

# STATE OF NEW YORK

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1092

2019-2020 Regular Sessions

## IN SENATE

January 10, 2019

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Introduced by Sen. PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to requiring consent to perform a pelvic examination on an anesthetized or unconscious person

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public health law is amended by adding a new section  
2 2827 to read as follows:

3 § 2827. Pelvic examinations on anesthetized or unconscious persons. No  
4 person shall perform a pelvic examination on an anesthetized or uncon-  
5 scious person unless:

6 1. such person receiving the pelvic examination gives prior verbal or  
7 written informed consent to the pelvic examination;

8 2. the performance of a pelvic examination is within the scope of care  
9 for the surgical procedure or diagnostic examination scheduled to be  
10 performed on such person receiving the pelvic examination; or

11 3. such person receiving the pelvic examination is unconscious and the  
12 pelvic examination is required for diagnostic purposes.

13 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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