

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 15,
2 Section 191.240, Lines 5-20, by deleting all of said lines and inserting in lieu thereof the following:

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4 "2. A health care provider, or any student or trainee under the supervision of a health care
5 provider, shall not knowingly perform a patient examination upon an anesthetized or unconscious
6 patient in a health care facility unless:

7 (1) The patient or a person authorized to make health care decisions for the patient has given
8 specific informed consent to the patient examination for nonmedical purposes;

9 (2) The examination is necessary for diagnostic or treatment purposes;

10 (3) The collection of evidence through a forensic examination, as defined in subsection 8 of
11 section 595.220, for a suspected sexual assault on the anesthetized or unconscious patient is
12 necessary because the evidence will be lost or because the patient is unable to give informed consent
13 due to a medical condition; or

14 (4) Circumstances are present that imply consent, as described in section 431.063.

15 3. A health care provider shall notify a patient of any patient examination performed under
16 subdivisions (2) to (4) of subsection 2 of this section if the patient is unable to give verbal or written
17 consent.

18 4. A health care provider who violates the provisions of this section, or who supervises a
19 student or trainee who violates the provisions of this section, shall be subject to discipline by any
20 licensing board that licenses the health care provider."; and

21
22 Further amend said bill by amending the title, enacting clause, and intersectional references
23 accordingly.

Action Taken _____ Date _____