

## HOUSE BILL No. 2311

By Committee on Health and Human Resources

2-5

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AN ACT concerning victims of sexual assault; relating to emergency contraception; information given and care received.

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

Section 1. (a) Every hospital providing emergency hospital services to an alleged sexual assault survivor under this act and K.S.A. 2000 Supp. 65-448, and amendments thereto, shall, as minimum requirements for such services, provide, with the consent of the alleged sexual assault survivor, and as ordered by the attending physician, the following:

(1) Appropriate medical examinations and laboratory tests required to ensure the health, safety and welfare of an alleged sexual assault survivor or which may be used as evidence in a criminal proceeding against a person accused of the sexual assault, or both. Records of the results of such examinations and tests shall be maintained by the hospital and made available to law enforcement officials upon the request of the alleged sexual assault survivor;

(2) appropriate oral and written information concerning the possibility of infection, sexually transmitted disease and pregnancy resulting from sexual assault;

(3) appropriate oral and written information concerning accepted medical procedures, medication, and possible contraindications of such medication available for the prevention or treatment of infection or disease resulting from sexual assault;

(4) such medication as deemed appropriate by the attending physician;

(5) a blood test to determine the presence or absence of sexually transmitted disease;

(6) written and oral instructions indicating the need for a second blood test six weeks after the sexual assault to determine the presence or absence of sexually transmitted disease;

(7) appropriate oral and written information concerning accepted medical procedures for postcoital emergency contraception and medications approved by the federal food and drug administration for use as postcoital emergency contraception;

(8) if requested by the survivor of an alleged sexual assault, medica-

1 tion approved by the federal food and drug administration for use as  
2 postcoital emergency contraception, unless contraindicated for medical  
3 reasons; and

4 (9) appropriate counseling as determined by the hospital, by trained  
5 personnel designated by the hospital.

6 (b) Any minor who is an alleged survivor of sexual assault who seeks  
7 emergency services under this act shall be provided such services without  
8 the consent of the parent, guardian or custodian of the minor. Only the  
9 minor's parent or legal guardian can sign for release of evidence and  
10 information concerning the alleged sexual assault.

11 Sec. 2. This act shall take effect and be in force from and after its  
12 publication in the statute book.

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