

# HOUSE BILL 1205

F2, J1

7lr2425

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By: **Delegates Morales, Hettleman, Angel, Atterbeary, Barkley, Dumais, Fraser-Hidalgo, Gilchrist, Haynes, Hill, Kaiser, Korman, Krimm, Lierman, Luedtke, A. Miller, Moon, Platt, Queen, Reznik, Tarlau, Valderrama, Waldstreicher, M. Washington, Wilkins, and K. Young**

Introduced and read first time: February 9, 2017

Assigned to: Health and Government Operations and Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Institutions of Higher Education – Access of Students to Emergency**  
3 **Contraception**

4 FOR the purpose of requiring a public institution of higher education to require a student  
5 health center to provide during certain hours of operation of the student health  
6 center on-site access to certain emergency contraception and contraceptive  
7 counseling or referrals for contraceptive counseling to other qualified health care  
8 providers; requiring a public institution of higher education to ensure the availability  
9 of certain emergency contraception at all times, certain information relating to the  
10 availability of emergency contraception on campus and off campus, and certain  
11 information in a certain format based on certain recommendations; defining certain  
12 terms; and generally relating to access of students to emergency contraception at  
13 public institutions of higher education.

14 BY adding to  
15 Article – Education  
16 Section 15–121  
17 Annotated Code of Maryland  
18 (2014 Replacement Volume and 2016 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
20 That the Laws of Maryland read as follows:

21 **Article – Education**

22 **15–121.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
2 INDICATED.

3           (2) "EMERGENCY CONTRACEPTION" MEANS A DRUG REGIMEN  
4 APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION THAT IS  
5 USED AFTER SEXUAL INTERCOURSE TO PREVENT PREGNANCY.

6           (3) "OVER-THE-COUNTER" MEANS A DRUG APPROVED BY THE  
7 UNITED STATES FOOD AND DRUG ADMINISTRATION FOR OVER-THE-COUNTER  
8 USE.

9           (4) "STUDENT HEALTH CENTER" MEANS A HEALTH CENTER  
10 OPERATED BY A PUBLIC INSTITUTION OF HIGHER EDUCATION FOR THE PURPOSE OF  
11 PROVIDING HEALTH CARE SERVICES TO STUDENTS.

12           (B) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL REQUIRE A  
13 STUDENT HEALTH CENTER TO PROVIDE DURING THE REGULAR HOURS OF  
14 OPERATION OF THE STUDENT HEALTH CENTER:

15           (1) ON-SITE ACCESS TO EMERGENCY CONTRACEPTION BY  
16 PRESCRIPTION AND OVER-THE-COUNTER; AND

17           (2) CONTRACEPTIVE COUNSELING OR REFERRALS FOR  
18 CONTRACEPTIVE COUNSELING TO OTHER QUALIFIED HEALTH CARE PROVIDERS.

19           (C) A PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL ENSURE THE  
20 AVAILABILITY OF:

21           (1) OVER-THE-COUNTER EMERGENCY CONTRACEPTION AT ALL  
22 TIMES;

23           (2) INFORMATION RELATING TO THE AVAILABILITY OF EMERGENCY  
24 CONTRACEPTION ON CAMPUS AND OFF CAMPUS ON ITS WEB SITE AND THROUGH  
25 OTHER MEANS OF COMMUNICATING WITH STUDENTS; AND

26           (3) INFORMATION RELATING TO EMERGENCY CONTRACEPTION IN A  
27 CONSUMER-FRIENDLY FORMAT BASED ON THE RECOMMENDATIONS OF THE  
28 AMERICAN SOCIETY FOR EMERGENCY CONTRACEPTION.

29           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
30 1, 2017.