

HOUSE BILL No. 1455

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-22.5-6-2.2.

Synopsis: Hysterectomy and oophorectomy informed consent. Requires a physician to obtain informed consent and provide certain information to a patient before performing a hysterectomy or an oophorectomy.

Effective: July 1, 2021.

Borders

January 14, 2021, read first time and referred to Committee on Public Health.



First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-22.5-6-2.2 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2021]: **Sec. 2.2. (a) Except as provided in**
4 **subsection (c), before a physician performs a hysterectomy or an**
5 **oophorectomy, the physician shall obtain oral and written**
6 **informed consent from the patient. The informed consent**
7 **procedure must ensure that the following information is given to**
8 **the patient at least two (2) weeks before the patient signs the**
9 **consent form:**

10 (1) **Notice that the individual is free to withhold or withdraw**
11 **consent to the procedure at any time before the hysterectomy**
12 **or oophorectomy without affecting the right to future care or**
13 **treatment and without loss or withdrawal of any state or**
14 **federally funded program benefits to which the individual**
15 **might be otherwise entitled.**

16 (2) **A copy of the DVD entitled "Female Anatomy: The**
17 **Functions of the Female Organs" produced by the**



- 1 **Hysterectomy Educational Resources and Services (HERS)**
2 **Foundation, including a printed transcript of the text of the**
3 **DVD.**
4 **(3) A copy of the pamphlet entitled "Hysterectomy Pamphlet**
5 **- True or False" produced by the HERS Foundation.**
6 **(4) A color copy of the following diagrams:**
7 **(A) The female pelvic organs.**
8 **(B) Supporting structures of the female pelvic organs.**
9 **(C) Nerve supply to the uterus and ovaries.**
10 **(D) Arteries and veins that provide blood supply to the**
11 **female pelvic organs.**
12 **(b) The patient shall sign a written statement before the**
13 **hysterectomy or oophorectomy is performed, indicating she has**
14 **read and understood the written information provided under**
15 **subsection (a), and that this information has been discussed with**
16 **her by her attending physician and surgeon, or the physician's and**
17 **surgeon's designee or designees. The statement must indicate that**
18 **the patient has been advised by the patient's physician or the**
19 **physician's designee that the hysterectomy or oophorectomy will**
20 **render the patient permanently sterile and incapable of having**
21 **children.**
22 **(c) The informed consent procedure under this section is not**
23 **required when the hysterectomy or oophorectomy is performed in**
24 **a life threatening emergency situation in which the physician**
25 **determines prior written informed consent is not possible.**
26 **(d) If, after a hearing, the board finds that a physician has not**
27 **complied with this section, the physician is subject to disciplinary**
28 **sanctions under IC 25-1-9.**

