
TITLE 201 SEXUAL ASSAULT VICTIM ADVOCATE STANDARDS AND CERTIFICATION BOARD

Economic Impact Statement

LSA Document #10-193

IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses

Enacted under [IC 4-23-25-11](#) in 2006 and amended by P.L.104-2008, SECTION 4 in 2008, [IC 5-2-6-23](#) authorizes the Sexual Assault Victim Advocate Standards and Certification Board (Board) to develop standards for the certification of sexual assault victim advocates, to set fees to cover the cost of the certification process, to adopt rules to implement the section, to administer the sexual assault victims assistance account, and to certify sexual assault victim advocates to provide advocacy services.

Impact on Small Businesses**1. Estimate of the number of small businesses, classified by industry sector, that will be subject to the proposed rule:**

NAICS CODE 624190 Rape Crisis Centers
NAICS CODE 922120 Law Enforcement
NAICS CODE 922130 Prosecutor Offices
NAICS CODE 611310 Colleges, Universities and Professional Schools

[IC 4-22-2.1-4](#) provides that "small business" means any person, firm, corporation, limited liability company, partnership, or association that:

- (1) is actively engaged in business in Indiana and maintains its principal place of business in Indiana;
- (2) is independently owned and operated;
- (3) employs one hundred (100) or fewer full-time employees; and
- (4) has gross annual receipts of five million dollars (\$5,000,000) or less.

The types of small businesses most likely to be affected by this proposed rule are nonprofit rape crisis centers. There are currently 31 self-identified rape crisis centers in the state. Some centers are dual domestic violence/sexual assault centers. Sexual assault victim advocates may also work in the offices of county prosecutors and in victim service units for law enforcement or the military.

2. Estimate of the average annual reporting, record keeping, and other administrative costs that small businesses will incur to comply with the proposed rule:

There are no reporting requirements or record keeping expenditures under this proposed rule.

3. Estimate of the total annual economic impact that compliance with the proposed rule will have on all small businesses subject to the rule:

Certification as a sexual assault victim advocate is voluntary and is not required by statute. The nonprofit rape crisis centers will receive a positive fiscal impact from individuals participating in the certification process in that \$45 of each \$50 certification application fee will be used to provide financial assistance to the 31 centers across the state. The Board anticipates that in the first calendar year of operation, it will receive approximately 50 to 75 applications with a rate of \$50 per initial application fee. The first year revenue is estimated to be between \$2,500 and \$3,750. The Board may use up to 10% (\$5) of the application fee to administer the certification program. The balance (\$45) will be directed to the sexual assault victim's assistance fund ([IC 5-2-6-23](#)), which is used to provide assistance to the rape crisis centers across the state.

For the first year, the Board estimates that there are currently 500 (350 center based and 150 prosecutor/law enforcement based) sexual assault victim advocates working in the state and that approximately 50% (250) of those individuals may meet the eligibility criteria for certification. Of that number, the Board estimates that 75% (188) may seek certification. In subsequent years, the Board estimates that the revenue from applications for certification will be approximately \$2,500 per year. Beginning in 2012, the Board will collect fees for certification renewal at a rate of \$20 per year for certification renewal fees and estimates that the amount collected will be approximately \$1,500 ($75 \times \20 per year = \$1,500).

The Board estimates that, beginning in 2013, the total economic impact will be approximately \$4,000 ($50 \text{ new certifications} \times \$50 + 75 \text{ renewal certifications} \times \20) per year.

4. Statement justifying any requirement or cost that is imposed on small businesses by the rule; or any other state or federal law:

Certification as a sexual assault victim advocate is voluntary and is not required by statute. The nonprofit rape crisis centers will receive a positive fiscal impact from individuals participating in the certification process in that \$45 of each \$50 certification application fee will be used to provide financial assistance to the 31 centers across the state. [IC 5-2-6-23](#) (enacted in 2006 as [IC 4-23-25-11](#) and amended by P.L.104-2008, SECTION 4 in 2008) requires the Board to adopt rules establishing reasonable fees for the voluntary certification process,

including applications, renewal of certifications, and other services related to the voluntary certification of sexual assault victim advocates. In addition, [IC 5-2-6-23](#)(f)(2) requires that an application for certification be accompanied by a fee set by the board.

5. Regulatory flexibility analysis:

Consideration of alternative methods of achieving the purpose of the proposed rule:

There is not an alternative method of achieving the purpose of the rule. The Sexual Assault Victim Advocate Standards and Certification Board is required by statute to establish the rule for this voluntary certification process.

6. Conclusion:

By passing legislation offering the voluntary certification of sexual assault victim advocates, the 2006 Indiana General Assembly provided a voluntary standardization process for individual experienced sexual assault victim advocate practitioners to become professionalized as certified sexual assault victim advocates. Certification as a sexual assault victim advocate is voluntary and is not required. There is no fiscal impact to the nonprofit rape crisis centers or to the prosecutor and law enforcement offices, which employ or utilize volunteers as sexual assault victim advocates. While there will be an application fee of \$50 to the individuals who seek certification, under [IC 5-2-6-23](#), \$45 of the fee will be deposited to the Sexual Assault Victim Assistance Fund and distributed to the rape crisis centers. The economic impact to the nonprofit rape crisis center small businesses as classified under NAICS CODE 624190 will be positive.

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