



S.A.N.E. of Butler County

Drug Facilitated Sexual Assault Screening - Update Mandatory In-Service Training Module

- *This is a Mandatory in-service training module that must be read and reviewed by each employee in orientation or periodic updates as needed. After completion of reviewing the material, each employee must confirm that the material was reviewed to acknowledging that they are confident and comfortable with this treatment process for drug facilitated sexual assault screening and will adhere to the requirements and protocols for such screening.*

Attached with this Ohio Attorney General Protocol for Drug Facilitated Sexual Assault. This document **MUST** be reviewed.

What is a drug facilitated sexual assault kit?

A drug facilitated sexual assault kit (DFSA kit) is a kit that is collected in the event that the assault occurred with the possibility that an agent was **voluntarily or involuntarily ingested to alter the patient's ability to provide consent for sex or any other act of a sexual nature.** Contents of each kit usually contain a lab tube for blood collection and a container for urine collection and other supplies for collection of the specimens. There is no standardized kit that may be used, they vary between different kit manufacturers. This kit is known to law enforcement as a DUI Blood/Urine Kit. Law enforcement will not recognize these kits called by any other name (such as a drug facilitated sexual assault kit). Some law enforcement officers will NOT be familiar with the State of Ohio protocols or reasoning for collecting a DFSA kit for a SANE patient. Again, they are known to law enforcement to as a DUI Blood/Urine Kit. This process must be explained by the SANE to law enforcement if they are not familiar upon time of exam/specimen collection. **An important note is that the SANE should educate law enforcement that the DFSA kit MUST be refrigerated to retain the integrity of the samples collected.**



When to collect a drug facilitated sexual assault kit?

A drug facilitated sexual assault kit (DFSA kit) must be collected if there is suspicion that any drugs were used in the facilitation of the sexual assault. **The ingestion may be voluntary or involuntary.** The important think to remember is that any substance that may affect the patient's ability to rationally provide consent to sex. Again, the SANE will NOT conduct a routine screening on each patient. It is the responsibility of the SANE to recognize the appropriate reasons to collect a DFSA. Below are common signs or symptoms, which may lead to a DFSA collection if recognized during the examination.

Symptoms of a potential drug facilitated sexual assault:

If a patient reports to the SANE that they voluntarily ingested a substance prior to the assault then consideration should be made to collect a DFSA kit. The patient may also report certain symptoms that should trigger collection. Reported symptoms experienced by victims of DFSA event may include, but are not limited to:

- **confusion**
- **lack of muscle control**
- **decreased heartbeat**
- **loss of consciousness**
- **dizziness**
- **nausea**
- **gross or fine motor impairment**
- **drowsiness**
- **reduced blood pressure**
- **impaired judgment**
- **reduced inhibition**
- **impaired memory**
- **impaired thought process**
- **noticeable impairment of ADL's**
- **unsteady gait**
- **slurred speech**
- **no memory of the assault**

Alcohol:

Each SANE must also remember that **alcohol** can also be considered a drug that can be used in the facilitation of sexual assault. In fact, alcohol is the most common drug that is associated with drug facilitated sexual assault. Alcohol can be consumed by the victim and if the victim has a noted impairment to judgment or reasonable thinking, this by Ohio Revised Code and Ohio State law can be considered a drug facilitated sexual assault, because they are not able at that time to consent due to impaired judgment and reasoning. For this instance, the same DFSA kit would be warranted to be collected from the patient. There can be some confusion with questioning if a DFSA kit should be collected when alcohol is involved. Again, it is our local and state protocol to NOT perform a routine DFSA kit on every patient. However, if the SANE patient presents to the medical facility with a noticeable impairment of reasonable judgment or thinking, has a noted impairment (*see symptoms above*) or other noted deficits, a DFSA kit should be collected from this patient. Another common symptom of a DFSA is a “cameo appearance”. The patient may report episodes of events being “unclear” or only remembering parts of the events or “flashes” of memory. A DFSA kit would be collected in this instance as well. This is a major component in a court of law during the prosecution of perpetrators. **A DFSA may be the only piece of evidence that shows the victim was unable to give clear and appropriate consent!**



Why can't the court system use the blood/urine results from the hospital?

Just the same as a chain of custody must be completed for the sexual assault evidence/rape kit, a chain of custody must be completed for the drug facilitated sexual assault kit. The normal process for blood-work or urine that is drawn by the hospital staff will not be permitted in the court of law that aids in prosecution of a sexual offender. The reason for this is due to the fact that there is a disruption in the chain of custody of the specimens collected as soon as the blood or urine is sent to lab. There must be a signature or “paper trail” for every person that is involved with handling the kit itself, or any evidence that is collected. As mentioned earlier, every DFSA kit is different, according to the particular law enforcement entity, and some kits may not contain a chain of custody in the kit itself. **A DFSA kit that does not contain a clear chain of custody will NOT be**

permissible to be used as evidence in a court of law. If the SANE does collect a DFSA kit and a chain of custody is not in the kit – it is the responsibility of the SANE to complete a chain of custody. Do not depend on law enforcement or hospital personnel to assist you with this, as they are not familiar with the requirements of the Ohio protocols that we follow.

Another reason that the court system is not able to use the blood/urine tests from a hospital is the fact that most hospital laboratories do not have the capability for detecting numerous items that may be used in a drug facilitated sexual assault. Every DFSA that is collected is sent to a Crime Laboratory for processing.

Where do I locate a DFSA if I need to collect a specimen from a victim?

Who do I give the DFSA kit to when it is collected?

SANES FORMERLY routinely requested the blood/urine kits from the law enforcement agency that had jurisdiction over the investigation of the assault. This process became very time consuming while waiting on the PD to respond with a blood/urine kit. The process was revised and SANE of Butler County OR the hospital that you are at now provides the DFSA kits. NOTE: NOT ALL HOSPITALS THAT RECEIVED SERVICES FROM OUR ORGANIZATION PROVIDES THE DFSA KITS. It is important to submit a supply request to the Director in the event that you need additional DFSA kits in between staff meetings. Staff meetings will be where the majority of supplies will be issues or exchanged.



DFSA kits stocked at facilities:

- **Kettering Medical Center**
- **Southview Medical Center**
- **Grandview Medical Center**
- **Fort Hamilton Hospital**
- **Sycamore Medical Center**
- **Greene Memorial Hospital**
- **Soin Medical Center**
- **Huber Heights Medical Center**

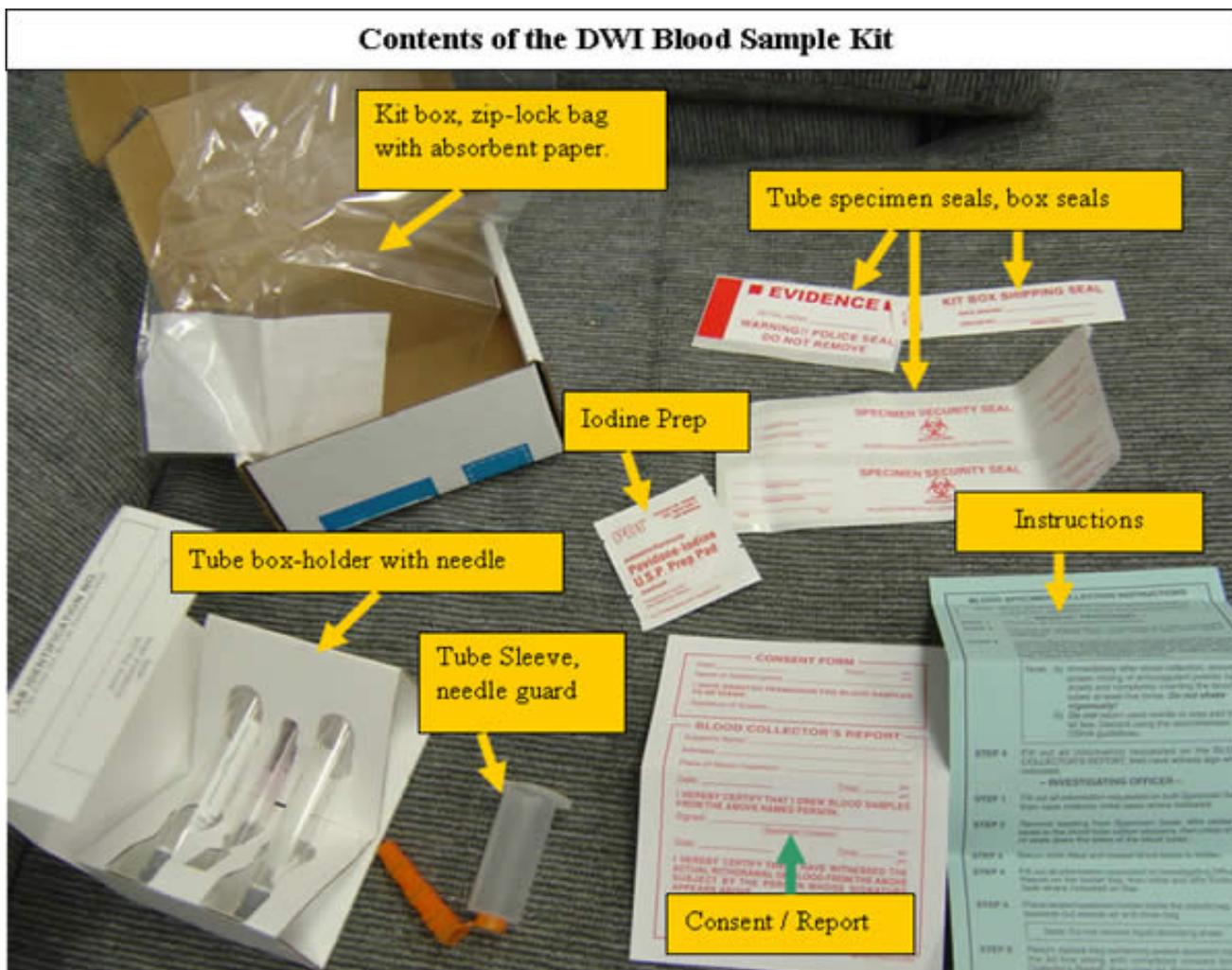
When you are at any of the above facilities that stock DFSA kits, you are to replenish your stock from those hospitals.

Who do I give the DFSA kit to when it is collected?

Just the same as a SANE is to turn over the sexual assault evidence/rape kit to the law enforcement entity where the assault occurred in, this is who the SANE will request the DFSA kit from and give the DFSA kit **and** the sexual assault evidence/rape kit to when the examination is completed. Timing should be a consideration if the SANE deems it appropriate to draw a DFSA kit. Certain drugs only remain in the system up to 4-6 hours after entering the body. More in depth timeframes will be discussed later in the training module. The SANE should consider collection of the DFSA kit upon first arriving to the hospital and before the SANE exam is initiated due to the narrow window of the body's metabolizing process of the drugs.

What are the contents of a DFSA kit or DUI Blood/Urine Kit?

Below is a SAMPLE of a DFSA (Blood/Urine) kit. Again, note that kits may vary between different manufacturers.



In the picture above is a sample of a DFSA blood sample kit. Other kits may have a small plastic container for collection of urine in the kit as well. Kits that do have a urine container will usually have a very small preservative, which is usually a white powder that must be emptied into the urine immediately after collection from the victim. Below are samples of the urine containers that may be found in DFSA kits:



The urine preservative is usually a white powder that will be emptied into the urine collection container immediately after the specimen is collected from the victim. **NOT ALL URINE KITS WILL HAVE A WHITE PRESERVATIVE POWDER.**

As previously mentioned, each kit may be different, depending on the law enforcement department the kit is obtained from. The above are samples from commonly used kits in this area. Each kit will have an instruction Sheet enclosed that is to be followed.



The blood collection tubes in the kits will have a white powder in the tube, which acts as an anticoagulant preservative for the blood sample. It is important to remember that after the sample is obtained from the victim – the SANE should slowly and completely invert each tube of blood to mix the anticoagulant preservative powder with the sample.

DO NOT SHAKE VIGOROUSLY!!!!



A non-alcohol based skin cleanser must be used with the blood specimen collection. This will be provided in the kits.

What do to with the paperwork that is already inside the blood/urine kit?????

The simple answer is to **THROW IT AWAY**. The commonly found paperwork inside a DFSA kit contains a consent/chain of custody and an instruction pamphlet. We use **OUR OWN** consent form and chain of custody so the paperwork inside the DFSA kit is not necessary and can cause confusion. Discard the paperwork inside the DFSA kit and utilize the SANE of Butler County paperwork instead.

What is the proper collection process for a DFSA kit?

Once the patient has been informed about the purpose and collection process of the DFSA kit:

CHECK THE EXPIRATION DATE ON THE DFSA KIT – Do not use an expired kit!

(This is usually found on the outside of the box)

STEP I. Consent and chain of custody form:

1. Have the patient sign the SANE of Butler County consent form for Drug Facilitated Sexual Assault Screening Collection. (sample on next page)
2. Complete a DFSA Screening Worksheet. A copy of this form will be placed inside the kit prior the SANE sealing the kit. (sample on next page)

COPIES OF BOTH FORMS SHOULD BE PLACED INSIDE THE DFSA KIT

Consent for Blood/Urine Collection for Testing – (Form E)

I _____, voluntarily give consent to S.A.N.E. of Butler County, Inc., to obtain a blood and/or urine samples. I have been informed of the purpose of such test(s) to be performed and the steps and process for the collection of the blood and/or urine samples. I understand that I have the right to refuse such testing. I have been informed that results from any and all testing that I consent to can be used in a court of law for the purpose of prosecution of this crime. I understand that the results of such testing may reveal prescription or illegal drug use that may not be related to the reported assault. Use of illegal substances that may constitute felonious criminal activity may result in ineligibility for Crime Victims Compensation Funding. I authorize release of my name and other identifying information to S.A.N.E. of Butler County, Inc. and to the respective law enforcement agency along with the blood and/or urine samples for use in the investigation and prosecution of the reported crime. I release S.A.N.E. of Butler County, Inc. from any and all liability that can be associated with the collection process or use of the samples obtained.

Signature of patient

Print name of patient

Date and Time of Signature

Specimen Collector's Report

I hereby certify that I collected the specimen from the patient: Circle Specimen BLOOD URINE

Signature of RN collecting specimen

Print name of RN collecting Specimen

Date and Time of specimen collected

I hereby certify that I witnessed the actual blood draw or collection of urine from the above named individual:

Signature of witness

Print name of witness

Date and Time of witness

SANE of Butler County
Drug Facilitates Sexual Assault Screening Worksheet (Form J)

This form should be utilized by the S.A.N.E. for a suspected drug facilitated sexual assault examination/kit collection. A copy of this form should be given to the Law Enforcement entity that collects the DFSA and a copy to the Executive Director. The original should remain with the Medical Records at the Hospital/Medical Facility.

What signs does the S.A.N.E. observe from the patient that may prompt a Drug Facilitated Sexual Assault Kit collection?

What symptoms is the patient reporting that may prompt a Drug Facilitated Sexual Assault Kit collection?

If loss of consciousness occurred or impaired memory, what estimated time did this occur?

Was urine collected from the patient? Yes / No
How many times did the patient urinate since the reported assault prior to specimen collection? _____
(Urine specimen should be collected as soon as possible after reported assault, and no later than 96 hours)

Was blood collected from the patient? Yes / No
(Blood specimens should be collected as soon as possible after the reported assault, ideally within 24 hrs)

Does the patient suspect a DFSA? Yes / No If Yes, Why? _____

Did the patient consume alcohol? Yes / No
What time did the patient start consuming alcohol? _____
What time did the patient stop consuming alcohol? _____
Estimate how many drinks the patient consumed? _____
Indicate type and size of drink(s) _____
Time of last meal? _____

List names of prescription medications or other medications that patient has voluntarily ingested within last 30 days:
(Be sure to include any medications administered at the medical facility/hospital)

*Include name, dose and frequency and date/time of last use:

List substances/names of illegal substances that the patient has ingested voluntarily within the last 30 days:

*Include name/substance, amount and date/time of last use

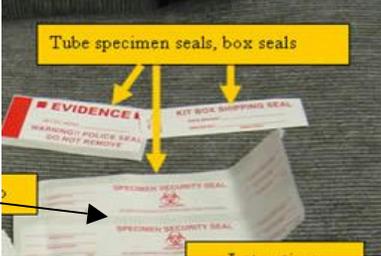
(Place Patient ID Sticker Here)

COPIES OF BOTH FORMS SHOULD BE PLACED INSIDE THE DFSA KIT WITH ORIGINALS TO BE KEPT WITH SANE DOCUMENTATION

STEP II. Blood Sample: NOTE: FOR BLOOD SAMPLE COLLECTION THE SANE IS TO ATTEMPT ONCE. IF UNSUCCESSFUL THEN REQUEST LAB OR THE PATIENT'S RN TO COLLECT THE SPECIMEN. It does not HAVE to be the patient's RN that collects the sample. It can be a phlebotomist from the department or lab.

1. Blood should be obtained from the patient using the following steps:
 - a. When collecting blood, skin cleansers containing alcohol should NOT be used, the non-alcohol based cleanser enclosed in the kit is to be used.
 - b. After cleansing the skin with the provided non-alcohol based cleanser, begin venipuncture for the specimen using tubes that are provided in the DFSA kit. Other blood collection tubes may not be used.



- c. Fill blood tubes(s) completely.
- d. Once blood tubes are filled, **slowly and gently** invert the tubes completely five to six times to mix the anti-coagulant preservative powder with the blood specimen.
- e. Complete the tube specimen seal labels for the blood tubes with the signature of the collecting RN, name of the patient and have a rape crisis advocate or hospital personnel sign as a witness (*this can be done on the officer signature line*). Affix the tube specimen seals over the blood tubes with the biohazard symbol on the top of the tube.
 
- f. Have the witness of the blood draw complete the witness section on the specimen collector's report, which is on the consent for SANE of Butler County staff, then return the blood tubes to the DFSA kit. If hospital personnel draw the sample of blood then the SANE should serve as the witness to the blood draw. **A patient family member, advocate or friend CANNOT sign as a witness to the collection.** The witness should be a hospital staff member.

III. Urine Sample

1. Urine should be obtained by the SANE using the following steps. **Never** use urine for a DFSA that you did not collect YOURSELF!

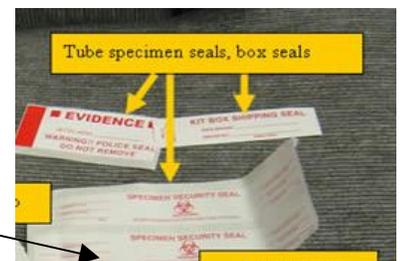
- a. Using the plastic urine container inside the DFSA kit, instruct the patient to fill the bottle to the marked line on the bottle or how otherwise specified in the kits instructions.



- b. Once the plastic urine container is filled, immediately empty the urine preservative that is provided in the kit into the urine sample.

Note: not all urine collection kits will have preservative powder

- c. Label the urine specimen similar to the blood collection tubes or how otherwise specified in the instructions.
- d. RN and the witness must then complete the specimen collector's report on the SANE of Butler County form as well as other forms if indicated on the DFSA kit.



Note: a clean catch urine sample should be AVOIDED due to the astringents in the cleaning cloths. They can alter the results of the DFSA testing. Instruct the patient to avoid any soaps, cleansing cloths or other agents while collecting the urine specimen.

IV. Packaging of Samples and Paperwork

1. The kit instructions should be followed when packaging all specimens.
 - a. There will usually be plastic bags with absorbent pads for the blood and/or urine samples in the kits. All items must be packaged according to the kits instructions that will be provided in the kit.
 - b. Once items are packaged into the absorbent bags, place items in the kit along with a COPY of the DFSA consent for collection AND the DFSA screening worksheet.
 - c. After all items and paperwork are placed in the kit, the kit should be closed using evidence tape to SEAL ALL SIDES OF THE BOX. This is the same as the SANE kits.
 - d. A copy of the DFSA consent and screening worksheet will be given to the PD, medical records and the Director.
 - e. The completed and sealed kit is then given to the appropriate law enforcement agency and the same agency that the sexual assault evidence/rape kit is given to. Remember to advise the PD to refrigerate the DFSA kit. This also includes campus police if signed over to them.

What is the timeframe that a DFSA kit should be collected?

The period of time date rape drugs will remain in the urine or blood depends on a number of variables, including the type of drug, amount ingested, the victim's body size and rate of metabolism, whether the victim has a full stomach, and whether she previously urinated. Recent evidence based research directs SANEs to collect a DFSA sample up to 96 hours due to increased sensitivity testing capabilities at many crime laboratories.

*In summary – a DFSA kit should be collected up to 96 hours after the sexual assault or potential ingestion of substances. Again, many victims are not aware of ingestion of such substances, so a DFSA kit should be done if the patient experienced ANY of the symptoms as discussed in this training module for **up to 96 hours**.*

Specimen types for collection will be as outlined below:

- **< (less than) 24 hours from ingestion = Blood Collection**
- **> (greater than) 12 hours from ingestion = Urine Collection**
- **Example: 16 hrs post assault = both urine and blood collection**



Ohio Attorney General Protocol for Drug Facilitated Sexual Assault Testing

There has been an increase in the use of some drugs to render a person incapacitated and more susceptible to sexual assault. Some of these drugs are available over-the-counter. Ingestion of drugs can result in a loss of consciousness and an inability to resist. Some drugs cause memory loss and incapacitation. Many victims of drug-facilitated sexual assault (DFSA) may not remember the assault itself.

It is important during the interview that the examiner assesses the possibility of a DFSA. Memory loss, dizziness, drowsiness, confusion, impaired motor skills, impaired judgment, or reduced inhibition during the interview or reported at the time of the assault may indicate the unintentional ingestion of Opiates, Benzodiazepines or other drugs. Some symptoms may still be present when the patient is speaking with you.

The health care provider must recognize the possibility of DFSA and act quickly to provide necessary care to the patient and preserve evidence. Collection must be done within 96 hours of the ingestion of the suspected drug. If the medical facility does not have a DFSA kit on site, use 2 gray top test tubes and a standard urine collection cup to obtain the samples. Permission must be obtained from the victim. The victim's urine is critical. Do not use the clean catch method of urine collection and collect as much urine as possible.

Securing urine for DFSA testing should only occur when there seems to be medical indications of their use or a statement of their use by the patient. When collected, specimens should be labeled, packaged, and sealed according to the DFSA protocol. **Do not place these items in the evidence collection kit.**

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Drug Facilitated Sexual Assault Protocol

If a patient presents at the hospital emergency department or other medical facility with a complaint of sexual assault and displays the following indicators, it is strongly recommended that a urine specimen be taken to test for drug facilitated sexual assault:

- Dizziness
- Drowsiness
- Impaired judgment
- Severe intoxication, feeling more intoxicated than usual after consuming alcohol, or feeling intoxicated after consuming a non-alcoholic drink
- Confusion
- Impaired motor skills
- Slurred speech
- Reduced inhibition

- Memory loss, including “snapshots” or “cameo memories,” possibly after consuming an alcoholic beverage
- Absent, inside-out, disheveled, or unfamiliar clothing
- Temporary paralysis or lack of body control
- Waking up feeling “strange” or fuzzy, or in a strange or different location without knowing how she/he got there
- A “feeling” that someone had sex with her/him, but inability to recall the incident
- The patient or accompanying person believes the patient was drugged

Prior to testing, the patient must be informed that any drugs in her/his system are likely to appear on the drug panel. This includes drugs unrelated to the sexual assault such as prescribed medication and illegal drug use that may have occurred separate from the assault – even if used weeks or months previously. Additionally, the patient must be informed that if she/he has voluntarily used illegal drugs that would constitute felonious criminal activity, she/he may be ineligible for Crime Victims Compensation. After receiving this information, the patient has the right to decline providing a specimen.

Prior to testing, the patient should be instructed that a negative result does not mean she/he was not drugged. Due to a number of reasons, including the speed with which the drug leaves the body and ideal timeframes for testing, the drugs can be very difficult to detect. In many instances, there is a high probability that even if a drug was used the test will come back negative.



<http://www.ohioattorneygeneral.gov/getattachment/8188c04e-94f9-421f-8d8c-b806c7ea26d1/Drug-Facilitated-Sexual-Assault-Protocol.aspx>