

Senate Bill 541

YOUTH HEALTH EQUITY + SAFETY ACT Senator Caroline Menjivar (D – San Fernando Valley)

SUMMARY

SB 541, the Youth Health Equity + Safety (YHES) Act, seeks to address the sexually transmitted infection (STI) epidemic among California youth and improve equitable public health outcomes statewide by expanding teen access to internal and external condoms and the Human Papillomavirus (HPV) vaccine.

PROBLEM

STI Prevention

The Centers for Disease Control and Prevention (CDC) estimated in 2020 that 1 in 5 people in the U.S. have an STI. Statewide data indicate over half of all STIs in the state are experienced among California youth ages 15 – 24 years old, and youth of color are disproportionately impacted. Teens – including young adults – have also long reported being shamed, harassed and discriminated against at some pharmacies and retailers while attempting to buy condoms, including being asked to show an I.D or denied service because they appeared to be “too young” despite the fact that there are no age requirements for condom purchases.

HPV Vaccine

Vaccination rates against the human papilloma virus (HPV) are down nationwide due to the COVID-19 pandemic, putting teens and young people at risk of developing HPV-related cancers later in life. The CDC estimates that HPV is responsible for more than 90% of anal and cervical cancers, and about 70% of vaginal and vulvar cancers. Other cancers linked to HPV include cancers of the mouth, throat and tongue. While nearly 80% of California teens received the first of three doses of the HPV vaccine in 2020, the vast majority did not complete the full vaccination series, leaving them without maximum protection.

BACKGROUND

Condoms are an effective tool to reduce STI transmission, but condom use among sexually active teens has declined over the last decade. The CDC’s Youth Risk Behavior Surveillance System (YRBSS) shows that in 2019, 47% of sexually active California high school students did not use

condoms during their last sexual intercourse. In a survey conducted among teens on TeenSource’s Instagram in 2021, 55% of respondents agreed that more sexually active teens would use condoms if they were easier to obtain, and 60% agreed that schools should make condoms available. Some high schools in the state already distribute free condoms on campus, including high schools in the Los Angeles and San Francisco Unified School Districts, leaving youth in other regions – including regions with some of the highest rates of STIs and pregnancies among youth – without equitable access to condoms and preventive health care.

Additionally, many young people rely on the state’s family planning program, Family PACT, to obtain free and confidential family planning and related services. Family PACT began covering the HPV vaccine in 2022 but only extended the HPV vaccine benefit for patients 19 and older, with the rationale that minors can obtain the vaccine from the Vaccines for Children (VFC) program. This leaves teens served by Family PACT providers who are not part of the VFC program without the ability to obtain the potentially life-saving vaccine in a confidential and non-judgmental setting, while they access other essential sexual and reproductive health services.

SOLUTION

To support youth health and wellness, promote health equity, curb STI transmission, and increase HPV vaccination rates among California youth, SB 541 will:

- ✓ Expand access to condoms by requiring public and charter high schools to make condoms readily available to students for free;
- ✓ Bar high schools from prohibiting condom distribution in the context of educational and public health programs and initiatives (i.e. during sex education classes taught by community partners, through student peer health programs, campus health fairs, or distributed by school-based health center staff);
- ✓ Prohibit pharmacies and retailers from asking for proof of age/identification for condom purchases;
- ✓ Ensure there is no wrong door for HPV vaccine access by requiring the Family PACT program to cover the vaccine for young people ages 12 to 18.

STATUS

Introduced – February 14, 2023

SUPPORT

Black Women for Wellness Action Project (Co-Sponsor)
Essential Access Health (Co-Sponsor)
Generation Up (Co-Sponsor)
URGE (Unite for Reproductive & Gender Equity) (Co-Sponsor)

CONTACT

Jessica Golly
Office of Senator Caroline Menjivar
(916) 651-4020

