

CHAPTER 98
EMERGENCY CONTRACEPTION FOR SURVIVORS OF RAPE ACT

SOURCE: Entire Chapter added by P.L. 38-038:1 (Aug. 18, 2025).

- § 98101. Definitions.
- § 98102. Provision of Emergency Care to Sexual Assault Victim.
- § 98103. Policies, Procedures Concerning Personnel Training.
- § 98104. Written Information Relative to Emergency Contraception for Sexual Assault Victims.

§ 98101. Definitions.

As used in this Chapter, the following terms shall mean:

(a) “emergency care to sexual assault victims” means a medical examination, procedure, or service provided by an emergency health care facility to a sexual assault victim following an alleged sexual offense.

(b) “emergency contraception” means one (1) or more prescription drugs to prevent pregnancy, used separately or in combination, administered to or self-administered by a patient within a medically recommended time after sexual intercourse, dispensed for that purpose in accordance with professional standards of practice and determined to be safe by the United States Food and Drug Administration.

(c) “emergency health care facility” means a general hospital or satellite emergency department licensed under Guam law.

(d) “medically and factually accurate and objective” means verified or supported by the weight of research conducted in compliance with accepted scientific methods and standards, published in peer-reviewed journals and recognized as accurate and objective by leading professional organizations and agencies with relevant expertise in the field of obstetrics and gynecology.

(e) “sexual assault victim” means a female who alleges or is alleged to have suffered a personal, physical, or psychological injury as a result of a sexual offense.

(f) “sexual offense” means criminal sexual conduct as defined in 9 GCA Chapter 25.

§ 98102. Provision of Emergency Care to Sexual Assault Victim.

An emergency health care facility shall provide emergency care to a sexual assault victim. It shall be the standard of care for an emergency health care facility to:

(a) provide each sexual assault victim with medically and factually accurate and objective oral and written information about emergency contraception and sexually transmitted diseases, as provided for in Section 3 of this Chapter;

(b) orally inform each sexual assault victim of her option to be provided emergency contraception at the health care facility or Healing Hearts Crisis Center; and

(c) provide emergency contraception to the sexual assault victim, upon her request, unless contraindicated. If the emergency contraceptive is in the form of pills, the provision of the emergency contraception shall include the initial dose that the victim may take at the emergency health care facility, as well as the follow-up dose that the victim can self-administer later.

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An emergency health care facility shall not be required to provide emergency contraception to a sexual assault victim who is pregnant.

§ 98103. Policies, Procedures Concerning Personnel Training.

An emergency health care facility shall have written policies and procedures to ensure that all personnel who provide care or information to a sexual assault victim:

- (a) are trained to provide medically and factually accurate and objective information about emergency contraception and sexually transmitted diseases to a sexual assault victim; and
- (b) provide that information to a sexual assault victim.

§ 98104. Written Information Relative to Emergency Contraception for Sexual Assault Victims.

(a) The Director of Public Health and Social Services, in collaboration with the Director of the Bureau of Women's Affairs, the Guam Sexual Assault Response Team, the Guam Coalition against Sexual Assault and Family Violence and the Healing Hearts Crisis Center, shall develop, prepare, and produce written information relating to emergency contraception for the prevention of pregnancy in sexual assault victims; and sexually transmitted diseases.

(b) The information shall be clearly written and readily comprehensible in a culturally competent manner, as the Director, in collaboration with the Bureau of Women's Affairs, the Guam Sexual Assault Response Team, the Guam Coalition against Sexual Assault and Family Violence and the Healing Hearts Crisis Center, deems necessary to inform a sexual assault victim. The information shall explain the nature of emergency contraception, the effectiveness of emergency contraception in preventing pregnancy, where emergency contraception can be obtained, and treatment options; and the symptoms and effects of sexually transmitted diseases, and treatment options. The information shall be distributed to all hospital and satellite emergency departments for use in those facilities.

2025 NOTE: Subsection designations added pursuant to the authority of 1 GCA § 1606.
