

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FIRST SESSION**

**S.F. No. 2782**

(SENATE AUTHORS: BENSON, Klein and Housley)

DATE  
04/03/2019

D-PG

Introduction and first reading  
Referred to Health and Human Services Finance and Policy

OFFICIAL STATUS

- 1.1 A bill for an act
- 1.2 relating to health; providing for informed consent for pelvic examinations of an
- 1.3 anesthetized or unconscious patient; establishing a penalty; proposing coding for
- 1.4 new law in Minnesota Statutes, chapter 145.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. **[145.472] INFORMED CONSENT REQUIRED FOR PELVIC**
- 1.7 **EXAMINATIONS.**
- 1.8 Subdivision 1. **Informed consent required; exceptions.** A health professional, or a
- 1.9 student or resident participating in a course of instruction, clinical training, or a residency
- 1.10 program for a health profession, shall not perform a pelvic examination on an anesthetized
- 1.11 or unconscious patient unless:
- 1.12 (1) the patient or the patient's legally authorized representative provided prior, written,
- 1.13 informed consent to the pelvic examination, and the pelvic examination is necessary for
- 1.14 preventive, diagnostic, or treatment purposes;
- 1.15 (2) the patient or the patient's legally authorized representative provided prior, written,
- 1.16 informed consent to a surgical procedure or diagnostic examination, and the pelvic
- 1.17 examination is within the scope of care ordered for that surgical procedure or diagnostic
- 1.18 examination;
- 1.19 (3) the patient is unconscious and incapable of providing informed consent, and the
- 1.20 pelvic examination is necessary for diagnostic or treatment purposes; or
- 1.21 (4) a court ordered a pelvic examination to be performed for purposes of collection of
- 1.22 evidence.

2.1        Subd. 2. **Penalty; ground for disciplinary action.** A person who violates this section  
2.2        is guilty of a gross misdemeanor and is subject to disciplinary action by the health-related  
2.3        licensing board regulating the person.

2.4        **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes  
2.5        committed on or after that date.