

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; providing an
 7 effective date.

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

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 11 Section 1. Section 456.51, Florida Statutes, is amended to
 12 read:

13 456.51 Consent for pelvic examinations.—

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

21 (2) A health care practitioner, a medical student, or any
 22 other student receiving training as a health care practitioner
 23 may not perform a pelvic examination on a patient without the
 24 written consent of the patient or the patient's legal
 25 representative executed specific to, and expressly identifying,

26 | the pelvic examination, unless:

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

29 | (b) The pelvic examination is ~~immediately~~ necessary for
30 | the provision of emergency services and care as defined in s.
31 | 395.002(9) or the patient has an emergency medical condition as
32 | defined in s. 395.002(8);

33 | (c) The pelvic examination is administered related to a
34 | child protective investigation under chapter 39; or

35 | (d) The pelvic examination is administered related to a
36 | criminal investigation of an alleged violation related to child
37 | abuse or neglect under s. 787.06(3)(a)1., (c)1., (f)1., or (g)
38 | or chapter 794, chapter 796, chapter 800, chapter 827, or
39 | chapter 847 to avert a serious risk of imminent substantial and
40 | irreversible physical impairment of a major bodily function of
41 | the patient.

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