



**2019 New York State YMCA
Youth And Government**

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Committee Assignment: Senate 2

Bill #:S-10

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Sponsors: Samir Ghimire, Aanzan Sachdeva

An Act To:

Amend paragraph 16 § 3221 of the insurance law and § six of section 6527 of the education law to not require health insurance for FDA approved Plan B contraceptive pill and to authorize a registered professional nurse to administer or dispense emergency contraception and administer the sexual offense evidence collection (Rape kit) on a patient.

The People of the State of New York, represented in the Senate and Assembly do enact as follows:

Purpose: The purpose of this bill is to mandate NYS hospitals to offer and distribute plan B free of cost, without the need of health insurance to victims of rape.

Summary of Provisions

Section 1:

Contraceptives: A device or drug serving to prevent pregnancy.

Plan B: Works like other birth control pills to prevent pregnancy. The drug acts primarily by stopping the release of an egg from the ovary. Prevents fertilizations and/or prevents fertilized eggs from attaching to the womb.

Health Insurance: “ Absorbs” or offsets health care costs associated with but not limited to, routine health examinations, specialist referral visits, inpatient and outpatient surgeries, unforeseen eventualities such as illnesses and injuries and prescription medication.

Cost Sharing: occurs when patients pay for a portion of health care costs not covered by health insurance.

Rape Kit: also known as a sexual assault kit (SAK), a sexual assault forensic evidence (SAFE) kit, a sexual assault evidence collection kit (SAECK), a sexual offense evidence collection (SOEC) kit, or a physical evidence recovery kit (PERK) —is a package of items used by medical personnel for gathering and preserving physical evidence following an allegation of sexual assault.

Section 2:

Paragraph 16 § of section 3221 of the insurance law

~~(16) No policy delivered or issued for delivery in this state which provides coverage for prescription drugs and for which cost-sharing deductibles or coinsurance obligations are determined by category of prescription drugs shall impose cost-sharing, deductibles or co-insurance obligations for any prescription drug that exceeds the dollar amount of cost-sharing, deductibles or co-insurance obligations for non-preferred brand drugs or its equivalent (or brand drugs if there is no non-preferred brand drug category).~~ FDA approved Plan B



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42 contraceptive pills will be free of cost to the public and available in all NYS public hospitals
43 without the need of health insurance. There will be no out of pocket payments or cost sharing
44 needed for obtaining the pill. This does not include abortion pills, procedures or birth control
45 implants.

46 § Six of section 6527 of the education law

47 A licensed physician may prescribe and order a non-patient specific regimen to a
48 registered professional nurse, pursuant to regulations promulgated by the commissioner, and
49 consistent with the public health law, for:

50 (a) administering immunizations.

51 (b) the emergency treatment of anaphylaxis.

52 (c) administering purified protein derivative (PPD) tests or other tests to detect or screen for
53 tuberculosis infections.

54 (d) administering tests to determine the presence of the human immunodeficiency virus.

55 (e) administering tests to determine the presence of the hepatitis C virus.

56 (f) the urgent or emergency treatment of opioid related overdose or suspected opioid related
57 overdose.

58 (g) screening of persons at increased risk of syphilis, gonorrhea and chlamydia.

59 (h) administering sexual offense evidence collection

60 (f) administering or dispensing Plan B contraceptive pills

61

62 **Justification**

63 37% of pregnancies are unintended. A widely-cited study from the American Journal of
64 Obstetrics and Gynecology sampled over 4,000 women and found that the rape-related
65 pregnancy rate was over 5.0 percent, meaning that over 200 women became pregnant due to
66 rape. Women who are victims of rape may need a Plan B pill right away and in the moment may
67 not have a resource to pay for it at the moment and do not know if they are pregnant or not.
68 Without insurance, contraceptive pills can cost from \$35 - \$60 per pill, amounting to \$720
69 annually. Conceiving a child and then bringing it into the world is a big deal, one should be able
70 to choose whether or not they want to. This bills considers women's moral values in that many
71 women are against abortion, and so instead they can utilize a contraceptive pill before any
72 fertilization or development of the fertilized egg occurs. It is intended to make this pill easily
73 obtained by all women regardless of their financial status. By using the Rape kit hospitals are
74 able to confirm the assault.

75 **Fiscal Implications**

76 The fiscal implications of this bill will be minimal because hospitals receive medication and
77 supplies in bulks, meaning that they pay much less than the public does for the medication. The
78 usage of the Rape kits will not have an effect on the fiscal implications

79

80 **Effective Date**

81 This bill will go into effect January 1st of the year following its passage