

## **Legislative Update: Emergency Contraception for Sexual Assault Survivors Seen in Hospital Emergency Rooms**

Effective January 1, 2008, House Bill 2700 requires that hospitals inform sexual assault victims about emergency contraception (EC) and provide EC pills upon request to victims before they leave the hospital. Specifically, Section 5 (1) of the bill states that "A hospital providing care to a female victim of sexual assault shall:

- a) Promptly provide the victim with unbiased, medically and factually accurate written and oral information about emergency contraception;
- b) Promptly orally inform the victim of her option to be provided emergency contraception at the hospital; and
- c) If requested by the victim and if not medically contraindicated, provide the victim with emergency contraception immediately at the hospital, notwithstanding section 2, chapter 789, Oregon Laws 2003" (relating to the reimbursement for medical assessments through the Sexual Assault Victims' Emergency Medical Response Fund within the Department of Justice).

Section 5 (2)(a) further states that "...the Department of Human Services shall develop, prepare and produce informational materials relating to emergency contraception for the prevention of pregnancy in victims of sexual assault for distribution to and use in all hospital emergency departments in the state, in quantities sufficient to comply with the requirements in this section."

In accordance with the new law, **the Reproductive Health Program developed the materials listed below, available at <http://www.healthoregon.org/fp/ec>:**

1. **Patient Fact Sheet:** *Pregnancy Protection After Sexual Assault: Emergency Contraception* - must be provided to every female victim of sexual assault of childbearing age who presents at a hospital after a rape.
2. **Patient Notification Poster:** *Pregnancy Protection After Sexual Assault: Your Right to Emergency Contraception* - must be posted in exam areas or other appropriate locations where patients can see it.
3. **Provider Fact Sheet:** *Emergency Contraception: A Safe and Effective Treatment Option for Sexual Assault Victims* - to distribute to appropriate hospital staff and other providers.

Currently these materials are available in English on the website. The patient fact sheet and patient notification poster in Chinese, Russian, Spanish and Vietnamese are forthcoming. DHS will mail copies of each to hospitals very soon (printing and translation are in process). In the meantime, copies can be downloaded and printed from <http://www.healthoregon.org/fp/ec>. This website also includes new links to additional information about emergency contraception and sexual assault services.

Family planning providers can help report hospital noncompliance. If you know a sexual assault victim who was not offered EC information or was refused EC in the hospital after January 1, 2008:

- Call DHS Health Care Licensure and Certification at 971-673-0540 in Portland between 8 a.m. and 5 p.m. (Pacific time) and ask for the hospital complaint investigator; or
- Complete the Initial Complaint Intake Form (available in PDF at [http://www.oregon.gov/DHS/ph/hclc/docs/hclc\\_intake.pdf](http://www.oregon.gov/DHS/ph/hclc/docs/hclc_intake.pdf)) and mail to the address below in an envelope clearly marked "Confidential".

Department of Human Services  
Health Services  
P.O. Box 14450  
Portland, OR 97293-0540

If you have any questions or need additional information regarding this message or these materials, please contact Judy Andreasen, Women's and Reproductive Health Section, at 971-673-0355.