

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure
Vote: 4 - 0 - 1
Yeas: Bates, Kruse, Shields, Monnes Anderson
Nays: 0
Exc.: Morse
Prepared By: Brian Nieuburt, Administrator
Meeting Dates: 4/27, 5/11

WHAT THE MEASURE DOES: Specifies person may not knowingly perform pelvic examination on an anesthetized or unconscious woman in hospital or clinic unless: (a) woman, or person authorized to make health care decisions for woman, provides informed consent for examination; (b) examination is necessary for diagnostic or treatment purposes; or (c) a court orders the performance of the examination for collection of evidence. Specifies that violator is subject to discipline by the board that licenses the person.

ISSUES DISCUSSED:

- Prevalence of using anesthetized women to teach pelvic examinations
- Possible inclusion of other invasive examinations

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Several incidents, both in the United States and Canada, have revealed that medical students routinely practice internal pelvic examinations while surgery patients are unconscious, and without specific consent. Guidelines in the United States and Britain require specific consent. Arguments in favor of allowing these exams on surgery patients claim that they provide 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.

House Bill 2908-A prohibits pelvic examinations on an anesthetized or unconscious woman unless the exam is medically necessary, consent is given, or a court orders the examination.