

HB 636 -- Compassionate Assistance for Rape Emergencies (CARE)  
Act

Sponsor: Oxford

This bill establishes the Compassionate Assistance for Rape Emergencies (CARE) Act which requires that the standard of care for any health care facility that provides emergency care to sexual assault victims will be to give a victim information regarding emergency contraception, inform the victim of her option to be provided emergency contraception, and provide a complete regimen of emergency contraception if requested. The health care provider must follow federal Department of Justice protocols on HIV/STI screening and prophylactic treatment. An emergency health care facility must ensure that the victim is treated by a provider who has medically and factually accurate, objective information about emergency contraception.

The Department of Health and Senior Services must:

(1) Develop, prepare, and produce informational materials regarding emergency contraception for the prevention of pregnancy for distribution in any health care facility in the state. The materials must be medically and factually accurate and objective; clearly written and comprehensible; provide an explanation of the use, safety, efficacy, and availability of emergency contraception; and explain that it does not cause an abortion; and

(2) Respond to complaints and periodically perform compliance checks on emergency health care facilities. If the department determines that a facility is not in compliance, it must impose a \$5,000 administrative penalty for each woman who is denied the informational materials or who is not offered emergency contraception and a \$5,000 administrative penalty for failure to comply with the provisions of the bill with an additional \$5,000 penalty for every 30 days of non-compliance.