Purpose

The purpose of this policy is to provide a consistent ethical and compassionate approach in responding to victims of sexual assault, in alignment with Catholic teaching.

Policy Statement

The Health Ethics Guide recommends that health care providers establish a protocol to assist those who have been subjected to sexual assault. A female who has been raped should be able to defend herself against a potential conception from the sexual assault.

If, after appropriate testing, there is a reasonable doubt that conception has not already taken place, she may be treated with hospital stocked contraceptive medications that would prevent ovulation, sperm capacitation, or fertilization.

Applicability

This policy applies to all Covenant Health Emergency Department, Women’s Health, Family Medicine and Outpatient clinic staff and physicians, and to any other appropriate persons acting on behalf of Covenant Health.

Responsibility

The mission and values of Covenant Health require staff to provide timely and practical support to those patients having disclosed or suspected of been sexually assaulted.

Those who have been victimized by sexual assault are especially vulnerable, and it is important our organization does not inadvertently further victimize these individuals due to unclear messaging about what a Catholic hospital can or cannot do in such situations.

When required, staff and physicians may also be called upon to collect forensic evidence for police support and possible identification of the assailant, and, when the person is a woman, provide every moral means of preventing conception from this unjust attack for which she is in no way responsible.

Principles

Sexual assault is an egregiously violent act that inflicts unspeakable trauma upon the person assaulted. This trauma is exacerbated for women, particularly those of reproductive age, who may become pregnant as a result of the assault. In the face of such violence and because of our fundamental core values, Covenant Health is committed to provide compassionate and respectful care focused on the person’s physiological, psychosocial and spiritual well-being.

Although it is never permissible for Catholic health care providers to terminate an established pregnancy or administer medications that have as their purpose or direct effect the removal, destruction, or interference with the implantation of the fertilized ovum, Catholic teaching allows for the administration of emergency contraception within certain moral limits. This requires use of contraceptive products in which the mechanism of action is deemed not to act as an abortifacient.

Measures taken to prevent conception in such cases fall outside the general prohibition against contraception because the assailant’s act is a violation of justice, and any semen...
within the woman’s body is considered a continuation of the unjust aggression against which she may licitly defend herself.

Current official Catholic teaching allows hormonal postcoital contraception in a reasonable amount of time before which a conception might have taken place. This is based on the honest doubt as to whether conception has taken place with the sperm still being active. In actual fact, this would mean an intervention period of approximately 24-72 hours after the act of sexual assault. Where the state of scientific knowledge is inconclusive as to possible abortifacient effects of a treatment, it should not be used. VI In all cases, health care providers should always show compassion and sensitivity to the person assaulted.

Procedure

In cases of sexual assault, the following procedural steps shall apply. VII

1. The first concern in sexual assault is respect for the dignity of the sexual assault victim. This includes medical aid, spiritual care and shielding her/him from as much embarrassment as possible.

2. No judgment by word or action should be made regarding the victim’s responsibility.

3. The privacy and dignity of the person is to be respected at all times.

4. All due assistance is to be given to the legal protocol for the collection of adequate and accurate information so that the aggressor can be brought to trial and conviction.

5. Since the sperm in the case of sexual assault is the result of unjust aggression, steps may be taken to avoid conception.

6. The procedure should include any reasonably helpful pregnancy tests to determine if the woman is already pregnant. If these tests are positive, nothing should be done which could be abortifacient.

7. If it cannot be determined beyond a reasonable doubt that the woman is pregnant, hospital stocked contraceptive medications may be administered within 72 hours of the attack.

8. The use of prophylaxis for sexually transmitted diseases may be implemented.

Definitions

N/A

Related Documents

Health Ethics Guide

References


II. Ron Hamel, “Thinking Ethically about Emergency Contraception: Critical Judgments Require Adequate and Accurate Information,” Health Progress vol. 91,

IV. This is usually handled by community based sexual assault response teams. However, Covenant Health may be involved with the provision of hospital stocked contraceptive medications and the collection of forensic evidence if such community based teams are not available, or, the patient wishes only to be seen by Covenant Health staff and physicians.


VI. *Health Ethics Guide*.


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