prescribed by the board and the profession"; and must "accept responsibility for judgements, individual nursing actions, competence, decisions, and behavior in the course of nursing practice" (Standards of Practice, North Dakota Administrative Code (NDAC) 54-05-01-07 and 54-05-02-04). "Competence" means the application and integration of knowledge, skills, ability, and judgment necessary to meet standards (NDAC 54-01-03-01(16)).*

## **This practice guidance is NOT intended to apply to:**

The licensed practical nurse.

## **Role of the RN**

The RN may collect evidence from the sexual assault victim in compliance with the North Dakota Sexual Assault Evidence Collection Protocol and in accordance with facility policy.

It is within the scope of practice of an RN to perform a vaginal speculum/colposcopic exam for the purpose of collecting specimens from the sexual assault victims following these requirements:

- 1) Satisfactory completion of formal advanced education in forensic examination of sexual assault victims;
- 2) Documentation of satisfactory completion of the course of instruction is on file with the employer;
- 3) The registered nurse has the knowledge skills and judgement for the task;
- 4) Qualified backup is available; and
- 5) It is within the employer's policies.

Adopted: 9/99

Reviewed/Revised: 10/19

## **References:**

*A National Protocol for Sexual Assault Medical Forensic Examinations (Adults/Adolescents), Second Edition* U.S. Department of Justice; Office on Violence Against Women: April 2013

North Dakota Administrative Code, Article 54-05. Standards of Practice. Retrieved from:  
<http://www.legis.nd.gov/information/acdata/html/54-05.html>.

North Dakota Century Code, Chapter 43-12.1. Nurse Practices Act. Retrieved from:  
<http://www.legis.nd.gov/cencode/t43c12-1.pdf>.

*North Dakota Sexual Assault Evidence Collection Protocol – 5<sup>th</sup> Edition*, North Dakota Office of the Attorney General, North Dakota Council on Abused Women’s Services/Coalition Against Sexual Assault in North Dakota and The Otto Bremer Foundation, Bismarck, ND: December 2014.

*Sexual Assault Nurse Examiner (SANE) Education Guidelines*, International Association of Forensic Nurses, Elkridge, MA, 2018