



NEW YORK STATE SENATOR
Roxanne J. Persaud

Senator Persaud and Assemblywoman Solages Issue Joint Statement on the Signing of the Non-Consensual Pelvic Exam Bill into Law

ROXANNE J. PERSAUD October 7, 2019

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The new law, which will take effect 180 days after October 7, 2019, makes it an act of professional misconduct for a provider to supervise or perform a pelvic exam on an anesthetized or unconscious patient without first obtaining the patient's informed consent. The law also prohibits a doctor from administering a non-consensual pelvic exam unless it is part of the medical procedure or the patient is unconscious and it is medically necessary and required for diagnosis. According to a recent survey of medical students commissioned by Elle Magazine, over 60% reported performing a pelvic exam without explicit patient consent.

"Thank you to Governor Cuomo for signing this important piece of legislation and ending this immoral behavior," said Senator Persaud. "Pelvic exams, while a necessity, should not be used as an arbitrary teaching tool at the whim of medical practitioners. A patient has enough to worry about when surgery is needed, without the additional trauma of wondering if multiple persons who are not on their medical team will invade their most private body parts. Informed consent will prevent this from happening. No one should have to worry about what unauthorized procedure can be done to their anesthetized body."

"The practice of performing non-consensual pelvic examinations on unconscious patients is intrusive and unnecessary," stated Assemblywoman Solages. "With trust being so vital to the healthcare profession, New York State must take every measure possible to ensure that medical procedures meet the highest ethical standards. I am proud to join Senator Persaud and the Governor in banning this invasive practice and codifying an added layer of protection for patients."

"We are proud to see New York become the 9th state to end the practice of non-consensual pelvic exams. This disturbing and unethical practice must end. No one should question whether their bodily autonomy will be violated in the name of medical education and care. I want to thank Senator Persaud and Assemblymember Solages for their leadership on this issue, and the Governor for recognizing the important role this new law will play in the broader effort to protect and uplift the right to reproductive self-determination for all New Yorkers," said Robin Chappelle Golston, President & CEO, Planned Parenthood Empire State Acts.

"For too long, teaching hospitals in New York state have used unconscious patients as teaching tools for medical students learning how to perform pelvic exams – without the patients' knowledge or consent," said Donna Lieberman, Executive Director of the New York Civil Liberties Union. "Performing a pelvic exam on an unconscious patient without consent is a unique and egregious gender-specific invasion of privacy and can be especially traumatic for sexual assault survivors. We thank Senator Persaud and Assemblymember Solages for sponsoring this legislation and applaud Governor Cuomo for signing it into law."

RELATED LEGISLATION

2019-S1092B

-
- Introduced
 - - In Committee Assembly
 - In Committee Senate
 - - On Floor Calendar Assembly
 - On Floor Calendar Senate

- - Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to the performance of a pelvic examination on an anesthetized or unconscious person

January 10, 2019

Signed by Governor

Sponsored by Roxanne J. Persaud

Do you support this bill?