

1 AN ACT in relation to emergency medical services.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Sexual Assault Survivors Emergency  
5 Treatment Act is amended by changing Section 2 and adding  
6 Section 2.2 as follows:

7 (410 ILCS 70/2) (from Ch. 111 1/2, par. 87-2)

8 Sec. 2. Hospitals to furnish emergency service. Every  
9 hospital required to be licensed by the Department of Public  
10 Health pursuant to the Hospital Licensing Act, approved July  
11 1, 1953, as now or hereafter amended, which provides general  
12 medical and surgical hospital services shall provide  
13 emergency hospital service, in accordance with rules and  
14 regulations adopted by the Department of Public Health, to  
15 all alleged sexual assault survivors who apply for such  
16 hospital emergency services in relation to injuries or trauma  
17 resulting from the sexual assault.

18 In addition every such hospital, regardless of whether or  
19 not a request is made for reimbursement, except hospitals  
20 participating in community or area wide plans in compliance  
21 with Section 4 of this Act, shall submit to the Department of  
22 Public Health a plan to provide hospital emergency services  
23 to alleged sexual assault survivors which shall be made  
24 available by such hospital. Such plan shall be submitted  
25 within 60 days of receipt of the Department's request for  
26 this plan, to the Department of Public Health for approval  
27 prior to such plan becoming effective. The Department of  
28 Public Health shall approve such plan for emergency service  
29 to alleged sexual assault survivors if it finds that the  
30 implementation of the proposed plan would provide adequate  
31 hospital emergency service for alleged sexual assault

1 survivors and provide sufficient protections from the risk of  
2 pregnancy by sexual assault survivors.

3 The Department of Public Health shall periodically  
4 conduct on site reviews of such approved plans with hospital  
5 personnel to insure that the established procedures are being  
6 followed.

7 (Source: P.A. 89-507, eff. 7-1-97; 90-587, eff. 7-1-98.)

8 (410 ILCS 70/2.2 new)

9 Sec. 2.2. Emergency contraception.

10 (a) The General Assembly finds:

11 (1) Crimes of sexual violence cause significant  
12 physical, emotional, and psychological trauma to the  
13 victims. This trauma is compounded by a victim's fear of  
14 becoming pregnant and bearing a child as a result of the  
15 sexual assault.

16 (2) Each year over 32,000 women become pregnant in  
17 the United States as the result of rape and approximately  
18 50% of these pregnancies end in abortion.

19 (3) As approved for use by the Federal Food and  
20 Drug Administration (FDA), emergency contraception can  
21 significantly reduce the risk of pregnancy if taken  
22 within 72 hours after the sexual assault.

23 (4) By providing emergency contraception to rape  
24 victims in a timely manner, the trauma of rape can be  
25 significantly reduced.

26 (b) Within 120 days after the effective date of this  
27 amendatory Act of the 92nd General Assembly, every hospital  
28 providing services to alleged sexual assault survivors in  
29 accordance with a plan approved under Section 2 must develop  
30 a protocol that ensures that each survivor of sexual assault  
31 will receive medically and factually accurate and written and  
32 oral information about emergency contraception; the  
33 indications and counter-indications and risks associated with

1 the use of emergency contraception; and a description of how  
2 and when victims may be provided emergency contraception upon  
3 the written order of a physician licensed to practice  
4 medicine in all its branches. The Department shall approve  
5 the protocol if it finds that the implementation of the  
6 protocol would provide sufficient protection for survivors of  
7 an alleged sexual assault.

8 The hospital shall implement the protocol upon approval  
9 by the Department. The Department shall adopt rules and  
10 regulations establishing one or more safe harbor protocols  
11 and setting minimum acceptable protocol standards that  
12 hospitals may develop and implement. The Department shall  
13 approve any protocol that meets those standards. The  
14 Department may provide a sample acceptable protocol upon  
15 request.

16 Section 99. Effective date. This Act takes effect on  
17 January 1, 2002.