



Senate

General Assembly

File No. 231

January Session, 2007

Senate Bill No. 1343

Senate, April 2, 2007

The Committee on Human Services reported through SEN. HARRIS of the 5th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING COMPASSIONATE CARE FOR VICTIMS OF SEXUAL ASSAULT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2007*) (a) As used in this
2 section:

3 (1) "Emergency contraception" means one or more prescription
4 drugs used separately or in combination administered or self-
5 administered by a patient to prevent pregnancy, within a medically
6 recommended amount of time after sexual intercourse and dispensed
7 for that purpose, in accordance with professional standards of practice,
8 and determined to be safe by the United States Food and Drug
9 Administration.

10 (2) "Emergency treatment" means any medical examination or
11 treatment provided in a licensed health care facility to a victim of
12 sexual assault following an alleged sexual assault.

13 (3) "Medically and factually accurate and objective" means verified
14 or supported by the weight of research conducted in compliance with
15 accepted scientific methods and published in peer-reviewed journals,
16 where applicable.

17 (4) "Victim of sexual assault" means any female person who alleges
18 or is alleged to have suffered an injury as a result of a sexual offense.

19 (5) "Sexual offense" means a violation of subsection (a) of section
20 53a-70 of the general statutes, section 53a-70a or 53a-70b of the general
21 statutes, subsection (a) of section 53a-71 of the general statutes, section
22 53a-72a or 53a-72b of the general statutes, subdivision (2) of subsection
23 (a) of section 53a-86 of the general statutes, subdivision (2) of
24 subsection (a) of section 53a-87 of the general statutes or section 53a-
25 90a, 53a-196a or 53a-196b of the general statutes.

26 (b) Each licensed health care facility that provides emergency
27 treatment to victims of sexual assault including, any health care facility
28 that is a participating provider of services under any of the state's
29 medical assistance programs shall:

30 (1) Provide each victim of sexual assault with medically and
31 factually accurate and objective information relating to emergency
32 contraception;

33 (2) Inform such victim of sexual assault of the availability of
34 emergency contraception, its use and efficacy; and

35 (3) Dispense emergency contraception to such victim of sexual
36 assault upon the request of such victim.

37 (c) The Commissioner of Public Health shall adopt regulations, in
38 accordance with chapter 54 of the general statutes, to implement the
39 provisions of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2007</i>	New section
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HS **Joint Favorable**

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Division of Criminal Justice - Forensic Sex Evidence Exam Account	GF - Cost	Potential Minimal	Potential Minimal
Public Health, Dept.	GF - None	None	None
UConn Health Ctr.	Various - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires hospitals to dispense emergency contraception to any female victim of sexual assault, upon the victim’s request.

The Division of Criminal Justice reimburses the cost of emergency contraception for any victim of sexual assault who has had a forensic sex evidence exam conducted (using a rape kit) to gather evidence for prosecution. Under current law, the total cost to reimburse victims for emergency contraception is estimated to be less than \$50,000 annually.¹ The bill could result in a marginal increase in the number of reimbursements for emergency contraception. The cost of any such increase would be minimal given that the total cost under current law is less than \$50,000.

No fiscal impact is anticipated for John Dempsey Hospital at the University of Connecticut Health Center, as it is currently in compliance with requirements set forth within the bill.

The Department of Public Health will be able to adopt the required regulations within its normally budgeted resources.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

¹ Based on the number of adult exams performed in FY 06 (375) * the average cost of emergency contraception administered by a hospital (\$100).

OLR Bill Analysis**SB 1343*****AN ACT CONCERNING COMPASSIONATE CARE FOR VICTIMS OF SEXUAL ASSAULT.*****SUMMARY:**

This bill requires each licensed health care facility that provides emergency treatment to female victims of sexual assault (including those facilities that participate in any of the state's medical assistance programs) to:

1. provide each such victim with medically necessary and factually accurate and objective information about emergency contraception;
2. inform her of emergency contraception's availability, its use and efficacy; and
3. dispense emergency contraception to her at her request.

The bill also requires the public health commissioner to implementing regulations.

Under the bill, "emergency contraception" means one or more prescription drugs used separately or in combination and administered to or self-administered by a patient to prevent pregnancy, within a medically recommended time frame after intercourse, and dispensed for that purpose, consistent with professional standards of practice and determined safe by the Food and Drug Administration (FDA).

The bill defines "medically and factually accurate and objective" as verified or supported by the weight of research conducted in

compliance with accepted scientific methods and published in peer-reviewed journals where applicable.

EFFECTIVE DATE: October 1, 2007

BACKGROUND***Emergency Contraception***

Plan B (levonorgestrel) tablets, approved by the FDA for emergency contraception after intercourse, are now an over-the-counter drug for women age 18 and over, but remain prescription-only for those under age 18. Another similar drug called Preven remains a prescription drug.

COMMITTEE ACTION

Human Services Committee

Joint Favorable

Yea 12 Nay 5 (03/15/2007)