



OMED[®] 2020

ENVISION A PATH TO SUCCESS

OCT 15-18 —  — VIRTUAL



Care of the Forensic Patient in the Emergency Department

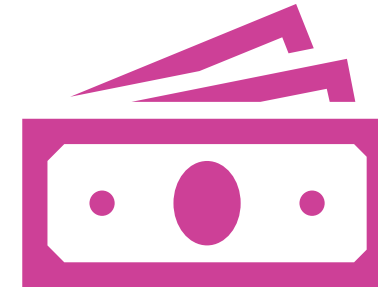
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Disclosures



Jessica Hobbs, DO, FACEP



I have no relevant financial disclosures



First, a case...

- 76 yo female cc: AMS
- VS HR 108 RR 14 O2 88%4L T100
- Brought in by daughter who is her full-time caretaker
- Patient comes in frequently for chronic back pain and has multiple opiate rx
- Today she is moaning, lethargic and minimally responsive to painful stimuli
- Daughter says that she last saw her normal yesterday morning

Case 1, continued



- Patient intubated
- Workup includes UDS, CT head, CXR, EKG, CBC, CMP, CK, UA, trop, lactic acid
- Drug screen negative
- CT head shows acute on chronic subdural hematomas
- Daughter now changes her story and states that she thinks she might have heard the patient fall

Case 2: You're just wrapping up Case 1 when...

Your ED comm center gets a word from EMS of shots fired and police response at local church

Ten minutes later you're notified of 20-50 anticipated patients with GSWs ETA 10 min

6 arrive by EMS with multiple GSWs
Police notify hospital admin of mass shooting ongoing

10 min later 20 adult trauma pts have arrived by EMS as well as 2 peds pts

Waiting room fills with family and walking wounded; security needed for crowd rushing door

10 additional trauma patients arrive, WR is full and patients are spilling into parking lot

Hospital goes on lockdown with diversion of all patients to other facilities

Suspect crashes car; taken into custody

Case 2: Mass Casualty Event

- Immediately the trauma surge begins. You:
 - Clear the waiting room
 - Discharge everyone you can
 - Admit everyone who can't be discharged
 - Push patients upstairs to clear the ED
 - Fill critical care areas with trauma patients
 - Save lives



Case 2: Mass Casualty Event

- As you do this, you wonder:
 - What can I do while caring for this patient that will help law enforcement with the investigation and prosecution of this case?
 - How can I care for this patient in a way that will help him get through the emotional trauma he is experiencing today?





Case 3

- 24 yo female presents for abdominal pain, vaginal discharge
- Patient is with male partner who does not want to leave patient in room for exam
- Pelvic exam finds vaginal vault stuffed with cotton balls, obvious vaginal discharge c/w STI



Case 3

- Patient is uncomfortable discussing sexual history, even after partner leaves
- You notice that her phone has been on the whole time you've been in the room even though she isn't talking to anyone
- You note multiple visits in her chart for STI checks, abdominal pain, and other visits related to somatic complaints



Case 2: “Sexual assault”

- 15 yo female presents to the ED with mom
- Mom states that she “caught” the patient having sex with her boyfriend, who is 19 years old
- Patient admits to sexual activity but tells you it was consensual



Case 2: “Sexual assault”

- Mom tells you that she is filing charges against the boyfriend and wants police at bedside
- She demands that you do an evidence collection kit
- Patient states that she doesn't want to notify the police, doesn't want to press charges and doesn't want to do evidence collection

Clinical Forensic Emergency Medicine



- Application of forensic medical knowledge and appropriate techniques to living patients in the emergency department
- For **survivors** of crime and violence
- Study of 100 charts from level 1 trauma center showed that
 - Documentation in 70% was “poor, improper or inadequate”
 - Evidence in 38% was “improperly secured, incorrectly documented, or inadvertently discarded”

Smialek J. Forensic medicine in the emergency department. Emerg Med Clin N Am. 1983;1(3):693-704

Clinical Forensic Emergency Medicine

- Most emergency medicine staff, including physicians, nurses and others, are not appropriately trained in forensic evidence collection or patient care



Smialek J. Forensic medicine in the emergency department. Emerg Med Clin N Am. 1983;1(3):693-704



Forensics in the ED

- Elder Abuse
- Child Abuse
- Mass Casualty Care
- Sexual Assault/Human Trafficking
- Trauma-Informed Care



Son shares grave warning, alleges negligence, abuse at Greenville senior living facility

2 days ago



South Carolina dead last in ranking of states for elder abuse protections

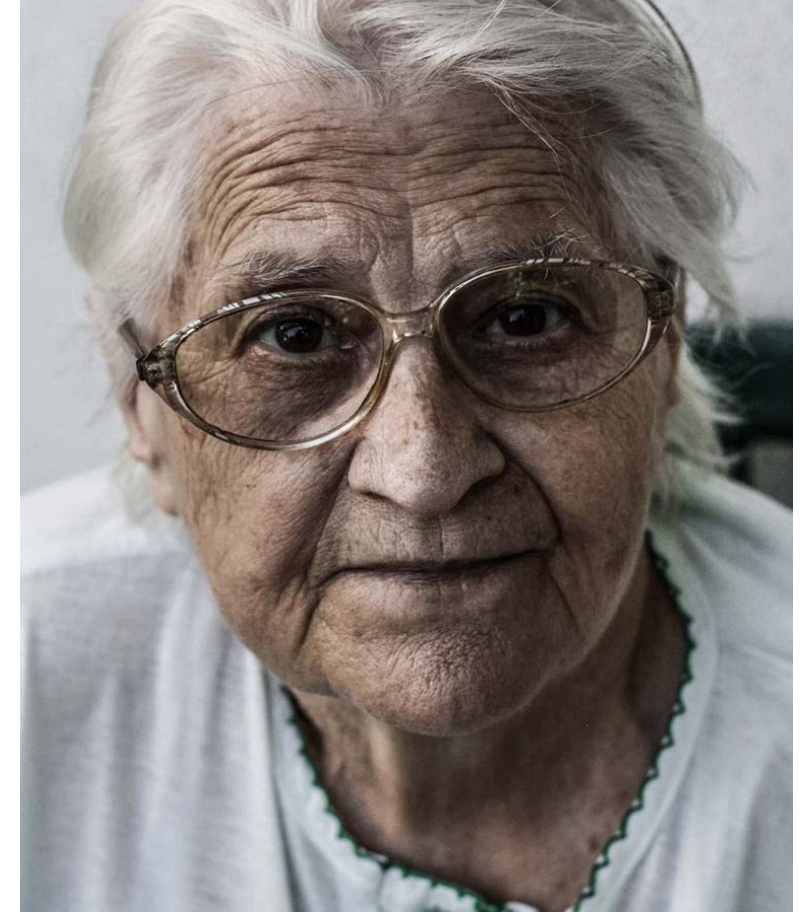
[Liv Osby](#), The Greenville News

Published 11:14 a.m. ET Dec. 4, 2018 | Updated 12:43 p.m. ET Dec. 4, 2018



Elder Abuse is an Epidemic

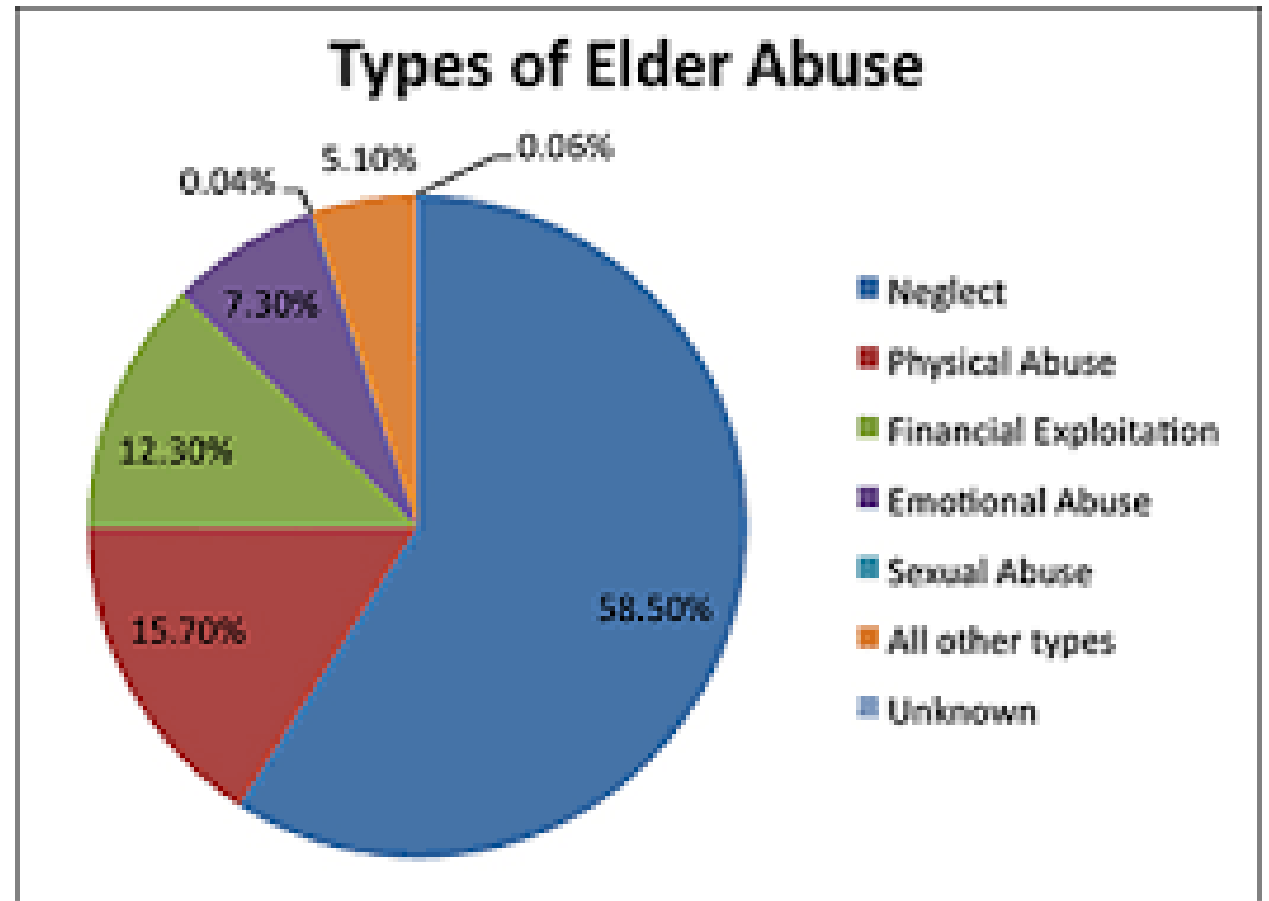
- By 2020 there will be 52 million Americans aged 65 and older
- Incidence of 7.6-10% elder abuse
- **Elderly use emergency services more than younger population, placing us in unique position to identify and intervene in cases of elder abuse**



2008 national population projections. US Census Bureau website. Available at: <https://www.census.gov/population/projections/data/national/2008.html>. Accessed November 18, 2014.

Elder Abuse

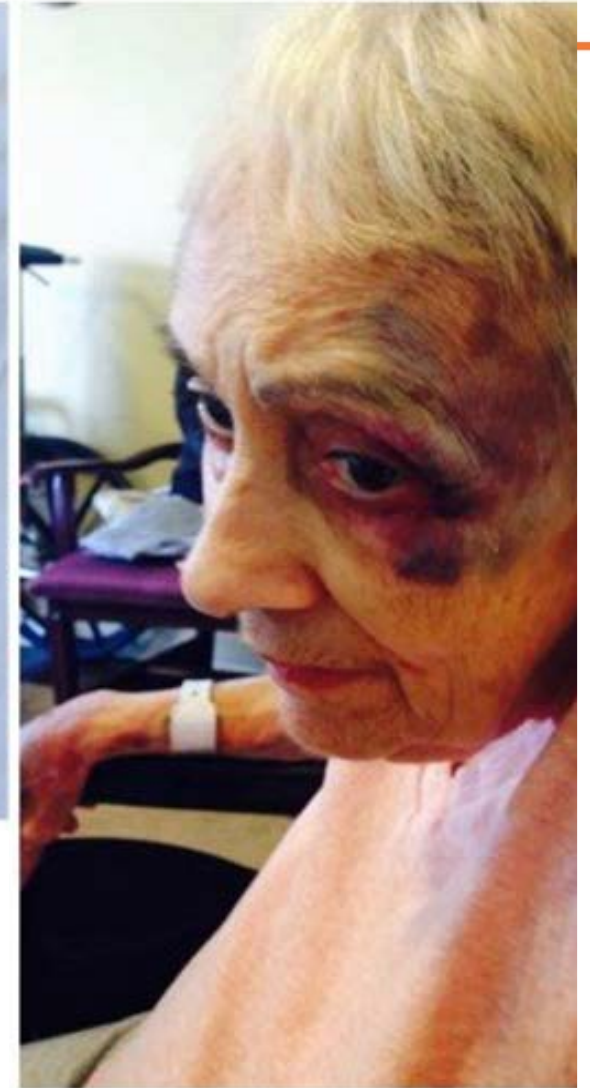
- Physical abuse
- Sexual abuse
- Emotional abuse
- Financial/material exploitation
- Neglect
- Abandonment
- Self-neglect



Under the radar: New York State elder abuse prevalence study. May 2011. New York State Coalition on Elder Abuse website. Available at: <http://www.nyselderabuse.org/prevalence-study.html>.

High Level of Suspicion is Key

- Patterns of injury
- Frequency and nature of visits
- Involvement of other family members
- Hospital admission
- Reporting to Adult Protective Services/Agency on Aging





Case 1, conclusion

- When asked further questions, patient's daughter breaks down
- Admits that last night, when patient wouldn't give her a bottle of pain medicine, the daughter struck her
- Patient was hit in the head and fell to the ground, hitting her head on table
- Police and APS contacted
- Charges filed against daughter
- Patient admitted to the hospital and placed by APS in extended care facility following discharge from hospital

Child Abuse

Greenville man facing 10 child sexual abuse material charges, AG says

| 🕒 Posted Jul 15, 2020 | 💬 0

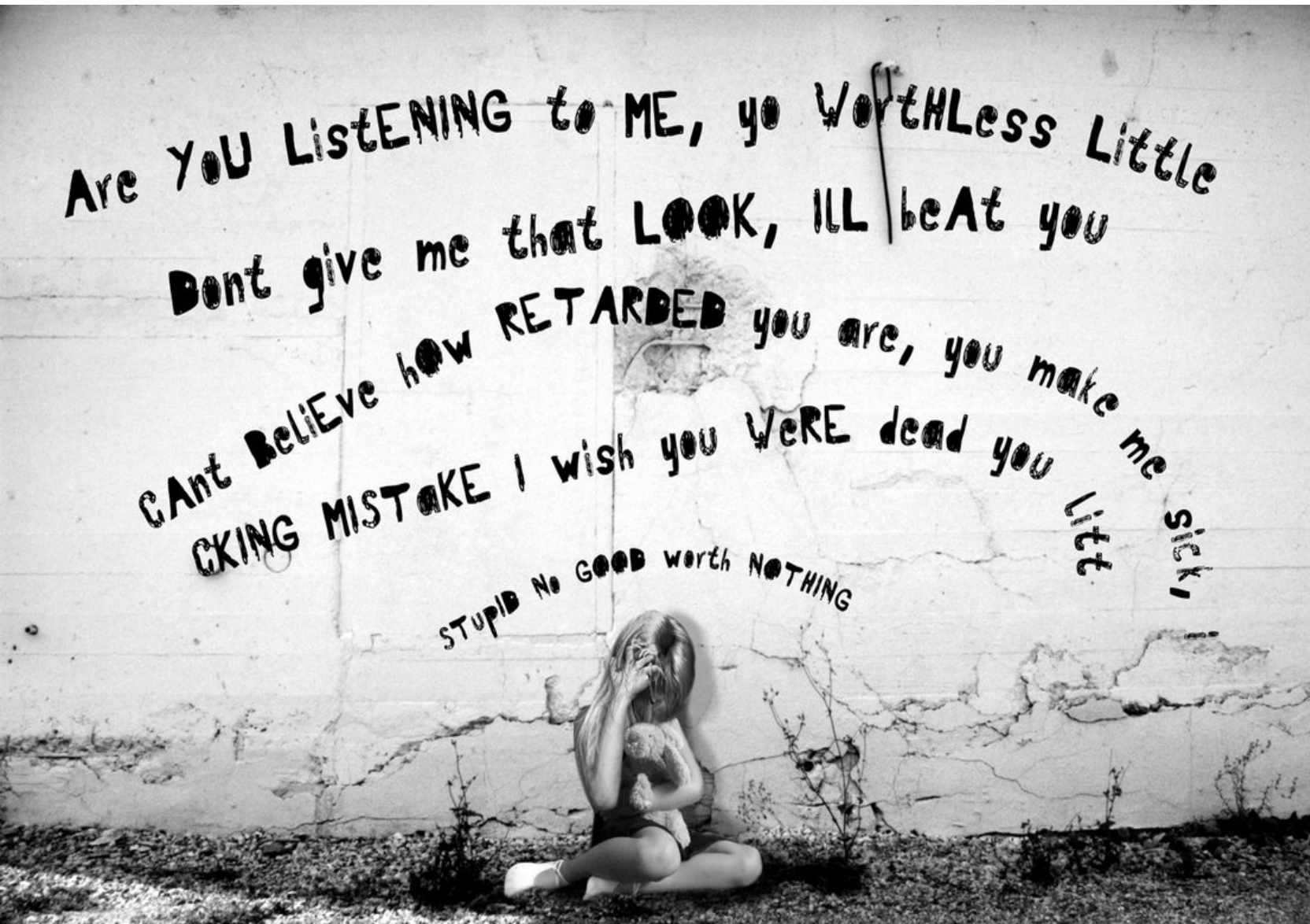
SC child abuse and neglect cases drop by 50% amid coronavirus pandemic

[Daniel J. Gross](#), Greenville News | Published 6:02 a.m. ET April 20, 2020

Child Abuse

- Do you have to report if you think a child is being abused?
- Who do you report to?
- What do you have to say or document?
- What happens to the child?
- What happens to the parents?





Child Abuse and Neglect Defined

- Physical or mental injury
- Excessive corporal punishment
- Sexual offenses
- Failure to supply food, clothing, shelter, education, medical care
- Abandonment
- Encouraging delinquency
- Substantial risk of abuse or neglect





When to Report

- Reason to believe:
 - child's physical or mental health or welfare
 - has been or may be adversely affected
 - by abuse or neglect

And this information is received in your professional capacity

Reason to Believe



Law requires report to be made when there is “reason to believe”



Does not require the reporter to have conclusive proof



Does not require proof beyond a reasonable doubt



Information must be such that a reasonable person would rely upon it, including hearsay

Failure to Report

- A person who is required to report child abuse and neglect and who fails to do so has committed a crime
- Doctors, EMTs and Nurses are mandatory reporters in most states
- Punishable by \$500 fine and/or 6 months imprisonment in SC
- Every state is different! Know your rules

Nuts and Bolts of Reporting

- Reason to believe
- Information received in your professional capacity
- You must report (can no longer cause a report to be made)
- Social worker can assist in reporting process (DSS)



Mass Casualty Event Care

2 dead, 8 injured at Greenville nightclub shooting where rapper Foogiano was performing

[Zoe Nicholson, Nikie Mayo and Kirk Brown](#), Greenville News

Published 7:14 a.m. ET July 5, 2020 | Updated 4:23 p.m. ET July 6, 2020

Mass Casualty Events

- “Our first priority is to save the patient’s life – life and limb over everything. Once we have achieved these goals, we also have a strong duty to the evidence.”



Boston Bombing: Finding Evidence in the ER. <https://www.medpagetoday.com/emergencymedicine/emergencymedicine/38518>

Mass Casualty Events

- Identify any potential evidence
 - Clothing related to injury patterns
 - Wood, plastic, metal fragments external to patient
- Treat ***everything*** as evidence
 - Collect in sealed container
 - Document chain-of-command
 - Timely turnover to law enforcement
 - Photo documentation in chart
- Don't be afraid to ask law enforcement for guidance!



Case 2, conclusion

- Christchurch shooting
 - 50 dead
 - 32 treated at local hospital
 - Suspect in custody and formally charged
- Forensic evidence collected by hospital will be used at trial



Sexual Assault and Human Trafficking

ORIGINAL REPORTING

Behind Closed Doors: International human trafficking ring busted in the Upstate



by: [Kirsten Glavin](#)

Posted: Jul 11, 2019 / 07:00 PM EDT / Updated: Jul 12, 2019 / 01:12 PM EDT

NEWS

Greenville Co. has second-highest rate of human trafficking in SC, report says

by: [Scottie Kay](#)

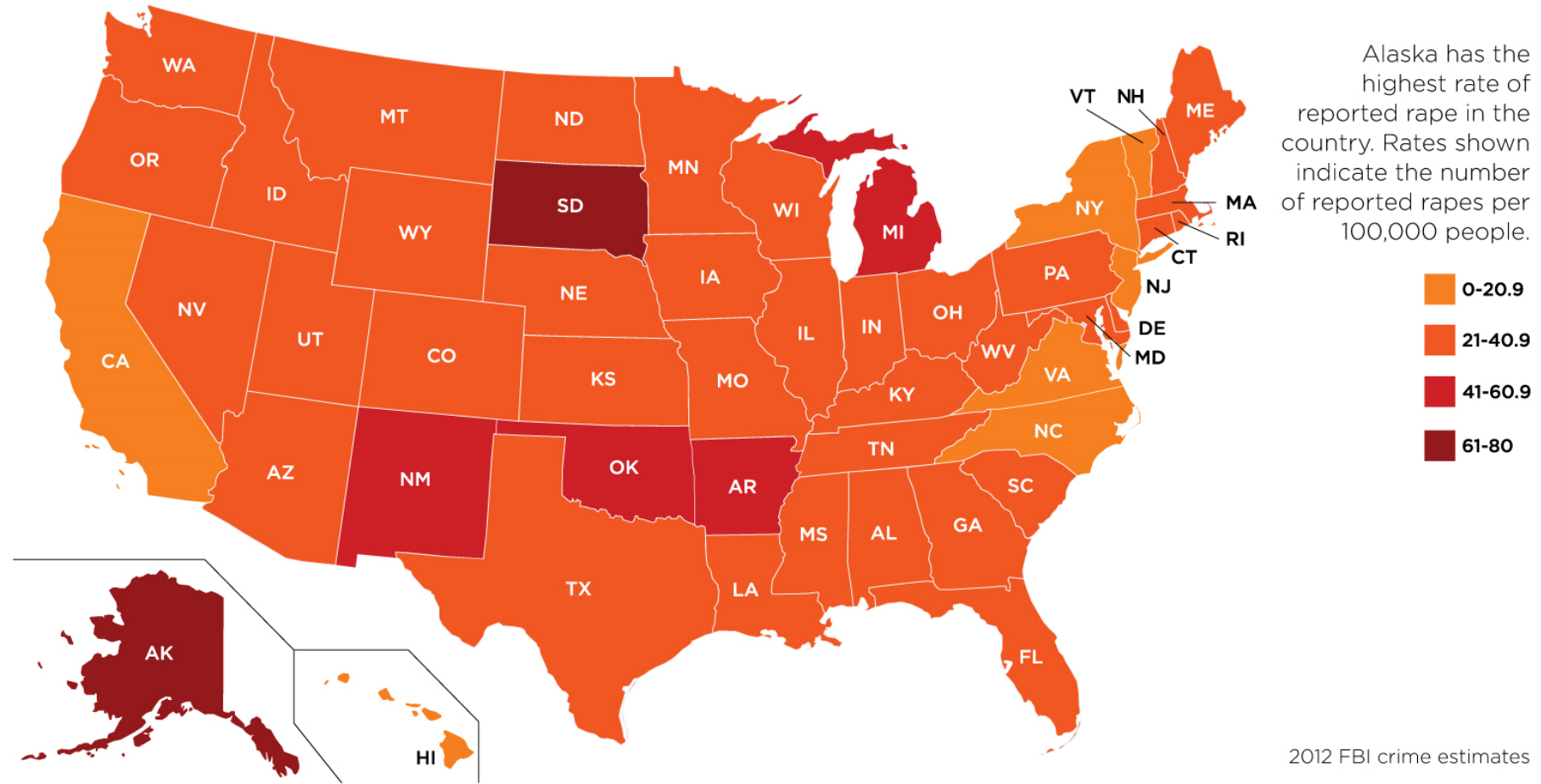
Posted: Jan 14, 2020 / 06:41 PM EST / Updated: Jan 14, 2020 / 06:41 PM EST

Every 92 seconds, an American is sexually assaulted.

And every 9 minutes, that victim is a child. Meanwhile, only 5 out of every 1,000 perpetrators will end up in prison.



HOW FREQUENT IS RAPE IN YOUR STATE?



Sexual Assault Nurse Examiner

Sexual Assault Nurse Examiners (SANE) are registered nurses who have completed specialized education and clinical preparation in the medical forensic care of the patient who has experienced sexual assault or abuse.



As a provider caring for a sexual assault victim, you must answer 3 questions:

1. Can the patient consent?
2. Did the event occur in a timeframe in which evidence collection is appropriate?
3. Is there a benefit to the forensic exam with evidence collection?

Can the patient consent to sexual activity?

- Age of consent for sexual activity is different based on state statute
 - SC age of consent is 16 years old
- “Romeo and Juliet” clauses exist in some states
 - In SC, if both are between 14-18 yoa and both “consent”, no mandatory law enforcement

Can the patient consent to forensic evidence collection?

- Any patient cannot consent if altered, intoxicated, obtunded, or otherwise without capacity for decision-making
- Pediatric patients **can** refuse forensic evidence collection, despite if parents want them to have it done
- You **can** provide STD treatment to pediatric patients without telling their parent or guardian



Can this 15 yo patient consent to sexual activity?

NO—Regardless of the age of her partner, she is younger than the legal age of consent in South Carolina.

You are required by South Carolina law to report this to the police.

Does this patient need forensic exam with evidence collection?

- The purpose of evidence collection is to pursue criminal charges through a court of law
 - Does the patient want to press charges or are they considering it in the future?
 - Can collect as anonymous patient
 - Patient has a year to decide on pressing charges

- Assault must have occurred within appropriate timeframe
 - Up to 5 days (120 hours) for adults
 - Up to 3 days (72 hours) for peds
 - Up to 1.5 days (36 hours) for peds 10 and under

- Assault must be a type of assault that will yield evidence
 - Semen, blood, hair, saliva, touch, foreign objects
 - Vaginal/anal, oral, topical



Does this patient need a forensic exam with evidence collection?

NO—This patient is allowed to refuse this exam. Despite mom's wishes, the patient cannot be forced to participate in forensic evidence collection.



Case 2, conclusion

- Patient refused evidence collection but did agree to STD testing and treatment
- Event was reported with assistance of social worker as required by state law
- Police take report from mom and will be investigating

Three Elements of Human Trafficking

PROCESS

Recruiting
OR
Harboring
OR
Moving
OR
Obtaining
a person,

MEANS*

by
Force
OR
Fraud
OR
Coercion

END

For the purposes of
Involuntary Servitude
OR
Debt Bondage
OR
Slavery
OR
Sex Trade

*No means required when under 18 victim.



Coalition to Abolish Slavery & Trafficking (CAST), 2006..

An Under-Identified Crime

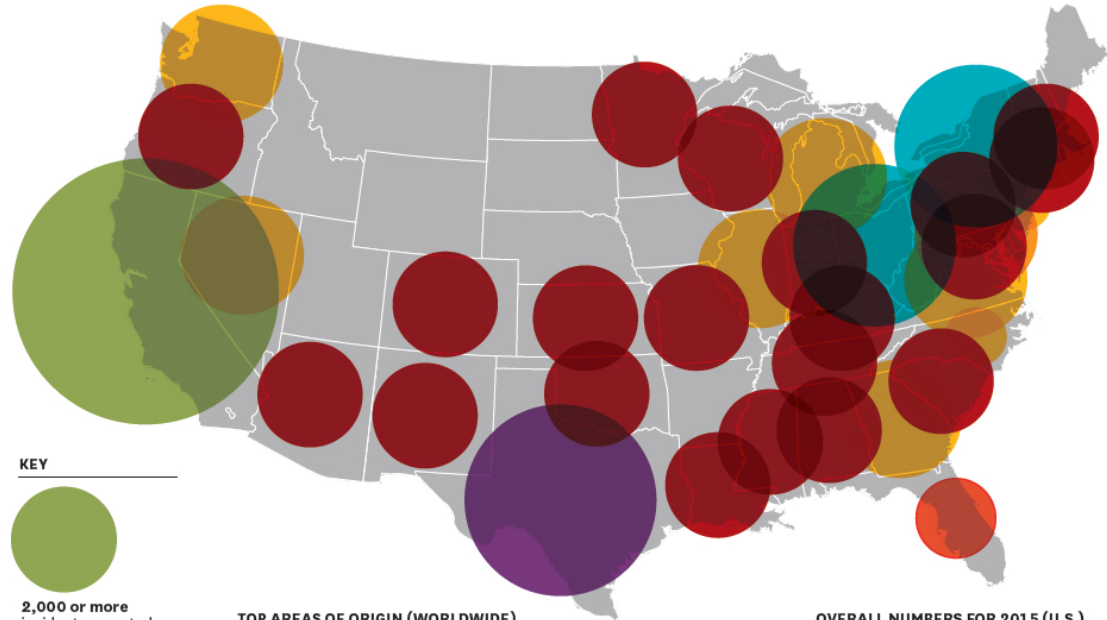
Some rough estimates of the scope of the problem:

- In the U.S. 14,500-17,500 men, women and children trafficked annually
- 2 million people trafficked worldwide annually
- 27 million people in slavery around the world
- 9 billion dollar business
- 1600+ certified victims through 2010

Coalition Against Slavery and Trafficking (CAST), 2018



Human Trafficking is an International Crisis



KEY



2,000 or more incidents reported.



1,000 or more incidents reported.



500 or more incidents reported.



250 or more incidents reported.



50 or more incidents reported.

TOP AREAS OF ORIGIN (WORLDWIDE)

11.8 million

SOUTH AND CENTRAL AMERICA

11.7 million

ASIA-PACIFIC

3.7 million

AFRICA

OVERALL NUMBERS FOR 2015 (U.S.)

5,544 cases

XXXXXXXXX

78% were sex trafficking cases



16% were forced labor cases



84% were women



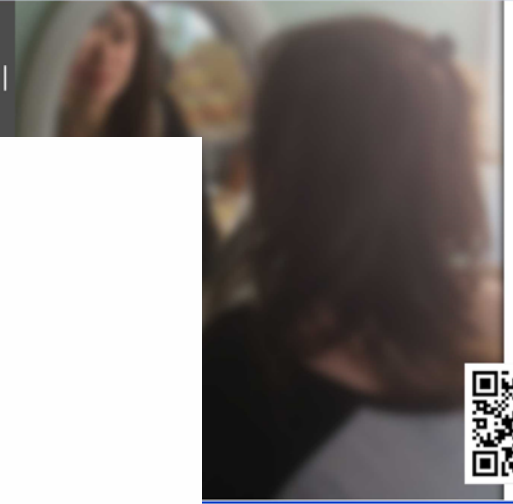
29% were children

Sources: International Labor Organization, The Polaris Project, Coalition to Abolish Slavery and Trafficking

How do you report?

HUMAN TRAFFICKING HOTLINE LÍNEA DIRECTA DEL CENTRO NACIONAL DE RECURSOS PARA LA TRATA DE PERSONAS

Available 24/7 |
Nongovernmental |
Anonymous and Confidential |
Accessible in 170 languages



SINCE 2007 ⁱ
Total Calls: 1,961 Total Victi
Total Cases: 531 Total Victi
2018 statistics are current as of 6/30/2018

2018 2017 2016 2015 20



119
CALLS
THIS YEAR

Survivors
35

73-7888

FORCED TO ENGAGE IN ANY ACTIVITY
CIAL SEX, HOUSEWORK, FARM WORK,
AL HUMAN TRAFFICKING RESOURCE

CENTER HOTLINE TO ACCESS HELP AND SERVICES. VICTIMS OF HUMAN TRAFFICKING
ARE PROTECTED UNDER FEDERAL LAW AND THE LAWS OF SOUTH CAROLINA.

Si usted o alguien que usted conoce está obligado a participar en cualquier actividad y no puede salir, si sea un acto sexual con fines comerciales, trata laboral, o alguna otra actividad forzada, llame la línea directa del Centro Nacional de Recursos para la Trata de Personas para obtener ayuda y servicio. Víctimas de la trata de personas están protegidos por la ley federal y las leyes de Carolina del Sur.

233733 (BEFREE)
WWW.TRAFFICKINGRESOURCECENTER.ORG



Case 3, conclusions

- Patient refuses additional testing
- Patient refuses social work consult
- Patient refuses to have further conversation on this topic
- Patient is discharged and leaves with male companion

Trauma Informed Care

How to Support Someone Who Has Experienced Trauma

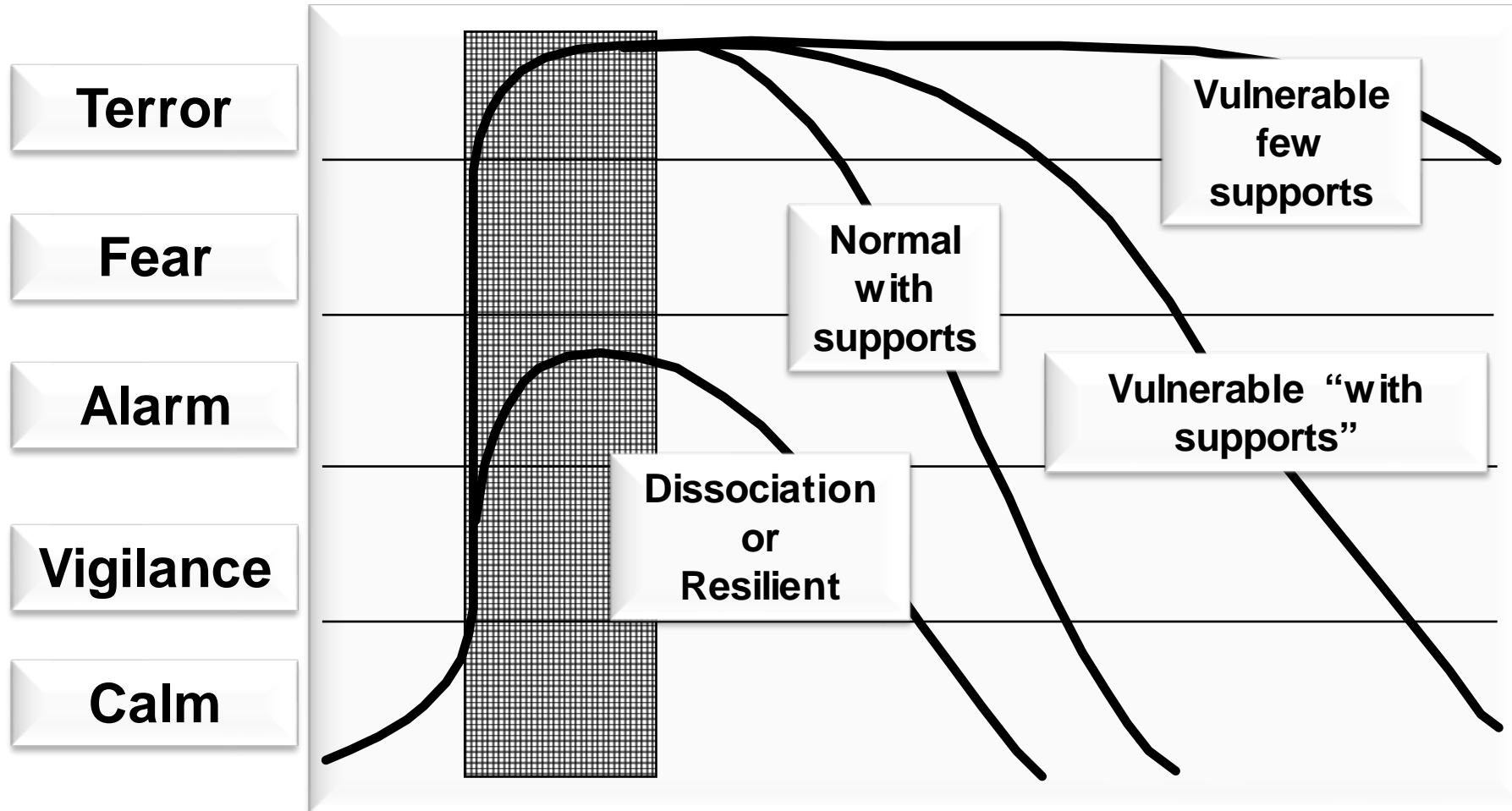




What is trauma?

- A traumatic event is one in which a person experiences (witnesses or is confronted with):
 - Actual or threatened death
 - Serious injury
 - Threat to physical integrity of self or another
- Responses to traumatic event may include:
 - Intense fear
 - Helplessness
 - Horror
 - Attachment

Acute Response To Trauma



Traumatic Event



Definition of Trauma Informed Care

- Emergency Department treatment that is directed by:
 - A thorough understanding of the profound neurological, biological, psychological and social effects of trauma and violence on the individual and,
 - An appreciation for the high prevalence of traumatic experiences in persons who receive emergency and mental health services.

Jennings 2004





Trauma Informed Care

- Aims to avoid re-victimization
- Appreciates many problem behaviors began as understandable attempts to cope
- Strives to maximize choices for the survivor and control over the healing process
- Seeks to be culturally competent
- Understands each survivor in the context of life experiences and cultural background

Alvarez and Sloan, 2010

Questions?





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OCT 15-18 ——— ★ ——— VIRTUAL