

House Bill 358

By: Representatives Bazemore of the 69th, Beverly of the 143rd, Buckner of the 137th, Park of the 107th, and Carter of the 93rd

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 Chapter 1 of Title 31 of the Official
5 Code of Georgia Annotated, relating to general provisions regarding health, so as to
6 encourage physicians and nurses providing a tampon for use by any female patient under his
7 or her care to recite and provide certain written information to such female patient regarding
8 the best practices for and risks associated with the use of tampons; to provide for related
9 matters; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **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:

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16 "(a) Each local board of education shall prescribe a course of study in sex education and and
17 human immunodeficiency virus (HIV) and ~~AIDS~~ acquired immune deficiency syndrome
18 (AIDS) prevention instruction for such grades and grade levels in the public school system
19 as shall be determined by the State Board of Education. Such course of study shall
20 implement either the minimum course of study provided for in subsection (b) of this Code
21 section or its equivalent, as approved by the State Board of Education. Each local board
22 of education shall be authorized to supplement and develop the exact approach of content
23 areas of such minimum course of study with such specific curriculum standards as it may
24 deem appropriate. Such standards shall include instruction relating to the handling of peer
25 pressure, the promotion of high self-esteem, local community values, the legal
26 consequences of parenthood, ~~and~~ abstinence from sexual activity as an effective method
27 of prevention of pregnancy, sexually transmitted diseases, HIV, and ~~acquired immune~~
28 deficiency syndrome AIDS, and, for female students, best practices for and risks associated
29 with the use of tampons as provided for in 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 HIV and AIDS prevention instruction which may be included as a part of
32 a course of study in comprehensive health education for such grades and grade levels in the
33 public school system as shall be determined by the state board and shall establish standards
34 for its administration. The course may include instruction concerning human biology,
35 conception, pregnancy, birth, sexually transmitted diseases, ~~and ~~acquired immune~~~~
36 deficiency syndrome HIV, AIDS, and toxic shock syndrome (TSS). The course shall
37 include instruction concerning the legal consequences of parenthood, including, without
38 being limited to, the legal obligation of both parents to support a child and legal penalties
39 or restrictions upon failure to support a child, including, without being limited to, the
40 possible suspension or revocation of a parent's driver's license and occupational or
41 professional licenses. The course shall also include annual age-appropriate sexual abuse
42 and assault awareness and prevention education in kindergarten through grade nine. The

43 course may include instruction for female students on the best practices for and risks
44 associated with the use of tampons as provided for in subsection (b.1) of this Code section.

45 A manual setting out the details of such course of study shall be prepared by or approved
46 by the State School Superintendent in cooperation with the Department of Public Health,
47 the State Board of Education, and such expert advisers as they may choose.

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

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

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

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

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

61 (5) Tampons with the minimum absorbency needed to control menstrual flow should be
62 used in order to reduce the risk associated with TSS;

63 (6) The risk of contracting tampon associated TSS may be avoided by not using tampons,
64 and the risk of contracting TSS may be reduced by alternating tampon use with sanitary
65 napkin use during menstrual periods; and

66 (7) Medical attention should be sought before resuming use of tampons if TSS warning
67 signs have occurred in the past or if questions exist regarding TSS or tampon use."

68 **SECTION 2.**

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

71 "31-1-25.

72 Physicians and nurses licensed pursuant to Chapter 34 or 26 of Title 43, respectively,
73 including, but not limited to, physicians and nurses practicing in hospitals and schools, who
74 provide a tampon for use by any female patient under his or her care are encouraged to
75 recite and provide to such female patient 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 are sudden fever and vomiting, diarrhea, fainting or near
79 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, show an estimated incidence of TSS of one to 17 per 100,000 menstruating women
85 and girls per year and support the risk of death associated with TSS;

86 (5) Tampons with the minimum absorbency needed to control menstrual flow should be
87 used in order to reduce the risk of contracting TSS;

88 (6) The risk of contracting tampon associated TSS may be avoided by not using tampons,
89 and the risk of contracting TSS may be reduced by alternating tampon use with sanitary
90 napkin use during menstrual periods; and

91 (7) Medical attention should be sought before resuming use of tampons if TSS warning
92 signs have occurred in the past or if questions exist regarding TSS or tampon use."

93

SECTION 3.

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