

Committee on Health Care Bill Summary

Bill No. S 2073

Title: An Act to Provide Timely Access to Emergency
Contraception

Sponsor: Senator Resor

Committee: Public Health

Hearing Date: April 13, 2005

Similar Matters: H 1643 (identical)

Prior History: During the 2003-2004 session the bill carried H 2346 (an identical bill) and referred to Senate Ways and Means. The bill was ordered to a Third Reading and passed to be engrossed. It was referred to House Ways and Means, but did not proceed further.

Current Law: M.G.L. c.41, §97B (rape reporting by police officers, preservation of evidence); and M.G.L. c.111, §70E ("Patient's Bill of Rights").

Summary: This bill would add four new provisions intended to provide timely access to emergency contraception for female rape victims of childbearing age.

- **Section 1-** amends M.G.L. c.41, §97B to require that each rape kit (a standardized kit used for the collection and preservation of evidence in rape cases) shall include medically and factually accurate written information prepared by the commissioner of public health about emergency contraception.
- **Section 2-** amends M.G.L. c.111, §70E to provide that a rape victim of childbearing age shall have access to written information about emergency contraception, be promptly offered emergency contraception, and be given emergency contraception upon her request.
- **Section 3-** amends M.G.L. c.111, §70E to set the standard of care for facilities that provide emergency care to give rape victims information about emergency contraception and provide prompt emergency contraception upon a rape victim's request.
- **Section 4-** amends M.G.L. c. 94C to define emergency contraception as any drug approved by the FDA as a contraceptive method for use after sexual intercourse.

This section would also allow a pharmacist to initiate emergency contraception drug therapy:

- in accordance with written standardized protocols, developed with a physician
- the required written protocols must be on file at the pharmacist's place of practice and with the board of registration of pharmacy
- after a pharmacist completes an emergency contraception training program approved by the commissioner

The bill requires the DPH to promulgate regulations implementing Section 4.

P.G.