



GOV. MSG. NO. 1238

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 19, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

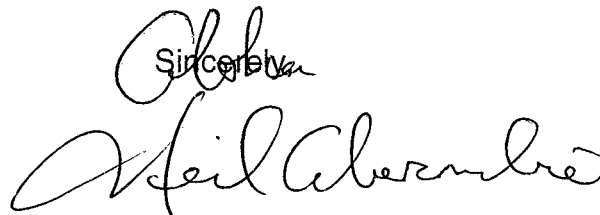
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 19, 2012, the following bill was signed into law:

HB2232 HD2 SD1 CD1

RELATING TO HEALTH.
Act 136 (12)

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that the American
2 Congress of Obstetricians and Gynecologists, formerly known as
3 the American College of Obstetricians and Gynecologists,
4 recommends that pelvic examinations undertaken for teaching
5 purposes should be performed with the specific informed consent
6 of the patient. Informed consent ensures the patient
7 understands the procedure and its attendant risks and benefits
8 and agrees to the procedure being performed. The legislature
9 also finds that the American Medical Association recommends
10 discussing medical student involvement with patient procedures
11 whenever possible.

12 The purpose of this Act is to require informed consent in
13 certain circumstances before performing pelvic examinations for
14 medical and training purposes on anesthetized or unconscious
15 female patients.

16 SECTION 2. Chapter 453, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:



1 "§453- Pelvic examinations on anesthetized or
2 unconscious female patients. A physician, osteopathic
3 physician, surgeon, or student participating in a course of
4 instruction, residency program, or clinical training program
5 shall not perform a pelvic examination on an anesthetized or
6 unconscious female patient unless:

7 (1) The patient gives prior verbal or written informed
8 consent to the pelvic examination;

9 (2) The performance of a pelvic examination is within the
10 scope of care for the surgical procedure or diagnostic
11 examination scheduled to be performed on the patient;

12 or

13 (3) The patient is unconscious and the pelvic examination
14 is required for diagnostic purposes."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

APPROVED this 19 day of JUN, 2012



GOVERNOR OF THE STATE OF HAWAII

