

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 183

(SENATE AUTHORS: MAYE QUADE, Coleman, Boldon and Port)		
DATE	D-PG	OFFICIAL STATUS
01/16/2025	88	Introduction and first reading Referred to Health and Human Services
03/27/2025	1112	Author stricken Housley See First Special Session, HF2

1.1

A bill for an act

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relating to health; providing for informed consent for sensitive examinations of

1.3

an anesthetized or unconscious patient; establishing a penalty; proposing coding

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for new law in Minnesota Statutes, chapter 145.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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Section 1. [145.076] INFORMED CONSENT REQUIRED FOR SENSITIVE

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EXAMINATIONS.

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Subdivision 1. **Definition.** For the purposes of this section, "sensitive examination"

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means a pelvic, breast, urogenital, or rectal examination.

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Subd. 2. **Informed consent required; exceptions.** A health professional, or a student

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or resident participating in a course of instruction, clinical training, or a residency program

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for a health profession, shall not perform a sensitive examination on an anesthetized or

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unconscious patient unless:

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(1) the patient or the patient's legally authorized representative provided prior, written,

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informed consent to the sensitive examination, and the sensitive examination is necessary

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for preventive, diagnostic, or treatment purposes;

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(2) the patient or the patient's legally authorized representative provided prior, written,

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informed consent to a surgical procedure or diagnostic examination, and the sensitive

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examination is within the scope of care ordered for that surgical procedure or diagnostic

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examination;

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(3) the patient is unconscious and incapable of providing informed consent, and the

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sensitive examination is necessary for diagnostic or treatment purposes; or

2.1 (4) a court ordered a sensitive examination to be performed for purposes of collection
2.2 of evidence.

2.3 Subd. 3. **Penalty; ground for disciplinary action.** A person who violates this section
2.4 is guilty of a gross misdemeanor and is subject to disciplinary action by the health-related
2.5 licensing board regulating the person.

2.6 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
2.7 committed on or after that date.