State of Misconsin 2023 - 2024 LEGISLATURE

LRBs0070/1 KMS:klm

SENATE SUBSTITUTE AMENDMENT 1, TO SENATE BILL 127

June 6, 2023 - Offered by Senators JACQUE and TAYLOR.

AN ACT to create 50.373 of the statutes; relating to: pelvic exams on unconscious patients and modifying rules promulgated by the Department of Health Services.

Analysis by the Legislative Reference Bureau

This bill requires hospitals to ensure written informed consent is obtained from a patient before a pelvic exam is performed on the patient solely for educational purposes while the patient is under general anesthesia or otherwise unconscious. The bill also creates a Department of Health Services rule providing that hospitals must maintain written policies and procedures requiring written informed consent to be obtained from a patient before a pelvic exam is performed on the patient solely for educational purposes while the patient is under general anesthesia or otherwise unconscious.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Section 1. 50.373 of the statutes is created to read:

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50.373 Informed consent for pelvic examinations. A hospital shall ensure
that, before a pelvic examination is performed for solely educational purposes on a
patient while the patient is under general anesthesia or otherwise unconscious,
written informed consent is obtained from the patient.
Section 2. DHS 124.10 of the administrative code is created to read:
DHS 124.10 Consent policy for pelvic examinations performed for
educational purposes. A hospital shall maintain written policies and procedures
requiring written informed consent to be obtained from a patient before a pelvic

Section 3. Effective dates. This act takes effect on the day after publication, except as follows:

examination is performed on the patient solely for educational purposes while the

patient is under general anesthesia or otherwise unconscious.

(1) The creation of DHS 124.10 takes effect as provided in s. 227.265.

14 (END)