

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 19.2-165.1 of the Code of Virginia, relating to payment of medical fees*
3 *in certain criminal cases.*

4
5 Approved

[H 671]

6 **Be it enacted by the General Assembly of Virginia:**
7 **1. That § 19.2-165.1 of the Code of Virginia is amended and reenacted as follows:**

8 § 19.2-165.1. Payment of medical fees in certain criminal cases.

9 All medical fees involved in the gathering of evidence for all cases involving rape, attempted rape,
10 child molestation, the taking of indecent liberties with children, sodomy, forcible sodomy, incest,
11 inanimate or animate object sexual penetration, sexual battery, marital sexual assault, and aggravated
12 sexual battery, and all medical fees involved in the gathering of evidence for cases involving abuse of
13 children under the age of eighteen including but not limited to aggravated malicious wounding,
14 malicious wounding, felony child abuse, reckless endangerment, cruelty to children, assault and battery,
15 domestic assault and battery, and homicide, *criminal cases where medical evidence is necessary to*
16 *establish a crime has occurred and for cases involving abuse of children under the age of eighteen* shall
17 be paid by the Commonwealth out of the appropriation for criminal charges, provided that any medical
18 evaluation, examination, or service rendered be performed by a physician or facility specifically
19 designated by the attorney for the Commonwealth in the city or county having jurisdiction of such case
20 for such a purpose. If no such physician or facility is reasonably available in such city or county, then
21 the attorney for the Commonwealth may designate a physician or facility located outside and adjacent to
22 such city or county.

23 Where there has been no prior designation of such a physician or facility, medical fees shall be paid
24 out of the appropriation for criminal charges upon authorization by the attorney for the Commonwealth
25 of the city or county having jurisdiction over the case. Such authorization may be granted prior to or
26 within forty-eight hours after the medical evaluation, examination, or service rendered.

ENROLLED

HB671ER