
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that medical students are
2 often asked by their training physicians to perform pelvic
3 examinations for training purposes on anesthetized or
4 unconscious female patients, without first obtaining the
5 patients' informed consent. The legislature further finds that
6 the American College of Obstetricians and Gynecologists
7 recommends that pelvic examinations undertaken for teaching
8 purposes be performed with the specific informed consent of the
9 patient. The American Medical Association also recommends
10 discussing medical student involvement with patient procedures
11 whenever possible.

12 The John A. Burns school of medicine's department of
13 obstetrics and gynecology and women's health has a policy
14 regarding pelvic examinations under anesthesia. Under the
15 policy, medical students must request permission to be involved
16 in the patient's care and, if a pelvic examination under
17 anesthesia is planned, medical students must request permission
18 to perform the examination. Informed consent ensures patients



1 understand the procedure and its attendant risks and benefits
2 and agree to the procedure being performed.

3 The purpose of this Act is to address the circumstances
4 under which pelvic examinations may be performed by certain
5 health care providers and medical students on anesthetized or
6 unconscious female patients.

7 SECTION 2. Chapter 453, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§453- Pelvic examinations on anesthetized or
11 unconscious female patients. A physician, osteopathic
12 physician, surgeon, or medical student who is participating in a
13 course of instruction, residency program, or clinical training
14 program shall not perform a pelvic examination:

15 (1) On an anesthetized female patient unless:
16 (A) The patient gives prior informed consent to the
17 pelvic examination; or
18 (B) The physician, osteopathic physician, surgeon, or
19 medical student has the patient's permission to
20 be involved in the patient's care and the
21 performance of a pelvic examination is within the
22 scope of care for the surgical procedure or



1 diagnostic examination scheduled to be performed
2 on the patient; or
3 (2) On a female patient who is unconscious, unless the
4 pelvic examination is required for diagnostic
5 purposes."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Health; Physicians; Medical School Students; Pelvic
Examinations; Informed Consent

Description:

Addresses the circumstances under which pelvic examinations may
be performed by certain health care providers and medical
students on anesthetized or unconscious female patients.
(HB2232 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

