



January 9, 2026

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## SENATE BILL No. 90

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DIGEST OF SB 90 (Updated January 7, 2026 9:49 am - DI 140)

**Citations Affected:** IC 25-1.

**Synopsis:** Consent for pelvic, prostate, and rectal exams. Prohibits health practitioners and other specified individuals from performing pelvic, prostate, or rectal examinations on an anesthetized or unconscious patient except in specified circumstances. Specifies the requirements of a notice of informed consent. Provides for disciplinary action for a violation.

**Effective:** July 1, 2026.

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## Crider, Charbonneau, Johnson T

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December 9, 2025, read first time and referred to Committee on Health and Provider Services.  
January 8, 2026, reported favorably — Do Pass.

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SB 90—LS 6348/DI 104





January 9, 2026

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

## SENATE BILL No. 90

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A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

1        SECTION 1. IC 25-1-9-4.2 IS ADDED TO THE INDIANA CODE  
2        AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3        1, 2026]: **Sec. 4.2.** (a) A practitioner, a student in training in a  
4        medical school, an intern, a resident, a graduate student, or an  
5        individual participating in a clinical training or resident program  
6        may not perform a pelvic, prostate, or rectal examination on a  
7        sedated, anesthetized, or unconscious patient unless one (1) of the  
8        following conditions is met:

- 9              (1) The patient, patient's guardian, or patient's health care  
10             representative (as defined in IC 16-21-12-4) provides prior  
11             written informed consent to the pelvic, prostate, or rectal  
12             examination through the notice described in subsection (b).  
13              (2) The performance of a pelvic, prostate, or rectal  
14             examination is within the scope of care ordered for the  
15             surgical procedure or diagnostic examination to be performed  
16             on the patient and the patient, patient's guardian, or patient's  
17             health care representative has given informed consent.

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(3) A medical emergency exists and the pelvic, prostate, or rectal examination is immediately necessary for diagnostic examination or treatment of the patient.

(4) A court has ordered the performance of the pelvic, prostate, or rectal examination for the purposes of the collection of evidence.

**(b) A written informed consent described in subsection (a)(1) must meet the following:**

**(1) Be separate from any other notice or agreement.**

**(2) Specify the nature and purpose of the examination.**

**(3) Include a description of the procedure to be performed.**

**(4) State the name of the individual performing and, if applicable, supervising the examination.**

**(5) Disclose whether a student will be performing or observing the examination.**

**(6) Allow the patient, patient's guardian, or patient's health care representative to decline the examination.**

**(7) Allow the patient, patient's guardian, or patient's health care representative to decline allowing a student to perform or observe the examination.**

**(8) Include a signature line for the patient, patient's guardian, or patient's health care representative to consent or refuse to consent to an examination on a sedated, anesthetized, or unconscious patient as described in subsection (a).**

The signature of consent must be obtained in order to proceed with the pelvic, prostate, or rectal examination on a sedated, anesthetized, or unconscious patient as described in subsection (a).

(c) The refusal by the patient, patient's guardian, or patient's health care representative to consent to a procedure described in subsection (a)(1) may not affect the medical procedure for which the patient is scheduled to receive.

**(d) A person who violates this section is subject to disciplinary sanctions under section 9 of this chapter.**

(e) Nothing in this section diminishes any other statutory requirement for a practitioner, a student in training in a medical school, an intern, a resident, a graduate student, or an individual participating in a clinical training or resident program to obtain informed consent.

SECTION 2. IC 25-1-9-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The board may impose any of the following sanctions, singly or in combination, if it finds that a practitioner is subject to disciplinary sanctions under section 4, **4.2, 5,**



- 1        6, 6.7, or 6.9 of this chapter or IC 25-1-5-4:  
2            (1) Permanently revoke a practitioner's license.  
3            (2) Suspend a practitioner's license.  
4            (3) Censure a practitioner.  
5            (4) Issue a letter of reprimand.  
6            (5) Place a practitioner on probation status and require the  
7            practitioner to:  
8                (A) report regularly to the board upon the matters that are the  
9                basis of probation;  
10              (B) limit practice to those areas prescribed by the board;  
11              (C) continue or renew professional education under a  
12              preceptor, or as otherwise directed or approved by the board,  
13              until a satisfactory degree of skill has been attained in those  
14              areas that are the basis of the probation; or  
15              (D) perform or refrain from performing any acts, including  
16              community restitution or service without compensation, that  
17              the board considers appropriate to the public interest or to the  
18              rehabilitation or treatment of the practitioner.  
19            (6) Assess a fine against the practitioner in an amount not to  
20            exceed one thousand dollars (\$1,000) for each violation listed in  
21            section 4 of this chapter, except for a finding of incompetency due  
22            to a physical or mental disability. When imposing a fine, the  
23            board shall consider a practitioner's ability to pay the amount  
24            assessed. If the practitioner fails to pay the fine within the time  
25            specified by the board, the board may suspend the practitioner's  
26            license without additional proceedings. However, a suspension  
27            may not be imposed if the sole basis for the suspension is the  
28            practitioner's inability to pay a fine.  
29            (b) The board may withdraw or modify the probation under  
30            subsection (a)(5) if it finds, after a hearing, that the deficiency that  
31            required disciplinary action has been remedied, or that changed  
32            circumstances warrant a modification of the order.



## COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 90, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 90 as introduced.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 12, Nays 0

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