AN ACT concerning victims of sexual assault; relating to emergency contraception information.

Be it enacted by the Legislature of the State of Kansas:

Section 1. As used in sections 1 through 2, and amendments thereto:

(a) "Emergency contraception" means a drug approved by the federal Food and Drug Administration that prevents pregnancy after sexual relations, including, without limitation, oral contraceptive pills.

(b) "Emergency contraception" does not include RU-486, mifepristone, or any other drug or device that induces a medical abortion;

(b) "Sexual assault survivor" means a female who alleges or is alleged to have been the victim of a sexual offense as defined in K.S.A. 2011 Supp. 21-5503, and amendments thereto, (rape), K.S.A. 2011 Supp. 21-5506(a), and amendments thereto, (indecent liberties with a child), K.S.A. 2011 Supp. 21-5506(b), and amendments thereto, (aggravated indecent liberties with a child), K.S.A. 2011 Supp. 21-5604(a), and amendments thereto, (incest), or K.S.A. 2011 Supp. 21-5604(b), and amendments thereto, (aggravated incest), and who presents as a patient for treatment with regard to the sexual offense.

Sec. 2. (a) All medical care facilities that are licensed in this state and provide emergency care to sexual assault survivors shall amend their evidence-collection protocols for the treatment of sexual assault survivors to include informing the survivor in a timely manner of the availability of emergency contraception as a means of pregnancy prophylaxis and educating the sexual assault survivor on the proper use of emergency contraception and the appropriate follow-up care.

(b) This section does not require a medical care facility to provide emergency contraception to a sexual assault survivor who is not at risk of becoming pregnant as a result of the sexual assault or who is already pregnant at the time of the sexual assault.

(c) Each medical care facility shall provide training to emergency room staff concerning the efficacy of emergency contraception and the time-sensitive nature of the drug.

(d)(1) Because emergency contraception is time-sensitive and a sexual assault survivor may seek information on or direct access to emergency contraception to prevent an unintended pregnancy resulting
from the assault instead of or before seeking hospital treatment, it is
critical that a sexual assault survivor has accurate information about the
availability and use of emergency contraception.

(2) Therefore:

(A) An entity offering victim assistance or counseling and rape crisis
hotlines are encouraged to include information concerning the availability
and use of emergency contraception; and

(B) A licensed pharmacy in the state of Kansas is encouraged to
distribute information concerning the availability and use of emergency
contraception.

Sec. 3. Sections 1 and 2 shall be part of and supplemental to article 4
of chapter 65 of the Kansas Statutes Annotated.

Sec. 4. This act shall take effect and be in force from and after its
publication in the statute book.