

HB 352 -- COMPASSIONATE ASSISTANCE FOR RAPE EMERGENCIES

SPONSOR: Newman

COMPASSIONATE ASSISTANCE FOR RAPE EMERGENCIES (CARE) ACT (Sections 191.713 - 191.714, RSMo)

The 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 a sexual assault victim 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) Produce informational materials regarding emergency contraception for the prevention of pregnancy for distribution in any health care facility. The materials must be medically and factually accurate and objective; be 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 a facility is not in compliance, the department will 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 noncompliance.