

Senate Engrossed
informed consent; pelvic examinations

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 55
SENATE BILL 1017

AN ACT

AMENDING TITLE 32, CHAPTER 32, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 32-3228; RELATING TO INFORMED CONSENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 32, chapter 32, article 1, Arizona Revised
3 Statutes, is amended by adding section 32-3228, to read:

4 32-3228. Unprofessional conduct; informed consent; pelvic
5 examinations

6 IT IS AN ACT OF UNPROFESSIONAL CONDUCT FOR A PHYSICIAN WHO IS
7 LICENSED PURSUANT TO CHAPTER 13 OR 17 OF THIS TITLE, A NURSE PRACTITIONER
8 WHO IS LICENSED PURSUANT TO CHAPTER 15 OF THIS TITLE OR A PHYSICIAN
9 ASSISTANT WHO IS LICENSED PURSUANT TO CHAPTER 25 OF THIS TITLE TO PERFORM
10 OR SUPERVISE AN INDIVIDUAL WHO PERFORMS A PELVIC EXAMINATION ON AN
11 ANESTHETIZED OR UNCONSCIOUS PATIENT WITHOUT FIRST OBTAINING THE PATIENT'S
12 INFORMED CONSENT TO THE PELVIC EXAMINATION, UNLESS PERFORMING THE PELVIC
13 EXAMINATION IS ONE OF THE FOLLOWING:

14 1. WITHIN THE SCOPE OF THE SURGICAL PROCEDURE OR DIAGNOSTIC
15 EXAMINATION TO BE PERFORMED ON THE PATIENT FOR WHICH INFORMED CONSENT HAS
16 OTHERWISE BEEN OBTAINED.

17 2. IN THE CASE OF AN UNCONSCIOUS PATIENT, REQUIRED FOR DIAGNOSTIC
18 PURPOSES AND IS MEDICALLY NECESSARY.

19 3. A FORENSIC MEDICAL EXAMINATION REQUESTED BY LAW ENFORCEMENT
20 ARISING OUT OF THE NEED TO SECURE EVIDENCE THAT THE PATIENT HAS BEEN THE
21 VICTIM OF A CRIMINAL OFFENSE AS PRESCRIBED IN TITLE 13, CHAPTER 14.

APPROVED BY THE GOVERNOR MARCH 18, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 18, 2021.