

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require the Department of Health, in collaboration with the Board of Medicine and Board of Pharmacy, to develop medically and factually accurate written information regarding prophylactic antibiotics for the treatment of sexually transmitted diseases and emergency contraception for the prevention of pregnancy due to sexual assault, to require the Department of Health to disseminate the information to all hospitals, to require that hospitals provide victims of sexual assault with medically and factually accurate information regarding treatment and provide prophylactic antibiotics and emergency contraception upon request, to require that hospitals have written policies regarding the delivery of care to victims of sexual assault, and to require the Department of Health to determine compliance with the act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Emergency Care for Sexual Assault Victims Act of 2008”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Emergency contraception” means a drug or drug regimen approved by the U.S. Food and Drug Administration to prevent pregnancy when administered after sexual contact, including oral contraceptive pills.

(2) “Hospital” means a facility that provides 24-hour inpatient care, including diagnostic, therapeutic, and other health-related services, for a variety of physical or mental conditions, and may, in addition, provide outpatient services, particularly emergency care.

Sec. 3. Information about emergency care.

(a) The Department of Health, in collaboration with the Board of Medicine and the Board of Pharmacy, shall develop medically and factually accurate written information regarding prophylactic antibiotics for the treatment of sexually transmitted diseases and emergency contraception for the prevention of pregnancy due to sexual assault.

(b) The Department of Health shall disseminate the written information produced pursuant to subsection (a) of this section to all hospitals in the District.

Sec. 4. Access to emergency care for victims of sexual assault.

All hospitals that provide emergency care to victims of sexual assault shall:

- (1) Provide each victim of sexual assault written information developed pursuant to section 3;
- (2) Provide each victim of sexual assault an oral explanation of the written information distributed pursuant to paragraph (1) of this section;
- (3) Orally inform each victim of sexual assault in a language he or she understands of the option to be provided by the hospital prophylactic antibiotics for the treatment of sexually transmitted diseases and emergency contraception for the prevention of pregnancy; and
- (4) Consistent with accepted medical practice and protocols, immediately provide prophylactic antibiotics for the treatment of sexually transmitted diseases and emergency contraception for the prevention of pregnancy to each victim of sexual assault, if the victim requests it and if the requested treatment is not medically contraindicated.

Sec. 5. Personnel training.

Hospitals shall have written policies and procedures to ensure that all personnel who provide care or information to a victim of sexual assault:

- (1) Are trained to provide medically and factually accurate and objective information about prophylactic antibiotics for the treatment of sexually transmitted diseases and emergency contraception for the prevention of pregnancy to a victim of sexual assault;
- (2) Actually provide that information to a victim of sexual assault; and
- (3) Ensure immediate access to prophylactic antibiotics for the treatment of sexually transmitted diseases and emergency contraception for the prevention of pregnancy to each victim of sexual assault, if requested and such treatment is not medically contraindicated.

Sec. 6. Compliance.

The Department of Health shall determine compliance with the requirements of this act. The failure to comply with the requirements of this act may result in a civil fine to be determined by the Mayor.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia