

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 ENROLLED ACT No. 90

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

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

SECTION 1. IC 25-1-9-4.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2026]: **Sec. 4.2. (a) 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 may not perform a pelvic, prostate, or rectal examination on a sedated, anesthetized, or unconscious patient unless one (1) of the following conditions is met:**

- (1) The patient, patient's guardian, or patient's health care representative (as defined in IC 16-21-12-4) provides prior written informed consent to the pelvic, prostate, or rectal examination through the notice described in subsection (b).**
- (2) The performance of a pelvic, prostate, or rectal examination is within the scope of care ordered for the surgical procedure or diagnostic examination to be performed on the patient and the patient, patient's guardian, or patient's health care representative has given informed consent.**
- (3) A medical emergency exists and the pelvic, prostate, or rectal examination is immediately necessary for diagnostic examination or treatment of the patient, including the conducting of a rape kit.**

SEA 90 — Concur



(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. 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.

(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 or 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)(1).

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

(d) 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.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

SEA 90 — Concur

