

By: Beckley

H.B. No. 4099

A BILL TO BE ENTITLED

AN ACT

relating to information and contraceptives provided to a sexual assault survivor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 323.004, Health and Safety Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) A health care facility providing care to a sexual assault survivor shall provide the survivor with:

(1) subject to Subsection (b-1), a forensic medical examination in accordance with Subchapter B, Chapter 420, Government Code, if the examination has been requested by a law enforcement agency under Article 56.06, Code of Criminal Procedure, or is conducted under Article 56.065, Code of Criminal Procedure;

(2) a private area, if available, to wait or speak with the appropriate medical, legal, or sexual assault crisis center staff or volunteer until a physician, nurse, or physician assistant is able to treat the survivor;

(3) access to a sexual assault program advocate, if available, as provided by Article 56.045, Code of Criminal Procedure;

(4) the information form required by Section 323.005;

(5) a private treatment room, if available;

(6) if indicated by the history of contact, access to

1 appropriate prophylaxis for exposure to sexually transmitted  
2 infections; ~~and~~

3 (7) the name and telephone number of the nearest  
4 sexual assault crisis center;

5 (8) medically accurate information about the services  
6 this state provides to sexual assault survivors, including  
7 information necessary for the survivor to make an informed decision  
8 on emergency and nonemergency contraceptives;

9 (9) emergency contraceptives provided at no cost to  
10 the survivor;

11 (10) a nonemergency contraceptive of the survivor's  
12 choice provided at no cost to the survivor; and

13 (11) if necessary, a list of clinics in the survivor's  
14 geographic area that provide follow-up services related to the  
15 contraceptive provided to the survivor under Subdivision (10).

16 (e) A health care facility providing a contraceptive to a  
17 sexual assault survivor under Subsection (b)(9) or (10) may apply  
18 to the Health and Human Services Commission in the form and manner  
19 provided by commission rule for reimbursement of the cost of the  
20 contraceptive and any related medical expenses incurred by the  
21 facility related to providing the contraceptive. The commission  
22 shall reimburse a facility if the facility timely provides a  
23 complete application to the commission.

24 SECTION 2. As soon as practicable after the effective date  
25 of this Act, the executive commissioner of the Health and Human  
26 Services Commission shall adopt rules necessary to implement  
27 Section 323.004, Health and Safety Code, as amended by this Act.

1           SECTION 3.   This Act takes effect September 1, 2019.