92_SB0114sam001

LRB9204216DJmbam02

- 1 AMENDMENT TO SENATE BILL 114
- 2 AMENDMENT NO. ____. Amend Senate Bill 114 by replacing
- 3 the title with the following:
- 4 "AN ACT in relation to emergency medical services."; and
- 5 by replacing everything after the enacting clause with the
- 6 following:
- 7 "Section 5. The Sexual Assault Survivors Emergency
- 8 Treatment Act is amended by changing Section 2 and adding
- 9 Section 2.2 as follows:
- 10 (410 ILCS 70/2) (from Ch. 111 1/2, par. 87-2)
- 11 Sec. 2. Hospitals to furnish emergency service. Every
- 12 hospital required to be licensed by the Department of Public
- 13 Health pursuant to the Hospital Licensing Act, approved July
- 14 1, 1953, as now or hereafter amended, which provides general
- 15 medical and surgical hospital services shall provide
- 16 emergency hospital service, in accordance with rules and
- 17 regulations adopted by the Department of Public Health, to
- 18 all alleged sexual assault survivors who apply for such
- 19 hospital emergency services in relation to injuries or trauma
- 20 resulting from the sexual assault.
- In addition every such hospital, regardless of whether or

1 not a request is made for reimbursement, except hospitals 2 participating in community or area wide plans in compliance with Section 4 of this Act, shall submit to the Department of 3 4 Public Health a plan to provide hospital emergency services to alleged sexual assault survivors which shall be made 5 available by such hospital. Such plan shall be submitted 6 7 within 60 days of receipt of the Department's request for 8 this plan, to the Department of Public Health for approval 9 prior to such plan becoming effective. The Department of Public Health shall approve such plan for emergency service 10

- 11 to alleged sexual assault survivors if it finds that the
- implementation of the proposed plan would provide adequate 12
- 13 hospital emergency service for alleged sexual assault
- survivors and provide sufficient protections from the risk of 14
- 15 pregnancy by sexual assault survivors.
- 16 The Department of Public Health shall periodically
- conduct on site reviews of such approved plans with hospital 17
- personnel to insure that the established procedures are being 18
- 19 followed.
- (Source: P.A. 89-507, eff. 7-1-97; 90-587, eff. 7-1-98.) 20
- 21 (410 ILCS 70/2.2 new)
- 22 Sec. 2.2. Emergency contraception.
- 23 (a) The General Assembly finds:
- 24 (1) Crimes of sexual violence cause significant 25 physical, emotional, and psychological trauma to the 26 victims. This trauma is compounded by a victim's fear of becoming pregnant and bearing a child as a result of the 27
- 28 sexual assault.
- 29 (2) Each year over 32,000 women become pregnant in 30 the United States as the result of rape and approximately
- 50% of these pregnancies end in abortion. 31
- 32 (3) As approved for use by the Federal Food and
- 33 Drug Administration (FDA), emergency contraception can

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(4) By providing emergency contraception to rape 4 victims in a timely manner, the trauma of rape can be 5 significantly reduced.

(b) Within 120 days after the effective date of this amendatory Act of the 92nd General Assembly, every hospital providing services to alleged sexual assault survivors in accordance with a plan approved under Section 2 must develop and implement a protocol that ensures that each survivor of sexual assault will receive medically and factually accurate and written and oral information about emergency contraception; the indications and counter-indications and risks associated with the use of emergency contraception; and a description of how and when victims may be provided emergency contraception upon the written order of the emergency room physician licensed to practice medicine in all its branches. The Department shall approve the protocol if it finds that the implementation of the protocol would provide sufficient protection for survivors of an alleged sexual assault.".