

1 A bill to be entitled
 2 An act relating to consent for pelvic examinations;
 3 amending s. 456.51, F.S.; revising the definition of
 4 the term "pelvic examination"; revising the
 5 circumstances under which a pelvic examination may be
 6 performed without written consent; authorizing written
 7 consent for a pelvic examination to be obtained as a
 8 part of a general consent form and to allow multiple
 9 health care practitioners or students to perform the
 10 examination; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 456.51, Florida Statutes, is amended to
 15 read:

16 456.51 Consent for pelvic examinations.—

17 (1) As used in this section, the term "pelvic examination"
 18 means ~~the series of tasks that comprise~~ an examination of the
 19 organs of the female internal reproductive system ~~vagina,~~
 20 ~~cervix, uterus, fallopian tubes, ovaries, rectum, or external~~
 21 ~~pelvic tissue or organs using any combination of modalities,~~
 22 ~~which may include, but need not be limited to, the health care~~
 23 ~~provider's gloved hand or instrumentation.~~

24 (2) A health care practitioner, a medical student, or any
 25 other student receiving training as a health care practitioner

26 | may not perform a pelvic examination on an anesthetized or
 27 | unconscious a patient without the written consent of the patient
 28 | or the patient's legal representative ~~executed specific to, and~~
 29 | ~~expressly identifying, the pelvic examination,~~ unless:

30 | (a) A court orders performance of the pelvic examination
 31 | for the collection of evidence; ~~or~~

32 | (b) The pelvic examination is ~~immediately~~ necessary for
 33 | the provision of emergency services and care as defined in s.
 34 | 395.002 ~~to avert a serious risk of imminent substantial and~~
 35 | ~~irreversible physical impairment of a major bodily function of~~
 36 | ~~the patient; or~~

37 | (c) The pelvic examination is indicated in the standard of
 38 | care for a procedure to which the patient or the patient's legal
 39 | representative has consented.

40 | (3) Written consent for a pelvic examination may be
 41 | obtained as part of a general consent form if it is included as
 42 | its own provision. One written consent form may be used to
 43 | authorize multiple health care practitioners or students to
 44 | perform a pelvic examination.

45 | Section 2. This act shall take effect July 1, 2021.