

HOUSE BILL No. 2744

By Committee on Federal and State Affairs

2-13

1 AN ACT concerning victims of sexual assault; relating to emergency
2 contraception information.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. As used in sections 1 through 2, and amendments thereto:

6 (a) (1) "Emergency contraception" means a drug approved by the
7 federal Food and Drug Administration that prevents pregnancy after sexual
8 relations, including, without limitation, oral contraceptive pills.

9 (2) "Emergency contraception" does not include RU-486,
10 mifepristone, or any other drug or device that induces a medical abortion;

11 (b) "Sexual assault survivor" means a female who alleges or is
12 alleged to have been the victim of a sexual offense as defined in K.S.A.
13 2011 Supp. 21-5503, and amendments thereto, (rape), K.S.A. 2011 Supp.
14 21-5506(a), and amendments thereto, (indecent liberties with a child),
15 K.S.A. 2011 Supp. 21-5506(b), and amendments thereto, (aggravated
16 indecent liberties with a child), K.S.A. 2011 Supp. 21-5604(a), and
17 amendments thereto, (incest), or K.S.A. 2011 Supp. 21-5604(b), and
18 amendments thereto, (aggravated incest), and who presents as a patient for
19 treatment with regard to the sexual offense.

20 Sec. 2. (a) All medical care facilities that are licensed in this state and
21 provide emergency care to sexual assault survivors shall amend their
22 evidence-collection protocols for the treatment of sexual assault survivors
23 to include informing the survivor in a timely manner of the availability of
24 emergency contraception as a means of pregnancy prophylaxis and
25 educating the sexual assault survivor on the proper use of emergency
26 contraception and the appropriate follow-up care.

27 (b) This section does not require a medical care facility to provide
28 emergency contraception to a sexual assault survivor who is not at risk of
29 becoming pregnant as a result of the sexual assault or who is already
30 pregnant at the time of the sexual assault.

31 (c) Each medical care facility shall provide training to emergency
32 room staff concerning the efficacy of emergency contraception and the
33 time-sensitive nature of the drug.

34 (d)(1) Because emergency contraception is time-sensitive and a
35 sexual assault survivor may seek information on or direct access to
36 emergency contraception to prevent an unintended pregnancy resulting

1 from the assault instead of or before seeking hospital treatment, it is
2 critical that a sexual assault survivor has accurate information about the
3 availability and use of emergency contraception.

4 (2) Therefore:

5 (A) An entity offering victim assistance or counseling and rape crisis
6 hotlines are encouraged to include information concerning the availability
7 and use of emergency contraception; and

8 (B) a licensed pharmacy in the state of Kansas is encouraged to
9 distribute information concerning the availability and use of emergency
10 contraception.

11 Sec. 3. Sections 1 and 2 shall be part of and supplemental to article 4
12 of chapter 65 of the Kansas Statutes Annotated.

13 Sec. 4. This act shall take effect and be in force from and after its
14 publication in the statute book.

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