



February 10, 2026

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**ENGROSSED**  
**SENATE BILL No. 90**

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DIGEST OF SB 90 (Updated February 10, 2026 11:23 am - DI 147)

**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.

**Effective:** July 1, 2026.

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**Crider, Charbonneau, Johnson T,**  
**Randolph Lonnie M, Becker,**  
**Bohacek, Deery, Yoder, Ford J.D.,**  
**Jackson L**

(HOUSE SPONSORS — MCNAMARA, JACKSON C)

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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.

January 12, 2026, read second time, ordered engrossed. Engrossed.

January 13, 2026, read third time, passed. Yeas 44, nays 5.

HOUSE ACTION

January 20, 2026, read first time and referred to Committee on Public Health.

February 10, 2026, amended, reported — Do Pass.

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ES 90—LS 6348/DI 104





February 10, 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.

## ENGROSSED SENATE BILL No. 90

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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1           **(3) A medical emergency exists and the pelvic, prostate, or**  
2           **rectal examination is immediately necessary for diagnostic**  
3           **examination or treatment of the patient, including the**  
4           **conducting of a rape kit.**

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

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

10           **(1) Be separate from any other notice or agreement. However,**  
11           **the informed consent does not have to be separate if the**  
12           **pelvic, prostate, or rectal examination is within the scope of**  
13           **care for the surgical procedure or diagnostic examination to**  
14           **be performed on the patient.**

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

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

17           **(4) State the name of the individual performing or supervising**  
18           **the examination.**

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

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

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

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

30           **The signature of consent must be obtained in order to proceed with**  
31           **the pelvic, prostate, or rectal examination on a sedated,**  
32           **anesthetized, or unconscious patient as described in subsection**  
33           **(a)(1).**

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

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



## 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

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 90, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 3, delete "." and insert ", **including the conducting of a rape kit.**"

Page 2, line 9, after "." insert "**However, the informed consent does not have to be separate if the pelvic, prostate, or rectal examination is within the scope of care for the surgical procedure or diagnostic examination to be performed on the patient.**"

Page 2, line 12, delete "and, if" and insert "or".

Page 2, line 13, delete "applicable,".

Page 2, line 27, delete "(a)." and insert "**(a)(1).**"

Page 2, line 29, delete "a procedure" and insert "**an examination**".

Page 2, delete lines 32 through 33.

Page 2, line 34, delete "(e)" and insert "**(d)**".

Page 2, delete lines 39 through 42.

Delete page 3.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 90 as printed January 9, 2026.)

BARRETT

Committee Vote: yeas 12, nays 0.

ES 90—LS 6348/DI 104

