

1 A bill to be entitled

2 An act relating to reproductive health services; creating  
3 the Prevention First Act; requiring the Secretary of  
4 Health to develop and maintain on the department's  
5 Internet website information on family planning and  
6 referrals to local community resources to assist women and  
7 families in preventing unintended pregnancies; requiring  
8 school districts to develop a comprehensive family life  
9 and human sexuality education curriculum; providing  
10 requirements for the curriculum; providing conditions  
11 under which the curriculum may be audited; providing  
12 definitions relating to the treatment of rape survivors;  
13 providing duties of licensed health care facilities and  
14 practitioners relating to the treatment of rape survivors;  
15 providing an effective date.

16  
17 WHEREAS, the Legislature finds that many women and teens in  
18 the state do not have access to birth control and information  
19 about family planning, and

20 WHEREAS, the Legislature finds that the victimization of  
21 women through rape is compounded by the possibility that the  
22 rape survivor may suffer an unwanted pregnancy by the rapist,  
23 half of which end in abortion, and

24 WHEREAS, the Legislature further finds that providing  
25 access to family planning information, contraception, and  
26 pregnancy prevention prophylaxis will prevent abortions and  
27 unintended pregnancies, thereby significantly reducing the

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28 number of women and teens who need medical assistance, Medicaid,  
 29 KidCare, and other social services, and

30 WHEREAS, the Legislature recognizes that the most recent  
 31 study of women in need of family planning services by the  
 32 Florida State University Center for Prevention and Early  
 33 Intervention Policy found that only 26 percent of women in  
 34 Florida in need of family planning services are currently  
 35 receiving the services, and

36 WHEREAS, the Legislature further recognizes that in the  
 37 most recent peer-reviewed study of family planning cost-  
 38 effectiveness, an analysis of California's family planning  
 39 program showed that for every \$1 million spent on family  
 40 planning, more than 900 unintended pregnancies were prevented  
 41 and more than 350 abortions were avoided, and the unintended  
 42 pregnancies prevented by the California family planning efforts  
 43 saved an estimated \$4.48 in public expenditures for every \$1  
 44 spent, NOW, THEREFORE,

45  
 46 Be It Enacted by the Legislature of the State of Florida:

47  
 48 Section 1. This act may be cited as the "Prevention First  
 49 Act."

50 Section 2. Family planning.--The Secretary of Health shall  
 51 develop and maintain, on the Department of Health's Internet  
 52 website, information on family planning and referrals to local  
 53 community resources to assist women and families in preventing  
 54 unintended pregnancies. The website must provide information on:

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55       (1) Family planning methods, including all methods of  
56 contraception and natural family planning approved by the  
57 Federal Drug Administration.

58       (2) Basic preventive reproductive health services,  
59 including breast and gynecological examinations, cervical cancer  
60 screenings, screenings for sexually transmitted diseases,  
61 including human immunodeficiency virus (HIV), and pregnancy  
62 diagnosis and counseling.

63       (3) Referrals to local community providers and resources,  
64 including subsidized family planning services, that provide  
65 family planning services and counseling and basic preventive  
66 reproductive health services.

67       Section 3. Comprehensive family life and human sexuality  
68 education.--

69       (1) All school districts shall develop a comprehensive  
70 family life and human sexuality education curriculum no later  
71 than the 2008-2009 school year.

72       (2) For the purposes of this section, the term  
73 "comprehensive family life and human sexuality education" means  
74 education in kindergarten through grade 12 that:

75       (a) Respects community values and encourages family  
76 communication.

77       (b) Develops skills in communication, decisionmaking, and  
78 conflict resolution.

79       (c) Contributes to healthy relationships.

80       (d) Provides human development and sexuality education  
81 that is medically accurate and age appropriate.

82 (e) Promotes responsible behavior, including, but not  
 83 limited to, the promotion of abstinence.

84 (f) Addresses the medically accurate use of contraception.

85 (g) Promotes individual responsibility.

86 (3) If any individual believes that the local school  
 87 district is not complying with this section, the individual may  
 88 request in writing to the Auditor General that the local school  
 89 district's family life and human sexuality curriculum be  
 90 audited. If the Auditor General finds that the local school  
 91 district has violated this section, the audit finding shall be  
 92 forwarded to the Attorney General. If the Attorney General  
 93 agrees with the Auditor General's findings, the Attorney General  
 94 shall advise the school district that both the Auditor General  
 95 and the Attorney General have determined that the school  
 96 district is not in compliance with the requirements of this  
 97 section. Any school district that does not correct the  
 98 deficiencies in its family life and human sexuality curriculum  
 99 to the satisfaction of both the Auditor General and the Attorney  
 100 General in a timely manner shall be considered to have not met  
 101 the objectives of any school improvement plan of the district.

102 Section 4. Treatment for survivors of rape.--

103 (1) As used in this section, the term:

104 (a) "Care to a rape survivor" means medical examinations,  
 105 procedures, and services provided to a rape survivor.

106 (b) "Incest" means a sexual offense described in s.

107 826.04, Florida Statutes.

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108        (c) "Pregnancy prevention prophylaxis" means any drug or  
109 device approved by the federal Food and Drug Administration that  
110 prevents pregnancy after sexual intercourse.

111        (d) "Rape" means sexual battery as described in ss.  
112 794.011 and 827.071, Florida Statutes.

113        (e) "Rape survivor" means a person who alleges or is  
114 alleged to have been raped or is the victim of alleged incest  
115 and, because of the alleged offense, seeks treatment as a  
116 patient.

117        (2) A health care practitioner licensed under chapter 458,  
118 chapter 459, or chapter 464, Florida Statutes, or a health care  
119 facility licensed under chapter 395, Florida Statutes, that  
120 provides care to a rape survivor shall:

121        (a) Provide each rape survivor with medically and  
122 factually accurate, clear, and concise information about  
123 pregnancy prevention prophylaxis, including its indications and  
124 contraindications and risks associated with its use.

125        (b) Inform each rape survivor of the survivor's medical  
126 option to receive pregnancy prevention prophylaxis.

127        (c) If pregnancy prevention prophylaxis is requested,  
128 immediately prescribe or provide the rape survivor with  
129 pregnancy prevention prophylaxis if it is determined by the  
130 practitioner to be medically appropriate.

131        Section 5. This act shall take effect upon becoming a law.