§ 2805-p. Emergency treatment of rape survivors. 1. As used in this section:

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

(b) "Emergency treatment" shall mean any medical examination or treatment provided by a hospital to a rape survivor following an alleged rape.

(c) "Rape" shall mean any act defined in section 130.25, 130.30 or 130.35 of the penal law.

(d) "Rape survivor" or "survivor" shall mean any person who alleges or is alleged to have been raped and who presents as a patient.

2. Every hospital providing emergency treatment to a rape survivor shall promptly:

(a) provide such survivor with written information prepared or approved, pursuant to subdivision three of this section, relating to emergency contraception;

(b) orally inform such survivor of the availability of emergency contraception, its use and efficacy; and

(c) provide emergency contraception to such survivor, unless contraindicated, upon such survivor's request. No hospital may be required to provide emergency contraception to a rape survivor who is pregnant.

3. The commissioner shall develop, prepare and produce informational materials relating to emergency contraception for distribution to and use in all hospitals in the state, in quantities sufficient to comply with the requirements of this section. The commissioner may also approve informational materials from medically recognized sources for the purposes of this section. Such informational material shall be in clear and concise language, readily comprehensible, in such varieties and forms as the commissioner shall deem necessary to inform survivors in English and languages other than English. Such materials shall explain

the nature of emergency contraception including its use and efficacy.

4. The commissioner shall promulgate all such rules and regulations as may be necessary and proper to implement the provisions of this section.