

1 A bill to be entitled
2 An act relating to consent for pelvic examinations;
3 amending s. 456.51, F.S.; revising the definition of
4 the term "pelvic examination"; revising the
5 circumstances under which a pelvic examination may be
6 performed without written consent; providing an
7 effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Section 456.51, Florida Statutes, is amended to
12 read:

13 456.51 Consent for pelvic examinations.—

14 (1) As used in this section, the term "pelvic examination"
15 means a manual ~~the series of tasks that comprise an examination~~
16 of the ~~vagina, cervix, uterus, fallopian tubes, ovaries, rectum,~~
17 ~~or external pelvic tissue or organs~~ of the female reproductive
18 system using any combination of modalities, which may include,
19 ~~but need not be limited to, the health care provider's gloved~~
20 ~~hand or instrumentation.~~

21 (2) A health care practitioner, a medical student, or any
22 other student receiving training as a health care practitioner
23 may not perform a pelvic examination on a patient without the
24 written consent of the patient or the patient's legal
25 representative executed specific to, and expressly identifying,

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26 | the pelvic examination, unless:

27 | (a) A court orders performance of the pelvic examination
28 | for the collection of evidence; or

29 | (b) The pelvic examination is ~~immediately~~ necessary for
30 | the provision of emergency services and care as defined in s.
31 | 395.002(9) or the patient has an emergency medical condition as
32 | defined in s. 395.002(8) to avert a serious risk of imminent
33 | substantial and irreversible physical impairment of a major
34 | bodily function of the patient.

35 | Section 2. This act shall take effect July 1, 2021.