

By Senator Rich

34-1432A-06

1 A bill to be entitled
2 An act relating to reproductive health services
3 and family planning; creating the Prevention
4 First Act; requiring the Secretary of Health to
5 develop and maintain certain information on
6 family planning and resources on the website of
7 the Department of Health; requiring that the
8 website contain certain information concerning
9 family planning and health services; requiring
10 the Department of Education to develop a
11 comprehensive family life and sexuality
12 education plan; providing definitions;
13 providing duties of licensed health care
14 facilities and practitioners relating to
15 treatment of rape survivors; providing an
16 effective date.

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18 WHEREAS, the Legislature finds that many Florida women
19 and teens do not have access to birth control and information
20 about family planning, and

21 WHEREAS, the Legislature finds that the victimization
22 of women through rape is compounded by the possibility that
23 the rape survivors may suffer unwanted pregnancies, and half
24 of such pregnancies end in abortion, and

25 WHEREAS, the Legislature further finds that providing
26 access to family planning information, contraception, and
27 pregnancy-prevention prophylaxis will prevent abortions and
28 unintended pregnancies, thereby significantly reducing the
29 number of women and teens who need medical assistance,
30 Medicaid, KidCare, and other social services, and

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1 WHEREAS, the Legislature recognizes that the most
2 recent study of women in need of family planning services by
3 the Florida State University Center for Prevention and Early
4 Intervention Policy found that only 26 percent of women in
5 this state who are in need of such services are currently
6 receiving them, and

7 WHEREAS, the Legislature further recognizes that in the
8 most recent peer-reviewed study of the cost-effectiveness of
9 family planning services, an analysis of California's program
10 showed that for every \$1 million spent on family planning,
11 more than 900 unintended pregnancies were prevented and more
12 than 350 abortions were avoided, and the unintended
13 pregnancies prevented by the family planning efforts in
14 California saved an estimated \$4.48 in public expenditures for
15 every \$1 spent, NOW, THEREFORE,

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. This act may be cited as the "Prevention
20 First Act."

21 Section 2. The Secretary of Health shall develop and
22 maintain, as part of the Department of Health's website,
23 information on family planning and referrals to local
24 community resources to assist women and families in preventing
25 unintended pregnancies. The website must provide information
26 on:

27 (1) Family planning methods, including all methods of
28 contraception and natural family planning approved by the
29 federal Food and Drug Administration;

30 (2) Basic reproductive health procedures, including
31 breast and pelvic examinations; cervical cancer screenings;

1 screenings for sexually transmitted diseases and the human
2 immunodeficiency virus; and pregnancy diagnosis and
3 counseling; and

4 (3) Referrals to local community providers and
5 resources, including subsidized family planning providers,
6 that provide family planning services and counseling and basic
7 contraceptive, pregnancy-preventive, and reproductive health
8 services.

9 Section 3. Comprehensive family life and sexuality
10 education.--

11 (1) The Department of Education shall develop a plan
12 to provide comprehensive family life and sexuality education
13 no later than the 2009-2010 school year and shall implement
14 such plan by the following school year.

15 (2) As used in this section, the term "comprehensive
16 family life and sexuality education" means education in
17 kindergarten through grade 12 which:

18 (a) Respects community values and encourages family
19 communication.

20 (b) Develops skills in communication, decisionmaking,
21 and conflict resolution.

22 (c) Contributes to healthy relationships.

23 (d) Provides education in human development and
24 sexuality which is medically accurate and age-appropriate.

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

27 (f) Addresses the medically accurate use of
28 contraception measures.

29 (g) Promotes individual responsibility.

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

31 (1) DEFINITIONS.--As used in this section, the term:

1 (a) "Care to a rape survivor" means medical
2 examinations, procedures, and services provided to a rape
3 survivor.

4 (b) "Incest" means a sexual offense described in s.
5 826.04, Florida Statutes.

6 (c) "Pregnancy-prevention prophylaxis" means any drug
7 or device approved by the federal Food and Drug Administration
8 which prevents pregnancy after sexual intercourse.

9 (d) "Rape" means sexual battery as described in ss.
10 794.011 and 827.071, Florida Statutes.

11 (e) "Rape survivor" means a person who alleges or is
12 alleged to have been raped or is the victim of alleged incest
13 and because of the alleged offense seeks treatment as a
14 patient.

15 (2) DUTIES OF LICENSED PRACTITIONERS AND FACILITIES.--

16 (a) A health care practitioner licensed under chapter
17 458, chapter 459, or chapter 464, Florida Statutes, or a
18 health care facility licensed under chapter 395, Florida
19 Statutes, which provides care to a rape survivor shall:

20 1. Provide each rape survivor with medically and
21 factually accurate, clear, and concise information concerning
22 pregnancy-prevention prophylaxis, including its indications
23 and contraindications and risks associated with its use.

24 2. Inform each female rape survivor of her medical
25 option to receive pregnancy-prevention prophylaxis.

26 (b) If pregnancy-prevention prophylaxis is requested,
27 the health care practitioner shall immediately prescribe or
28 provide the rape survivor with pregnancy-prevention
29 prophylaxis if it is determined by the practitioner to be
30 medically appropriate.

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