

HB 1191

2007

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

14
15 WHEREAS, the Legislature finds that many Florida women and
16 teens do not have access to birth control and information about
17 family planning, and

18 WHEREAS, the Legislature finds that the victimization of
19 women through rape is compounded by the possibility that the
20 rape survivors may suffer unintended pregnancies, and half of
21 such pregnancies end in abortion, and

22 WHEREAS, the Legislature further finds that providing
23 access to family planning information, services, and birth
24 control will prevent abortions and unintended pregnancies,
25 thereby significantly reducing the number of women and teens who
26 need medical assistance, Medicaid, KidCare, and other social
27 services, and

28 WHEREAS, the Legislature recognizes that the most recent

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29 study of women in need of family planning services by the
 30 Florida State University Center for Prevention and Early
 31 Intervention Policy found that only 26 percent of women in this
 32 state who are in need of such services are currently receiving
 33 them, and

34 WHEREAS, according to the Department of Health's Family
 35 Planning Program, for every dollar spent in family planning
 36 services, up to \$24 is saved as a result of averting
 37 expenditures for public programs that support women who have
 38 unintended pregnancies and their infants, NOW, THEREFORE,

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

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42 Section 1. This act may be cited as the "Prevention First
 43 Act."

44 Section 2. The Secretary of Health shall develop and
 45 maintain, as part of the Department of Health's website,
 46 information on family planning and referrals to local community
 47 resources to assist women and families in preventing unintended
 48 pregnancies. The website must provide information on:

49 (1) Family planning methods, including all methods of
 50 contraception and natural family planning approved by the
 51 federal Food and Drug Administration;

52 (2) Basic reproductive health procedures, including breast
 53 and pelvic examinations; cervical cancer screenings; screenings
 54 for sexually transmitted diseases and the human immunodeficiency
 55 virus; and pregnancy diagnosis and counseling; and

56 (3) Referrals to local community providers, including

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57 subsidized family planning providers, which provide family
58 planning services and counseling and basic contraceptive,
59 pregnancy-preventive, and reproductive health services.

60 Section 3. Comprehensive family life and sexuality
61 education.--

62 (1) The Department of Education shall develop a plan to
63 provide comprehensive family life and sexuality education no
64 later than the 2010-2011 school year and shall implement such
65 plan by the following school year.

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

69 (a) Respects community values and encourages family
70 communication.

71 (b) Develops skills in goal setting, communication,
72 decisionmaking, and conflict resolution.

73 (c) Contributes to healthy relationships.

74 (d) Provides education in human development and sexuality
75 which is medically accurate and age appropriate.

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

78 (f) Addresses the medically accurate use of contraception
79 measures, including, but not limited to, the rate of efficacy
80 and responsible decisionmaking skills.

81 (g) Promotes individual responsibility.

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

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

84 (a) "Care to a rape survivor" means medical examinations,

85 procedures, and services provided to a rape survivor.

86 (b) "Incest" means a sexual offense described in s.
 87 826.04, Florida Statutes.

88 (c) "Emergency birth control" means any drug or device
 89 approved by the federal Food and Drug Administration which
 90 prevents pregnancy after sexual intercourse.

91 (d) "Rape" means sexual battery as described in ss.
 92 794.011 and 827.071, Florida Statutes.

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

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

97 (a) A health care practitioner licensed under chapter 458,
 98 chapter 459, or chapter 464, Florida Statutes, or a health care
 99 facility licensed under chapter 395, Florida Statutes, which
 100 provides care to a rape survivor shall:

101 1. Provide each rape survivor with medically and factually
 102 accurate, clear, and concise information concerning emergency
 103 birth control, including its indications and contraindications
 104 and risks associated with its use.

105 2. Inform each female rape survivor of her medical option
 106 to receive emergency birth control.

107 (b) If emergency birth control is requested, the health
 108 care practitioner shall immediately prescribe or provide the
 109 rape survivor with emergency birth control if it is determined
 110 by the practitioner to be medically appropriate.

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