

By Senator Book

32-00225A-21

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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.

11  
 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:

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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 the  
33 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.