

Department of Legislative Services  
Maryland General Assembly  
2002 Session

FISCAL NOTE

House Bill 930

(Delegate Kagan, *et al.*)

Environmental Matters

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Emergency Care for Survivors of Rape

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This bill requires a hospital that provides emergency care to a rape survivor to develop a protocol by January 1, 2003 that ensures that each rape survivor who requests emergency care receives medically and factually accurate written and oral information about: (1) emergency contraception; (2) the indications, contraindications, and risks associated with the use of emergency contraception; and (3) the circumstances under which sexual assault survivors may be provided emergency contraception. The Department of Health and Mental Hygiene (DHMH) must approve the protocol if DHMH finds that the protocol's implementation would provide sufficient protection for rape survivors.

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Fiscal Summary

**State Effect:** The review of hospital protocols could be handled with existing DHMH budgeted resources. No effect on revenues.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** A person may not be required to perform or participate in, or refer to any source for, any medical procedure that results in artificial insemination, sterilization, or termination of pregnancy. A licensed hospital, hospital director, or hospital governing board may not be required to permit, within the hospital, the performance of any medical procedure that results in the artificial insemination, sterilization, or termination of pregnancy or to refer to any source for these medical procedures. Refusal to perform,

participate in, permit, or refer to a source for these procedures may not be grounds for civil liability or disciplinary action.

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### **Additional Information**

**Prior Introductions:** A similar bill, HB 1224 of 2001, was not reported by the House Environmental Matters Committee.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene (Office of Health Care Quality, Family Health Administration, Health Services Cost Review Commission), Department of Legislative Services

**Fiscal Note History:** First Reader - March 12, 2002  
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