

# HOUSE BILL No. 1339

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-22.5-6-2.2.

**Synopsis:** Hysterectomy and oophorectomy informed consent. Requires a physician to provide certain information to a patient and obtain oral and written consent before a hysterectomy or an oophorectomy may be performed. Allows for an exception in an emergency. Allows for the modification of an informed consent form by the patient and specifies requirements for the modification.

**Effective:** July 1, 2025.

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## Borders

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January 13, 2025, read first time and referred to Committee on Public Health.

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First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

# HOUSE BILL No. 1339

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 25-22.5-6-2.2 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2025]: **Sec. 2.2. (a) Except as provided in**  
4 **subsection (c), when a physician recommends a hysterectomy or an**  
5 **oophorectomy, the physician shall obtain oral and written**  
6 **informed consent from the patient. The informed consent**  
7 **procedure must ensure that the following information is given to**  
8 **the patient at least two (2) weeks before the surgery is scheduled:**  
9 (1) **Notice that the individual is free to withhold or withdraw**  
10 **consent to the procedure at any time before the hysterectomy**  
11 **or oophorectomy without affecting the right to future care or**  
12 **treatment and without loss or withdrawal of any state or**  
13 **federally funded program benefits to which the individual**  
14 **might be otherwise entitled.**  
15 (2) **A copy of the DVD entitled "Female Anatomy: The**  
16 **Functions of the Female Organs" produced by the**  
17 **Hysterectomy Educational Resources and Services (HERS)**



- 1           **Foundation, including a printed transcript of the text of the**  
2           **DVD.**
- 3           **(3) A copy of the pamphlet entitled "An Introduction to**  
4           **Hysterectomy: What Every Woman Needs to Know"**  
5           **produced by the HERS Foundation.**
- 6           **(4) A color copy of the following diagrams:**
- 7               **(A) The female pelvic organs.**  
8               **(B) Supporting structures of the female pelvic organs.**  
9               **(C) Nerve supply to the uterus and ovaries.**  
10              **(D) Arteries and veins that provide blood supply to the**  
11              **female pelvic organs.**
- 12           **(b) The patient shall sign a written statement before the**  
13           **hysterectomy or oophorectomy is performed, indicating the patient**  
14           **has read the written information provided under subsection (a),**  
15           **and that this information has been discussed by the patient and the**  
16           **surgeon. The informed consent statement must indicate that the**  
17           **patient has been advised by the patient's surgeon that the effects of**  
18           **the hysterectomy are irreversible and the patient will be unable to**  
19           **conceive. A patient may modify the consent form to require the**  
20           **surgeon to stop the surgery and suture any open wounds under**  
21           **specified circumstances. If the consent form is modified under this**  
22           **subsection:**
- 23               **(1) any modification to the consent form must be**  
24               **acknowledged with the initials of both the patient and the**  
25               **surgeon on the consent form; and**
- 26               **(2) the surgeon shall provide the patient with a written copy**  
27               **of the modified consent form with the acknowledgment**  
28               **required under subdivision (1).**
- 29           **(c) The informed consent procedure under this section is not**  
30           **required when the hysterectomy is performed in a life threatening**  
31           **emergency situation in which the physician determines prior**  
32           **written informed consent is not possible.**
- 33           **(d) If, after a hearing, the board finds that a physician or**  
34           **surgeon has not complied with this section, the physician is subject**  
35           **to disciplinary sanctions under IC 25-1-9.**

