STATE OF NEW YORK

6325--A

2019-2020 Regular Sessions

IN ASSEMBLY

March 5, 2019

Introduced by M. of A. SOLAGES, FRONTUS, WRIGHT, SIMON -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to including in the definition of professional misconduct performing a pelvic examination without consent on an anesthetized or unconscious person

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

Section 1. Section 6530 of the education law is amended by adding a new subdivision 50 to read as follows:

50. Performing a pelvic examination or supervising a pelvic examination performed by an individual practicing under the supervision of the licensee on an anesthetized or unconscious patient without first obtaining the patient's informed consent to the pelvic examination, unless the performance of a pelvic examination is within the scope of the surgical procedure or diagnostic examination to be performed on the patient for which informed consent has otherwise been obtained or in the case of an unconscious patient, the pelvic examination is required for diagnostic purposes and is medically necessary.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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