

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023

A Bill

HOUSE BILL 1785

4
5 By: Representative Pilkington

For An Act To Be Entitled

8 AN ACT TO REQUIRE INFORMED CONSENT BEFORE SURGICAL
9 MESH IMPLANTATION; AND FOR OTHER PURPOSES.

Subtitle

12 TO REQUIRE INFORMED CONSENT BEFORE
14 SURGICAL MESH IMPLANTATION.

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code Title 20, Chapter 9, Subchapter 6, is amended
20 to add an additional section to read as follows:

21 20-9-607. Surgical mesh implantation.

22 (a) As used in this section, "surgical mesh" means a material device
23 that is used to provide additional support when repairing weakened or damaged
24 tissue.

25 (b)(1) Before surgical mesh is implanted or inserted into a patient, a
26 healthcare provider shall obtain written informed consent from the patient or
27 the patient's representative.

28 (2) The informed consent shall include without limitation:

29 (A) Information as to why the surgical mesh is being
30 implanted;

31 (B) A description of the United States Food and Drug
32 Administration classification of surgical mesh; and

33 (C) Information concerning complications related to
34 surgical mesh implantation.

35 (c) If a patient is not able to consent and is in a medical emergency
36 in which the patient's representative cannot be contacted, the healthcare



1 professional shall notify the patient or the patient's representative within
2 forty-eight (48) hours of the patient regaining consciousness.

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