

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

LS 6348
BILL NUMBER: SB 90

NOTE PREPARED: Feb 12, 2026
BILL AMENDED: Feb 10, 2026

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

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

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: **GENERAL**
 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. The bill specifies the requirements of a notice of informed consent.

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.]*

Additional Information– A 2024 rule adopted 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 State Revenues:

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: 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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