

Indiana Board of Nursing  
ATTN: Audrea Racine, JD  
402 West Washington Street  
Room W 072  
Indianapolis, IN 46204

RE: LSA Document #24-114 Requirements to Practice as a Forensic Nurse; Continuing Education

Dear Indiana Board of Nursing,

I am providing my comments and concerns regarding the revised proposal to govern Forensic Nursing continuing education. The first requirement regarding the continuing education in the proposal states that training programs offered need to be “substantially equivalent” to what the Indiana State SANE program approves which is administered through the Indiana SANE training project. The term substantially equivalent is still very vague and who is responsible for defining or determining what training meets the substantially equivalent standard. Is this information forthcoming and how will that information be disseminated? Currently the way the law is written gives the Indiana SANE training project the monopoly on what training a forensic nurse can attend or at the very least approval of training.

The law addressed continuing education requirements for forensic nursing but appears from the proposed administrative rule that this addresses initial SANE education requirements. It seems this is beyond what the law intended to mandate. There are many forensic nurses that have or have had initial SANE training, and it appears that those individuals will not be grandfathered in. Is that the intent of this proposed rulemaking?

In SEC 25 (b) (6) it states “evidence that the proposed training program...” What is the acceptable evidence that the candidate training program needs to submit to the board to approve the curriculum and content? It is unclear what the criteria include for what would be considered an approved course or continuing education credit. I understand the board determines what is relevant but how will the forensic nurse know what is relevant prior to attending a continuing education course?

Indiana SANE project has been funded by HRSA since 2019. Since then, HRSA has been awarded the same grant to IU Health and IU School of Nursing. It is the IU Academic-Practice Partnership for Forensic Nursing <https://nursing.iu.edu/continuing-ed/sane-training/>. The concern is currently the Indiana state SANE coordinator that approves the continuing education but under the direction administered by the Indiana SANE project. The potential concern is that the Indiana SANE project would only recommend approval to the State SANE coordinator of their own courses and not another competitive HRSA grant recipient. The IU Academic-Practice

Partnership for Forensic Nursing would be at risk of losing the HRSA grant if they could not show they are increasing the forensic nursing workforce in Indiana when the next cycle of grants is awarded.

IAW IC 25-23-1-35(a) (2)(B) a training program can apply to the Indiana Board of Nursing for approval of their program. How long would it take to get on the board's agenda to request approval? If the proposed training is already in progress, will the training program receive approval/disapproval in a timely manner. Also, the "burden" is on the training program to prove their training is substantially equivalent but there are no guidelines to outline what that would entail.

Another concern is how online SANE education didactic programs are approved. Many nurses opt for online programs and there are several programs that offer a 40-hour online SANE didactic course. Some of the online courses are:

1. Sigma Theta Tau offers a 40+ hour online Sexual Assault Forensic Examiner course (SAFE).
2. International Association of Forensic Nurses.
3. And Duquesne University in Pennsylvania are a few.

How would a program that is already available, such as these programs, be approved by the Indiana Board of Nursing. Again, this proposed rulemaking addresses the initial SANE education as well as the continuing education which the law did not address when passed in 2021.

One last concern is that the terms forensic nurse and SANE are used interchangeably. SANE is just one role of forensic nursing. Some programs may opt to expand forensic nursing services, which is what we strive for; to provide forensic nursing care to all patients of interpersonal violence. So that will affect what continuing education a forensic nurse may attend to keep current with the evidence-based practices for any patients who have experienced interpersonal violence and trauma. Several institutions that have a forensic nursing program see other patients besides victims of sexual violence such as domestic violence, human trafficking, sex and labor trafficking; and blunt and penetrating trauma, etc. The Indiana State SANE coordinator and Indiana SANE training project have limited expertise in these other areas of forensic nursing but as the proposed rulemaking is written, it gives them the authority to dictate all continuing education for forensic nurses in the state of Indiana. Will there be a specific license administered for forensic nurses as they meet to fulfill the proposed rule requirements?

I have proposed more questions, but as an advanced practice nurse and educator of forensic nurses, I am concerned about how this administrative rule will affect the forensic nursing workforce. We need to be aware and prepared for the challenges of training nurses to become forensic nurses and be prepared for what we can bring to the state for forensic nursing continuing education. The proposed rule will limit the training by allowing the Indiana state SANE coordinator to determine what training is allowed.

To train a nurse to practice as a forensic nurse takes a lot of time and effort for the forensic nurse. They not only need to complete a didactic requirement, but also complete clinical requirements deemed necessary by their employer to become competent before working with victims of sexual violence. Thus, limiting the opportunities for nurses to pursue continuing education through one entity is not a feasible solution. This also discourages other organizations and institutions from applying for grants to support forensic nursing education. The consequence of this law is a restraint of trade.

Thank you for your consideration in this matter.

Regards,

A handwritten signature in black ink, appearing to read "Barbra A. Bachmeier".

Barbra A. Bachmeier JD, MPH, MSN, APRN, NP-C, CPH, DF-AFN, FAEN  
Forensic Nurse