

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
FISCAL IMPACT STATEMENT**

LS 6348
BILL NUMBER: SB 90

NOTE PREPARED: Jan 13, 2026
BILL AMENDED:

SUBJECT: Consent for Pelvic, Prostate, and Rectal Exams.

FIRST AUTHOR: Sen. Crider
FIRST SPONSOR: Rep. McNamara

BILL STATUS: As Passed Senate

FUNDS AFFECTED: X GENERAL
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: The bill prohibits health practitioners and other specified individuals from performing pelvic, prostate, or rectal examinations on an anesthetized or unconscious patient except in specified circumstances. It specifies the requirements of a notice of informed consent. The bill provides for disciplinary action for a violation.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *Rules*— The bill does not specify that rules would be necessary to implement the bill’s requirements. However, the Professional Licensing Agency (PLA), in conjunction the Medical Licensing Board and possibly the Indiana Department of Health (IDOH), may need to adopt rules to help implement the bill’s provisions (such as the sufficient wording on hospital patient consent forms to comply with the bill). Rule making is within the PLA’s routine administrative functions and should be able to be implemented with no additional appropriations, assuming near customary staffing and resource levels. *[The IDOH’s administrative expenditures are currently paid from the Tobacco Master Settlement Fund, a dedicated fund.]*

Disciplinary Matters— Violations of the bill’s provision would lead to disciplinary action from the appropriate health profession board under the remedies within current law. It is likely any disciplinary matters would be able to be addressed within the professional board’s regular schedule of board meetings.

Explanation of State Revenues: *Disciplinary Matters*— The appropriate health professions board could fine a practitioner who violates the requirements of this bill up to a maximum civil penalty of \$1,000. Health profession fines are placed in the state General Fund, unless otherwise designated by law. Any resulting revenue received from civil penalties is expected to be minor.

Additional Information— A rule passed in 2024 by the Centers for Medicare and Medicaid Services requires that, except as specified for emergency situations in the hospital’s informed consent policies, all inpatient and outpatient medical records must contain a properly executed informed consent form prior to conducting any procedure or other type of treatment that requires informed consent, including breast, pelvic, prostate,

and rectal examinations.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Professional Licensing Agency; Medical Licensing Board; affected health profession boards; Indiana Department of Health.

Local Agencies Affected:

Information Sources: IC 25-1-9-9;

www.adventhealth.com/sites/default/files/assets/Pelvic-Female-Intake-fillable.pdf;

www.cms.gov/files/document/qso-24-10-hospitals.pdf;

<https://apnews.com/article/pelvic-exams-consent-anesthesia-colorado-state-laws-71e9cee2b96ca6eb8d58976d4a8ebac6>.

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