

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	7 - 0 - 0 - 1
Yeas:	Cannon, Doherty, Hoyle, Kennemer, Parrish, Greenlick, Thompson
Nays:	0
Exc.:	0
Abs:	Weidner
Prepared By:	Sandy Thiele-Cirka, Administrator
Meeting Dates:	3/18, 3/28

WHAT THE MEASURE DOES: Specifies person may not knowingly perform pelvic examination on an anesthetized or unconscious woman in hospital or clinic unless: woman or person authorized to make health care decisions for woman provides informed consent for examination; examination is necessary for diagnostic or treatment purposes; or by court order in performance of evidence collection. Specifies appropriate licensing board be responsible for disciplinary actions.

ISSUES DISCUSSED:

- Current practice of conducting unauthorized pelvic exams
- Not currently common practice in Oregon
- No clear prohibitions in the state
- Current consent rates
- Proposed amendment
- Informed consent not addressed in statute
- Currently no statutory protections against this practice

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: Several incidents, both in the United States and Canada have revealed that medical students routinely practice doing internal pelvic examinations while surgery patients are unconscious, and without getting specific consent. Guidelines in the United States and Britain say specific consent is required, however the argument in favor of allowing these exams to be done on surgery patients is that it provides an opportunity for students to practice “the delicate, invasive examination without causing the woman pain or embarrassment.” Additionally, there is an assumption that women would not accept pelvic exams by students while conscious.