


I Mina'trentai Siette Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
78-37 (COR)	William A. Parkinson	AN ACT TO ADD A NEW CHAPTER 98 OF TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO EMERGENCY CONTRACEPTION FOR SURVIVORS OF RAPE.	3/8/23 9:12 a.m.						

I MINA'TRENTAI SIETTE NA LIHESLATURAN GUÅHAN
2023 (FIRST) Regular Session

Bill No. 78-37 (COR)

Introduced by:

William A. Parkinson 

**AN ACT TO *ADD A NEW* CHAPTER 98 OF TITLE 10,
GUAM CODE ANNOTATED, RELATIVE TO
EMERGENCY CONTRACEPTION FOR SURVIVORS OF
RAPE.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. A *new* Chapter 98 of Title 10, Guam Code Annotated, is *added* to
read:

“Emergency Contraception For Survivors of Rape Act

Section 1. Definitions. As used in this Chapter, the following terms shall mean:

(A) “Emergency care to sexual assault victims” means a medical
examination, procedure, or service provided by an emergency health care
facility to a sexual assault victim following an alleged sexual offense.

(B) “Emergency contraception” means one or more prescription drugs to
prevent pregnancy, used separately or in combination, administered to or
self-administered by a patient within a medically recommended time after
sexual intercourse, dispensed for that purpose in accordance with
professional standards of practice and determined to be safe by the United
States Food and Drug Administration.

(C) “Emergency health care facility” means a general hospital or satellite
emergency department licensed under Guam law.

1 (D) “Medically and factually accurate and objective” means verified or
2 supported by the weight of research conducted in compliance with
3 accepted scientific methods and standards, published in peer-reviewed
4 journals and recognized as accurate and objective by leading professional
5 organizations and agencies with relevant expertise in the field of obstetrics
6 and gynecology.

7 (E) “Sexual assault victim” means a female who alleges or is alleged to
8 have suffered a personal, physical, or psychological injury as a result of a
9 sexual offense.

10 (F) “Sexual offense” means criminal sexual conduct as defined in 9 CGA
11 Chapter 25.

12 **Section 2. Provision of emergency care to sexual assault victim.** An
13 emergency health care facility shall provide emergency care to a sexual assault
14 victim. It shall be the standard of care for an emergency health care facility to:

15 (A) provide each sexual assault victim with medically and factually
16 accurate and objective oral and written information about emergency
17 contraception and sexually transmitted diseases, as provided for in Section
18 3 of this act;

19 (B) orally inform each sexual assault victim of her option to be provided
20 emergency contraception at the health care facility; and

21 (C) provide emergency contraception to the sexual assault victim, upon her
22 request, unless contraindicated. If the emergency contraceptive is in the
23 form of pills, the provision of the emergency contraception shall include
24 the initial dose that the victim may take at the emergency health care
25 facility, as well as the follow-up dose that the victim can self-administer
26 later.

1 An emergency health care facility shall not be required to provide emergency
2 contraception to a sexual assault victim who is pregnant.

3 **Section 3. Policies, procedures concerning personnel training.** An
4 emergency health care facility shall have written policies and procedures to ensure
5 that all personnel who provide care or information to a sexual assault victim:

6 (A) are trained to provide medically and factually accurate and objective
7 information about emergency contraception and sexually transmitted
8 diseases to a sexual assault victim; and

9 (B) provide that information to a sexual assault victim.

10 **Section 4. Written information relative to emergency contraception for**
11 **sexual assault victims.**

12 The Director of Public Health and Social Services, in collaboration with the
13 Director of the Bureau of Women’s Affairs, the Guam Sexual Assault Response
14 Team, and the Guam Coalition against Sexual Assault and Family Violence, shall
15 develop, prepare, and produce written information relating to emergency
16 contraception for the prevention of pregnancy in sexual assault victims; and sexually
17 transmitted diseases.

18 The information shall be clearly written and readily comprehensible in a
19 culturally competent manner, as the Director, in collaboration with the Bureau of
20 Women’s Affairs, the Guam Sexual Assault Response Team, and the Guam
21 Coalition against Sexual Assault and Family Violence, deems necessary to inform a
22 sexual assault victim. The information shall explain the nature of emergency
23 contraception, the effectiveness of emergency contraception in preventing
24 pregnancy, where emergency contraception can be obtained, and treatment options;
25 and the symptoms and effects of sexually transmitted diseases, and treatment
26 options. The information shall be distributed to all hospital and satellite emergency
27 departments for use in those facilities.

1 **Section 2. Effective date.** This Act shall be effective upon enactment.

2 **Section 3. Severability.** If any provision of this Act or its application to
3 any person or circumstance is found to be invalid or contrary to law, such invalidity
4 shall not affect other provisions or applications of this Act that can be given effect
5 without the invalid provision or application, and to this end the provisions of this
6 Act are severable.