

# HOUSE BILL No. 1257

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-22.5-6-2.2.

**Synopsis:** Informed consent for hysterectomy or oophorectomy. Requires a physician to obtain informed consent and provide certain information to a patient before performing a hysterectomy or oophorectomy.

**Effective:** July 1, 2011.

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### Borders

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January 12, 2011, read first time and referred to Committee on Public Health.

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First Regular Session 117th General Assembly (2011)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2010 Regular Session of the General Assembly.

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## HOUSE BILL No. 1257



A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-22.5-6-2.2 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2011]: **Sec. 2.2. (a) Except as provided in**  
4 **subsection (c), before a physician performs a hysterectomy or an**  
5 **oophorectomy, the physician shall obtain oral and written**  
6 **informed consent from the patient. The informed consent**  
7 **procedure must ensure that the following information is given to**  
8 **the patient at least two (2) weeks before the patient signs the**  
9 **consent form:**

10 (1) **Advice that the individual is free to withhold or withdraw**  
11 **consent to the procedure at any time before the hysterectomy**  
12 **or oophorectomy without affecting the right to future care or**  
13 **treatment and without loss or withdrawal of any state or**  
14 **federally funded program benefits to which the individual**  
15 **might be otherwise entitled.**

16 (2) **A copy of the DVD entitled "Female Anatomy: The**  
17 **Functions of the Female Organs" produced by the HERS**



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**Foundation, including a printed transcript of the text of the DVD.**

**(3) A copy of the pamphlet entitled "Hysterectomy Pamphlet - True or False" produced by the HERS Foundation.**

**(4) A color copy of the following diagrams:**

- (A) The female pelvic organs.**
- (B) Supporting structures of the female pelvic organs.**
- (C) Nerve supply to the uterus and ovaries.**
- (D) Arteries and veins that provide blood supply to the female pelvic organs.**

**(b) The patient shall sign a written statement before the hysterectomy or oophorectomy is performed, indicating she has read and understood the written information provided under subsection (a), and that this information has been discussed with her by her attending physician and surgeon, or the physician's and surgeon's designee. The statement must indicate that the patient has been advised by the patient's physician or the physician's designee that the hysterectomy or oophorectomy will render the patient permanently sterile and incapable of having children.**

**(c) The informed consent procedure under this section is not required when the hysterectomy or oophorectomy is performed in a life threatening emergency situation in which the physician determines prior written informed consent is not possible.**

**(d) If, after a hearing, the board finds that a physician has not complied with this section, the physician is subject to disciplinary sanctions under IC 25-1-9.**

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