

House Bill 941

By: Representatives Bazemore of the 63rd, Trammell of the 132nd, Belton of the 112th, Carter of the 92nd, Mitchell of the 88th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to competencies and core curriculum, so as to provide for instruction on
3 the best practices for and risks associated with the use of tampons in a course of study in sex
4 education and AIDS prevention instruction; to amend Article 1 of Chapter 1 of Title 31 of
5 the Official Code of Georgia Annotated, relating to general provisions regarding health, so
6 as to encourage physicians and nurses providing a tampon for use by any female patient
7 under his or her care to recite and provide certain written information to such female patient
8 regarding the best practices for and risks associated with the use of tampons; to provide for
9 related matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 style="text-align:center">**SECTION 1.**

12 Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
13 relating to competencies and core curriculum, is amended in Code Section 20-2-143, relating
14 to sex education and AIDS prevention instruction, implementation, and student exemption,
15 by revising subsections (a) and (b) and by adding a new subsection to read as follows:

16 "(a) Each local board of education shall prescribe a course of study in sex education and
17 ~~AIDS~~ acquired immune deficiency syndrome (AIDS) prevention instruction for such
18 grades and grade levels in the public school system as shall be determined by the State
19 Board of Education. Such course of study shall implement either the minimum course of
20 study provided for in subsection (b) of this Code section or its equivalent, as approved by
21 the State Board of Education. Each local board of education shall be authorized to
22 supplement and develop the exact approach of content areas of such minimum course of
23 study with such specific curriculum standards as it may deem appropriate. Such standards
24 shall include instruction relating to the handling of peer pressure, the promotion of high
25 self-esteem, local community values, the legal consequences of parenthood, ~~and~~ abstinence
26 from sexual activity as an effective method of prevention of pregnancy, sexually

27 transmitted diseases, and ~~acquired immune deficiency syndrome~~ AIDS, and, for female
 28 students, best practices for and risks associated with the use of tampons as provided for in
 29 subsection (b.1) of this Code section.

30 (b) The State Board of Education shall prescribe a minimum course of study in sex
 31 education and AIDS prevention instruction which may be included as a part of a course of
 32 study in comprehensive health education for such grades and grade levels in the public
 33 school system as shall be determined by the state board and shall establish standards for
 34 its administration. The course may include instruction concerning human biology,
 35 conception, pregnancy, birth, sexually transmitted diseases, ~~and acquired immune~~
 36 ~~deficiency syndrome~~ AIDS, and toxic shock syndrome (TSS). The course shall include
 37 instruction concerning the legal consequences of parenthood, including, without being
 38 limited to, the legal obligation of both parents to support a child and legal penalties or
 39 restrictions upon failure to support a child, including, without being limited to, the possible
 40 suspension or revocation of a parent's driver's license and occupational or professional
 41 licenses. The course may include instruction for female students on the best practices for
 42 and risks associated with the use of tampons as provided for in subsection (b.1) of this
 43 Code section. A manual setting out the details of such course of study shall be prepared
 44 by or approved by the State School Superintendent in cooperation with the Department of
 45 Public Health, the State Board of Education, and such expert advisers as they may choose.

46 (b.1) Instruction for female students on the best practices for and risks associated with the
 47 use of tampons as provided for in subsections (a) and (b) of this Code section, may include
 48 the following information:

49 (1) Tampons are associated with toxic shock syndrome (TSS) which is a rare but serious
 50 disease that may cause death;

51 (2) The warning signs of TSS, which include sudden fever and vomiting, diarrhea,
 52 fainting or near fainting when standing up, dizziness, or a rash that looks like a sunburn;

53 (3) If such warning signs of TSS appear, remove the tampon at once and seek medical
 54 attention immediately;

55 (4) Data indicating the risk of TSS to all women using tampons during their menstrual
 56 period, especially the reported higher risks to women under 30 years of age and teenage
 57 girls; the estimated incidence of TSS of one to 17 per 100,000 menstruating women and
 58 girls per year; and the risk of death from contracting TSS;

59 (5) The advisability of using tampons with the minimum absorbency needed to control
 60 menstrual flow in order to reduce the risk of contracting TSS;

61 (6) Avoiding the risk of contracting tampon associated TSS by not using tampons and
 62 reducing the risk of contracting TSS by alternating tampon use with sanitary napkin use
 63 during menstrual periods; and

64 (7) The need to seek medical attention before resuming use of tampons if TSS warning
 65 signs have occurred in the past or if the female students have any questions about TSS
 66 or tampon use."

67 **SECTION 2.**

68 Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to
 69 general provisions regarding health, is amended by adding a new Code section to read as
 70 follows:

71 "31-1-16.

72 Physicians and nurses licensed pursuant to Title 43, including, but not limited to physicians
 73 and nurses practicing in hospitals and schools, providing a tampon for use by any female
 74 patient under his or her care are encouraged to recite to and provide to such female patient
 75 in written form the following information:

76 (1) Tampons are associated with toxic shock syndrome (TSS) which is a rare but serious
 77 disease that may cause death;

78 (2) The warning signs of TSS, which include sudden fever and vomiting, diarrhea,
 79 fainting or near fainting when standing up, dizziness, or a rash that looks like a sunburn;

80 (3) If such warning signs of TSS appear, remove the tampon at once and seek medical
 81 attention immediately;

82 (4) Data indicating the risk of TSS to all women using tampons during their menstrual
 83 period, especially the reported higher risks to women under 30 years of age and teenage
 84 girls, the estimated incidence of TSS of one to 17 per 100,000 menstruating women and
 85 girls per year, and the risk of death from contracting TSS;

86 (5) The advisability of using tampons with the minimum absorbency needed to control
 87 menstrual flow in order to reduce the risk of contracting TSS;

88 (6) Avoiding the risk of contracting tampon associated TSS by not using tampons and
 89 reducing the risk of contracting TSS by alternating tampon use with sanitary napkin use
 90 during menstrual periods; and

91 (7) The need to seek medical attention before resuming use of tampons if TSS warning
 92 signs have occurred in the past or if the female patient has any questions about TSS or
 93 tampon use."

94 **SECTION 3.**

95 All laws and parts of laws in conflict with this Act are repealed.