



MASSACHUSETTS MEDICAL SOCIETY

Every physician matters, each patient counts.

**TESTIMONY IN SUPPORT OF S.1371
AN ACT ESTABLISHING TESTING *PROTOCOL AND CARE FOR VICTIMS OF DATE
RAPE*
BEFORE THE JOINT COMMITTEE ON HEALTH CARE FINANCING
February 27, 2024**

The Massachusetts Medical Society (MMS) wishes to be recorded in support of S.1371, *An Act establishing testing protocol and care for victims of date rape drugs.*

The Massachusetts Medical Society is a professional association of over 25,000 physicians, residents, and medical students across all clinical disciplines, organizations, and practice settings. The Medical Society is committed to advocating on behalf of patients, to give them a better health care system, and on behalf of physicians, to help them provide the best care possible. The Medical Society has long advocated against a culture of violence and has policy affirming our commitment to preventing and addressing sexual assault. As such, the Medical Society supports S.1371, which would convene a “Date Rape Drug Response and Intervention Task Force” under the Department of Public Health (DPH) charged with collecting data and establishing hospital protocols on caring for patients who are victims of predatory drug ingestion.

Predatory drugs are potent depressants and/or tranquilizers that are used to incapacitate victims for the purpose of committing sexual assault. These substances are commonly combined with alcoholic beverages, often being undetectable due to their lack of taste or odor. Given that alcohol acts as a depressant and certain predatory drugs further suppress the nervous system, the combination can pose severe health hazards, including death. While there are no conclusive estimates as to the number of drug-facilitated sexual assaults that occur each year, law enforcement reporting indicates that the number of such incidents appears to be increasing in

states across the country – including in Massachusetts.¹ Following dozens of reports from Boston residents who sought emergency care connected to issues with contaminated drinks served at local establishments, Boston police have issued multiple community alerts over the last two years urging victims of drink spiking to report their suspicions to law enforcement.^{2 3} Other communities in Massachusetts have also reported an increase in drink-spiking incidences at bars and other venues. ⁴

Amid this escalating public health concern, there is a clear and pressing need to ensure victims of involuntary drugging have access to critical services by improving the way our health care system treats these patients. Currently, hospitals in Massachusetts are not required, or do not have protocols, to test for predatory drugs, unless a victim was sexually assaulted. Consequently, patients are being denied the opportunity for drug testing after reporting potential exposure to a contaminated beverage.^{5 6} The task force created by S.1371 would address this issuing recommendations in standardizing care and testing at hospitals, regardless of if someone was sexually assaulted. In addition to implementing a testing standard, the bill would allow resources from the Sexual Assault Nurse Examiner Trust Funding to be used to establish a trauma-based training program for nurses caring for patients potentially exposed to predatory drugs. Lastly, S.1371 would also strengthen the state’s efforts to prevent and respond to sexual violence by requiring the task force to track confirmed drugging incidents and requiring DPH to publish information online regarding predatory drugs, as well as resources for victims.

¹ National Drug Intelligence Center. Department of Justice. Drug Facilitated Sexual Assault Fact Sheet. <https://www.justice.gov/archive/ndic/pubs8/8872/8872p.pdf>

² City of Boston. Order for a Hearing to Address Contaminated Drinks in Clubs and Bars. <https://www.boston.gov/sites/default/files/file/2023/02/Docket.pdf>

³ BPD Community Alert: The Boston Police Department Warns Against Spiked Drinks And Urges Victims To Report The Incidents. December 5, 2023. <https://police.boston.gov/2023/12/05/bpd-community-alert-the-boston-police-department-warns-against-spiked-drinks-and-urges-victims-to-report-the-incidents/>

⁴ Dig Boston. Kendall Pilidori. May 25, 2023. *Massachusetts bill, victim advocates call for coordinated date-rape drug response*. <https://digboston.com/massachusetts-bill-victim-advocates-call-for-coordinated-date-rape-drug-response/>

^{5 7} News Boston. Victoria Price. *Advocates support state bill to increase support for date rape drug survivors with taskforce, testing*. May 26, 2023. <https://whdh.com/news/advocates-support-state-bill-to-increase-support-for-date-rape-drug-survivors-with-taskforce-testing/>

^{6 10} Boston. Abbey Niezgoda. February 1, 2023. *A Northeastern Student Has Started a Push to Make Testing for Date Rape Drugs Easier*. <https://www.nbcboston.com/news/local/a-northeastern-student-has-started-a-push-to-make-testing-for-date-rape-drugs-easier/2961509/>.

Predatory drugging is a serious public health problem that profoundly impacts the lifelong health and well-being of victims, and damages communities at large. Preventing it is an integral part of combating sexual violence, and properly supporting victims can have a real and immediate impact on their ability to heal and thrive in the wake of an incident. From a public safety perspective, testing victims upon request can help identify serial offenders who will continue to victimize people until they are stopped. Treating victims with compassion and providing them with appropriate care may also make other victims more likely to report future crimes. The serious health risks associated with predatory drugs underscore the urgency of passing S.1371, which will ensure victims of these substances receive appropriate care in all hospitals across the Commonwealth.

For these reasons, the MMS urges a favorable report on S.1371. Thank you for your consideration.