

For Purposes of Medical Diagnosis or Treatment Hearsay Exception – Rule R. 803(4)

“*Hinnant* Test” for Child Declarants

Prong (1): Declarant intended to make statement to get medical diagnosis or treatment.

Factors:

- (1) Whether adult explained need for treatment/importance of truthfulness
- (2) With whom/what circumstances made
- (3) Setting
- (4) Nature of questions

Prong (2): Statement reasonably pertinent to medical diagnosis or treatment.

Does a child victim’s identification of the perpetrator satisfy this prong?

Yes