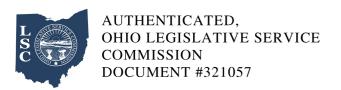


Ohio Revised Code Section 4723.93

Effective: March 21, 2025 Legislation: Senate Bill 109

- (A) As used in this section, "intimate examination" means a pelvic, prostate, or rectal examination.
- (B) Except as provided in division (C) of this section, a registered nurse, including an advanced practice registered nurse, or a student currently enrolled in and actively pursuing completion of a registered nursing program, including an advanced practice registered nursing education program, shall not perform, or authorize another individual to perform, an intimate examination on an anesthetized or unconscious patient.
- (C) Division (B) of this section does not apply in any of the following circumstances:
- (1) The performance of an intimate examination is within the scope of care for the surgical procedure or diagnostic examination to be performed on the patient.
- (2) The patient or the patient's legal representative gives specific, informed consent for the intimate examination, consistent with division (D) of this section.
- (3) An intimate examination is required for diagnostic purposes or treatment of the patient's medical condition.
- (4) The intimate examination is conducted by a sexual assault nurse examiner, as certified by the international association of forensic nurses or as otherwise qualified to conduct the examination, for the purpose of collecting evidence and documenting injuries.
- (D) To obtain informed consent for purposes of division (C)(2) of this section, the advanced practice registered nurse shall do all of the following:
- (1) Provide the patient or the patient's legal representative with a written or electronic informed consent form that meets all of the following requirements:



- (a) Is a separate consent form or is included as a distinct or separate section of a general consent form;
- (b) Contains the following heading at the top of the form or section: "CONSENT FOR INTIMATE EXAMINATION";
- (c) Specifies the nature and purpose of the intimate examination;
- (d) Informs the patient or the patient's legal representative that a student may be present if the patient or the patient's legal representative authorizes a student to perform or observe the intimate examination in person or through electronic means;
- (e) Allows the patient or the patient's legal representative the opportunity to consent to or refuse the intimate examination;
- (f) Permits a patient or the patient's legal representative who consents to an intimate examination to consent to or refuse a student performing the intimate examination or observing the intimate examination in person or through electronic means.
- (2) Provide the patient or the patient's legal representative with a meaningful opportunity to ask questions about the intimate examination;
- (3) Obtain the signature of the patient or the patient's legal representative on the informed consent form:
- (4) Sign the informed consent form.