

Rep. Taylor: Testimony in support of SB 635

Posted on Wednesday, Jan 29, 2020

>> WisPolitics is now on the State Affairs network. Get custom keyword notifications, bill tracking and all WisPolitics content. [Get the app or access via desktop.](#)

MADISON - Today, Representative Chris Taylor (D-Madison) submitted the following testimony to the Senate Committee on Government Operations, Technology, and Consumer Protection in support of her bill Senate Bill 635, which would require all hospitals in Wisconsin to require written and verbal informed consent to be obtained before a medical student may perform a pelvic examination on a patient who is under general anesthesia or otherwise unconscious:

“Thank you so much to Chair Stroebel and the other members of this committee for hearing testimony on this important, very broad bipartisan bill, SB 635. It has been a real pleasure to work on this bill with Senator Jacque, Senator Taylor and Representative Brandtjen. This is a bill we should all be able to agree on.

When I first became aware of the practice of teaching medical students to perform pelvic exams on sedated women undergoing a pelvic procedure who did not provide specific consent, I was in disbelief. How could this be in the 21st century? Yet, as I researched this issue and had many conversations with medical professionals, I learned this practice has been occurring for decades. It is time for this practice to end.

A 2005 study conducted at the University of Oklahoma found that a large majority of medical students had participated in performing pelvic exams on unconscious patients for solely educational purposes. In nearly three quarters of these cases, the researchers found there was no specific consent given by the patient.

This practice is not ethical. The AMA Council on Ethical and Judicial Affairs, The Association of American Medical Colleges, and The Committee on Ethics of the American College of Obstetricians and Gynecologists (ACOG) have all taken the

position that consent should be granted before medical students perform pelvic exams on an unconscious patient.

SB 635 ends this practice, and requires which I think we all thought was required—women must be informed about this practice and give explicit consent to it.

Our two medical schools have policies requiring specific consent before a pelvic exam may be performed by a medical student. These policies emphasize that consent should be required when sensitive procedures, like pelvic exams, are being administered by medical students for educational purposes. This bill makes certain that all hospitals training and teaching medical students also abide by obtaining specific patient consent in these instances.

Yet these policies do not always follow the student into their clinical experience. That is why it is important for every hospital to have a policy requiring specific consent.

We would not be the first state to specifically ban this practice. Currently, there are ten states that have enacted similar policies, including: California, Hawaii, Illinois, Iowa, Oregon, Virginia, New York, Maryland, Delaware, and Utah.

Further, requiring specific consent is consistent with the current emphasis on trauma-informed care. Health care professionals are not always aware of what patients have experienced in their lives before a medical encounter. But current best practices emphasize that compassion, safety, trustworthiness, and transparency are among the most important things when working with patients where trauma may not necessarily be known to a medical professional. SB635 echoes those tenants.

Thank you for your consideration of this important issue.”