
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 849 (Soria) - Health providers: medical chaperones

Version: July 17, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: HEALTH 8 - 0

Mandate: Yes

Consultant: Agnes Lee

Bill Summary: AB 849 would require a health care provider that offers a sensitive examination, as defined, to provide notice to patients that a medical chaperone will be made available upon a patient's request, as specified.

Fiscal Impact: The California Department of Public Health (CDPH) estimates costs of \$323,000 in 2026-27 and approximately \$545,000 ongoing thereafter to review medical chaperone policies and investigate complaints (Licensing and Certification Program Fund).

Background: A number of health systems and professional associations have policies or guidelines when it comes to sensitive examinations and the use of chaperones, for example:

- The Code of Medical Ethics of the American Medical Association (AMA) includes a policy on the use of chaperones that recommends physicians adopt a policy that patients are free to request a chaperone and ensure that the policy is communicated to patients. The AMA states physicians should always honor a patient's request to have a chaperone, and should have an authorized member of the health care team serve as a chaperone.
- UCLA Health publishes a "sensitive exam booklet" which states that they have trained chaperones to make sure sensitive exams and procedures are done in a safe, comfortable and professional way. According to this booklet, a sensitive exam or procedure includes any physical exam of the male or female genitals or rectum, or female breasts, and includes exams of the pubic/groin region for a hernia.
- The American College Health Association (ACHA) recommends that every institution have a policy regarding sensitive medical exams to minimize risk associated with the performance of these exams. According to ACHA's guidelines published in 2019, it is their recommendation that a chaperone be provided for every sensitive medical examination and procedure. ACHA defines a sensitive exam as including an exam, evaluation, palpation, physical therapy for, placement of instruments in, or exposure of, genitalia, rectum, and breast.
- The American College of Obstetricians and Gynecologists recommends that a chaperone be present for all breast, genital, and rectal examinations.
- The American Academy of Pediatrics issued a policy statement on the use of chaperones for pediatric and adolescent encounters, stating that pediatric

inpatient and outpatient encounters often include examinations that may be perceived as intrusive or uncomfortable by patients because of examination of sensitive body areas.

Proposed Law: Specific provisions of the bill would:

- Define “medical chaperone” to mean a trained employee of a provider who assists or observes during the portion of a visit that includes a sensitive examination.
- Define “sensitive examination” to mean an ultrasound examination performed by a sonographer of any of the following areas: genitalia, breast, rectum; and specify that “sensitive examination” also includes an ultrasound examination of the pubic or groin region.
- Require that, except as specified, a provider that offers a sensitive examination must provide notice to patients that a medical chaperone will be made available upon a patient’s request to observe the sensitive examination; provide that, if a patient does not request a medical chaperone, but the provider determines, for any reason, that a medical chaperone must be present, the provider has the right to decline performing the sensitive examination in the absence of a medical chaperone; and require that a provider that performs a sensitive examination to a patient receiving emergency services and care must, when feasible, inform the patient that a medical chaperone will be made available upon request to observe the sensitive examination.
- Require providers to educate sonographers and clinical and nonclinical staff who may serve as a medical chaperone about appropriate observational and intervention techniques, how to properly drape a patient, the importance of neutrality, and reporting procedures for any inappropriate behaviors observed or communicated by the patient.
- Require that, if a patient requests a medical chaperone, the provider must provide a medical chaperone for the entirety of an ultrasound examination if any portion of the ultrasound examination is a sensitive examination; and require the provider to document the medical chaperone’s presence in the patient’s health record.

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