

# House Concurrent Resolution No. 35

## 91<sup>ST</sup> GENERAL ASSEMBLY

4975L.011

1           **Whereas**, the adult pregnancy rate associated with rape is estimated to be 4.7  
2 percent, with more than 32,000 American women becoming pregnant as a result of rape each  
3 year; and  
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5           **Whereas**, 1,351 rapes were reported in the State of Missouri in 2000 and it is  
6 estimated that up to 84 percent of rapes are not reported, making the actual number of rapes in  
7 Missouri closer to 8,444; and  
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9           **Whereas**, a component of domestic violence is forced unwanted sexual activities,  
10 thereby denying women the opportunity to use contraception; and  
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12           **Whereas**, surveys of battered women revealed that 37 to 45 percent of those  
13 women reported being raped by their partners; and  
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15           **Whereas**, standards of emergency care established by the American Medical  
16 Association (AMA) require that rape survivors be counseled about their risk of pregnancy and  
17 given emergency contraception; and  
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19           **Whereas**, many sexual assault survivors are denied the option of deciding whether  
20 to risk becoming pregnant as a result of the rape because hospitals fail to counsel about or offer  
21 emergency contraception to them, even when they arrive within the 72-hour window of  
22 opportunity; and  
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24       **Whereas**, according to a national survey of women, 78 percent believe that  
25 hospitals should be required to offer emergency contraception to rape survivors; and  
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27       **Whereas**, a 2001 study of hospital emergency rooms in Missouri reveals that 39  
28 percent do not offer emergency contraception to rape survivors and less than one quarter (24  
29 percent) provide referrals for emergency contraception; and  
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31       **Whereas**, emergency contraception is a safe and 75 percent effective method for  
32 women to use to prevent pregnancy up to 72 hours after unprotected intercourse or contraceptive  
33 failure, and is 95 percent effective if used within 24 hours; and  
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35       **Whereas**, emergency contraception pills, like other hormonal forms of  
36 contraception, prevent pregnancy by delaying ovulation by preventing fertilization or by  
37 preventing implantation, and do not affect established pregnancies; and  
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39       **Whereas**, surveys have shown that 41 percent of the general public is unaware of  
40 emergency contraception, 72 percent of those who have heard of it do not realize that it is  
41 available in the United States, and only 11 percent understand the need for treatment to be  
42 initiated within 72 hours of sexual activity; and  
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44       **Whereas**, nearly half of women age 18 to 44, once informed about emergency  
45 contraception, said they would be likely to use it; and  
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47       **Whereas**, while virtually all obstetricians and gynecologists consider oral  
48 contraceptives to be safe and effective for use after unprotected sex to prevent pregnancy, only  
49 24 percent discuss the option as part of routine contraceptive counseling, and many raise the  
50 issue only when confronted with a patient's emergency situation; and  
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52       **Whereas**, a 1999 American Medical Association study expressed concerns with  
53 the large number of women having limited access to health care services, being uninsured, or  
54 having no relationship with a physician, making the process of obtaining an emergency  
55 contraception prescription extremely difficult; and  
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57       **Whereas**, many pharmacists remain unaware of the pertinent facts regarding  
58 emergency contraception, undermining their ability to effectively counsel women on this option;  
59 and  
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61       **Whereas**, a 2001 study of pharmacies in Missouri reveals that fewer than one-half  
62 (48 percent) of Missouri pharmacies surveyed would fill prescriptions for emergency  
63 contraception and only 35 percent provide referrals; and  
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65       **Whereas**, experts estimate that widespread use of emergency contraception as  
66 back-up for birth control could reduce unintended pregnancies and abortions by one-half; and  
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68       **Whereas**, in February 1997, the United States Food and Drug Administration  
69 declared that certain brands of oral contraceptives were safe and effective for use as emergency  
70 contraceptive pills; and  
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72       **Whereas**, the American College of Obstetricians and Gynecologists, the American  
73 Medical Association, and the World Health Organization all state that there are no  
74 contraindications to emergency contraceptive pills:  
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76       **Now, therefore, be it resolved** that the members of the House of  
77 Representatives of the Ninety-first General Assembly, Second Regular Session, the Senate  
78 concurring therein, hereby encourage the Division of Maternal, Child and Family Health within  
79 the Department of Health and Senior Services to initiate activities to raise public awareness and  
80 promote appropriate counseling about and referrals for emergency contraception by informing

81 hospitals, health care providers, pharmacists, and the community at large. Informational  
82 activities should stress the availability of emergency contraception, its use and safety, and its  
83 effectiveness in preventing pregnancies if taken as soon as possible within the first 72 hours; and  
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85 **Be it further resolved** that the Chief Clerk of the Missouri House of  
86 Representatives be instructed to prepare properly inscribed copies of this resolution for the  
87 Director of the Department of Health and Senior Services and the Director of the Division of  
88 Maternal, Child and Family Health.