
Health Care & Wellness Committee

ESB 5282

Brief Description: Requiring informed consent for pelvic exams.

Sponsors: Senators Liias, Cleveland, Darneille, Short, Kuderer, Walsh, Brown, Randall, Dhingra, Rolfes, Billig, Das, Hunt, Keiser and Pedersen.

<p style="text-align: center;">Brief Summary of Engrossed Bill</p> <ul style="list-style-type: none">• Requires health care providers to obtain informed consent before performing a pelvic exam on an anesthetized patient.

Hearing Date: 2/12/20

Staff: Kim Weidenaar (786-7120).

Background:

Informed Consent.

A health care provider must obtain informed consent from a patient or the patient's representative before performing medical treatment. Informed consent is the process by which the treating health care provider discloses information to a patient or the patient's representative so that the patient may make a voluntary choice to accept or refuse treatment. Informed consent generally includes a discussion of the following elements:

- the nature of the decision or procedure proposed by the provider;
- reasonable alternatives to the proposed intervention;
- the relevant risks, benefits, and uncertainties related to each alternative;
- assessment of patient understanding; and
- the acceptance of the intervention by the patient.

Uniform Disciplinary Act.

The Uniform Disciplinary Act (UDA) is a standardized set of procedures for enforcing laws concerning licensure and misconduct of licensed health care professionals. The UDA includes

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the list of acts that constitute unprofessional conduct. All licensed health care professionals are subject to the UDA.

Summary of Bill:

A licensed health care provider may not perform or authorize a student practicing under the provider's authority to perform a pelvic examination on a patient who is anesthetized or unconscious unless:

- the patient or the patient's representative provides informed consent; or
- the examination is necessary for diagnostic or treatment purposes.

A provider who violates this act is subject to discipline pursuant to the UDA.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.