

H. B. No. 89
As Introduced

_____ moved to amend as follows:

In line 398, after "examination" insert ", consistent with division (D) of this section" 1 2

After line 402, insert: 3

"(D) To obtain informed consent for purposes of division (C) (2) of this section, the advanced practice registered nurse shall do all of the following: 4 5 6

(1) Provide the patient or the patient's legal representative with a written or electronic informed consent form that meets all of the following requirements: 7 8 9

(a) Is a separate consent form or is included as a distinct or separate section of a general consent form; 10 11

(b) Contains the following heading at the top of the form or section: "CONSENT FOR INTIMATE EXAMINATION;" 12 13

(c) Specifies the nature and purpose of the intimate examination; 14 15

(d) Informs the patient or the patient's legal 16



representative that a student may be present if the patient or 17
the patient's legal representative authorizes a student to 18
perform or observe the intimate examination in person or through 19
electronic means; 20

(e) Allows the patient or the patient's legal 21
representative the opportunity to consent to or refuse the 22
intimate examination; 23

(f) Permits a patient or the patient's legal 24
representative who consents to an intimate examination to 25
consent to or refuse a student performing the intimate 26
examination or observing the intimate examination in person or 27
through electronic means. 28

(2) Provide the patient or the patient's legal 29
representative with a meaningful opportunity to ask questions 30
about the intimate examination; 31

(3) Obtain the signature of the patient or the patient's 32
legal representative on the informed consent form; 33

(4) Sign the informed consent form." 34

In line 781, after "examination" insert ", consistent with division 35
(D) of this section" 36

After line 785, insert: 37

"(D) To obtain informed consent for purposes of division 38
(C) (2) of this section, the physician assistant shall do all of 39
the following: 40

(1) Provide the patient or the patient's legal 41
representative with a written or electronic informed consent 42
form that meets all of the following requirements: 43

<u>(a) Is a separate consent form or is included as a</u>	44
<u>distinct or separate section of a general consent form;</u>	45
<u>(b) Contains the following heading at the top of the form</u>	46
<u>or section: "CONSENT FOR INTIMATE EXAMINATION;"</u>	47
<u>(c) Specifies the nature and purpose of the intimate</u>	48
<u>examination;</u>	49
<u>(d) Informs the patient or the patient's legal</u>	50
<u>representative that a student may be present if the patient or</u>	51
<u>the patient's legal representative authorizes a student to</u>	52
<u>perform the intimate examination or observe the intimate</u>	53
<u>examination in person or through electronic means;</u>	54
<u>(e) Allows the patient or the patient's legal</u>	55
<u>representative the opportunity to consent to or refuse the</u>	56
<u>intimate examination;</u>	57
<u>(f) Permits a patient or the patient's legal</u>	58
<u>representative who consents to an intimate examination to</u>	59
<u>consent to or refuse a student performing or observing the</u>	60
<u>intimate examination in person or through electronic means.</u>	61
<u>(2) Provide the patient or the patient's legal</u>	62
<u>representative with a meaningful opportunity to ask questions</u>	63
<u>about the intimate examination;</u>	64
<u>(3) Obtain the signature of the patient or the patient's</u>	65
<u>legal representative on the informed consent form;</u>	66
<u>(4) Sign the informed consent form."</u>	67
In line 1587, after " <u>examination</u> " insert " <u>, consistent with division</u>	68
<u>(D) of this section"</u>	69
After line 1591, insert:	70

<u>"(D) To obtain informed consent for purposes of division</u>	71
<u>(C) (2) of this section, the physician shall do all of the</u>	72
<u>following:</u>	73
<u>(1) Provide the patient or the patient's legal</u>	74
<u>representative with a written or electronic informed consent</u>	75
<u>form that meets all of the following requirements:</u>	76
<u>(a) Is a separate consent form or is included as a</u>	77
<u>distinct or separate section of a general consent form;</u>	78
<u>(b) Contains the following heading at the top of the form</u>	79
<u>or section: "CONSENT FOR INTIMATE EXAMINATION;"</u>	80
<u>(c) Specifies the nature and purpose of the intimate</u>	81
<u>examination;</u>	82
<u>(d) Informs the patient or the patient's legal</u>	83
<u>representative that a student may be present if the patient or</u>	84
<u>the patient's legal representative authorizes a student to</u>	85
<u>perform the intimate examination or observe the intimate</u>	86
<u>examination in person or through electronic means;</u>	87
<u>(e) Allows the patient or the patient's legal</u>	88
<u>representative the opportunity to consent to or refuse the</u>	89
<u>intimate examination;</u>	90
<u>(f) Permits a patient or the patient's legal</u>	91
<u>representative who consents to an intimate examination to</u>	92
<u>consent to or refuse a student perform or observe the intimate</u>	93
<u>examination in person or through electronic means.</u>	94
<u>(2) Provide the patient or the patient's legal</u>	95
<u>representative with a meaningful opportunity to ask questions</u>	96
<u>about the intimate examination;</u>	97
<u>(3) Obtain the signature of the patient or the patient's</u>	98

<u>legal representative on the informed consent form;</u>	99
<u>(4) Sign the informed consent form."</u>	100

The motion was _____ agreed to.

<u>SYNOPSIS</u>	101
Informed consent for intimate examinations	102
R.C. 4723.93, 4730.57, and 4731.77	103
Adds provisions specifying how medical providers must	104
obtain informed consent for anesthetized or unconscious patients	105
undergoing an intimate examination, including:	106
-Providing a written or electronic consent form that meets	107
certain requirements.	108
-Providing a meaningful opportunity for a patient or a	109
patient's representative to ask questions about the intimate	110
examination.	111
-Obtaining the signature of the patient or the patient's	112
representative and the medical provider on the consent form.	113