

Representative Munira Yasin Abdullahi

State Representative

Thank You, Chair Lipps, Vice Chair Stewart, & Ranking Member Liston –Good Morning. Representative Hillyer & I are honored to present House Bill 89. To provide an overview, H.B. 89 aims to provide patients -our constituents- with language that supports their bodily autonomy by setting the precedent that explicit consent is required when performing pelvic exams in medical settings.

A recent survey published in the National Library of Medicine found that of 101 medical students from seven American medical schools, 92% had performed a pelvic exam on anesthetized female patients, 61% of whom reported not having explicit consent from the patients. Regional surveys from the early 2000s reached similar conclusions. At the University of Oklahoma, a majority of medical students had performed pelvic exams on unconscious women, and nearly 75% of the patients did not consent to the exam. Among medical students in Philadelphia, 90% said they'd performed pelvic exams on unconscious women, and they weren't sure if the women consented.

While this subject may be unfamiliar territory to some, it isn't for nearly ½ of US States that have passed similar legislation to protect their constituents. States like California, Iowa, New York, Utah, Hawaii, Illinois, Maryland and more.

When presenting his version of this bill, Colorado Representative Willford stated, "Consent matters in every context and situation. Patients can be traumatized, betrayed, and can suffer emotionally as they cope with unauthorized intimate exams, [this] bill outlines rules for patient consent to protect [constituents] when they're... most vulnerable". Similarly, Ohioans' consent matters. Our constituents can suffer after enduring this exam without their consent or knowledge, and Representative Hillyer & I aim to protect them when they are most vulnerable.

Additionally, these exams can particularly affect our most vulnerable communities. Vulnerable populations face increased risks of being subjected to exams due to healthcare disparities, systemic racism, and variations in access to treatment between insured and uninsured patients. Limited options for marginalized patients in selecting hospitals and the fact that teaching hospitals generally offer better care to vulnerable communities further exacerbate the issue. To uphold the autonomy and bodily rights of these patients and maintain trust in the healthcare system, obtaining specific consent should be mandatory.

Beyond this measure providing a common-sense standard of procedure for our constituents, it also elevates our state's standard of health care. Concerningly research has found that the standard practice of not asking for patient consent results in students' desensitization to the importance of consent. Viewing live autonomous human individuals with liberties and rights eerily similar to cadavers. Contrastingly the same research found that patients were willing to participate in students' education if explicitly asked. So, Requiring such consent will not jeopardize medical education but will likely enhance it.

The solution is simple and a small measure to take; Require specific consent from patients before performing intimate pelvic exams unless an emergency or other compelling circumstances dictate otherwise. Patients' bodies deserve to be treated with dignity, respect, and on their terms. Ensuring this standard will protect Ohioans, particularly the most vulnerable of us, from being subject to intimate pelvic exams without our consent or knowledge and raise the standard of medical care in our state.

Sources

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