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**HOUSE FLOOR AMENDMENTS**

2020 Regular Session

Amendments proposed by Representative Ivey to Engrossed House Bill No. 435 by Representative Jordan

1 AMENDMENT NO. 1

2 On page 1, line 3, change "1160.3" to "1160.4"

3 AMENDMENT NO. 2

4 On page 1, line 5, delete "informed"

5 AMENDMENT NO. 3

6 On page 1, line 5, change "patient's" to "personal healthcare"

7 AMENDMENT NO. 4

8 On page 1, line 7, change "patient's" to "personal healthcare"

9 AMENDMENT NO. 5

10 On page 1, line 7, after the semi-colon ";" delete the remainder of the line

11 AMENDMENT NO. 6

12 On page 1, delete lines 8 through 10 in their entirety and insert the following:

13 "to provide for penalties; to provide for learners in a clinical setting; and to provide  
14 for related matters.

15 AMENDMENT NO. 7

16 On page 1, line 13, change "1160.3" to "1160.4"

17 AMENDMENT NO. 8

18 On page 1, line 15, delete "INFORMED"

19 AMENDMENT NO. 9

20 On page 1, line 17, delete "Informed"

21 AMENDMENT NO. 10

22 On page 2, delete lines 9 through 12 in their entirety and insert the following:

23 "(3) "Healthcare provider" means a physician or other healthcare practitioner  
24 licensed, certified, registered, or otherwise authorized to perform specified  
25 healthcare services consistent with state law."

1 AMENDMENT NO. 11

2 On page 2, between lines 12 and 13, insert the following:

3 "(4) "Learner" means any person enrolled in a medical, nursing, or allied  
4 health education program. "Learner" shall also mean a medical resident, intern, or  
5 student undergoing a course of instruction or participating in a clinical training or  
6 residency program."

7 AMENDMENT NO. 12

8 On page 2, line 13, change "(4)" to "(5)"

9 AMENDMENT NO. 13

10 On page 2, delete lines 16 through 21 in their entirety and insert the following:

11 "(6) "Pelvic examination" means the physical examination of an individual's  
12 reproductive organs

13 (7) "Rectal examination" means relating to or affecting the rectum.

14 (8) "Personal healthcare representative" has the meaning as ascribed in R.S.  
15 40:1155.2(7)."

16 AMENDMENT NO. 14

17 On page 2, line 22, delete "Informed consent" and insert in lieu thereof "Consent"

18 AMENDMENT NO. 15

19 On page 2, line 23, after "profession" delete the remainder of the line

20 AMENDMENT NO. 16

21 On page 2, delete line 24 in its entirety

22 AMENDMENT NO. 17

23 On page 2, line 25, delete "participating in a clinical training or residency program."

24 AMENDMENT NO. 18

25 On page 3, line 1, change "patient's" to "personal healthcare" and change "informed" to  
26 "written"

27 AMENDMENT NO. 19

28 On page 3, line 2, after "for" and before "preventive" insert "instructional,"

29 AMENDMENT NO. 20

30 On page 3, line 4, change "patient's" to "personal healthcare" and change "written" to  
31 "informed"

32 AMENDMENT NO. 21

33 On page 3, line 5, delete "diagnostic"

1 AMENDMENT NO. 22

2 On page 3, line 7, delete "diagnostic"

3 AMENDMENT NO. 23

4 On page 3, line 8, change "(3)" to "(3)(a)"

5 AMENDMENT NO. 24

6 On page 3, line 9, delete "necessary for diagnostic or treatment purposes" and insert in lieu  
7 thereof "medically necessary"

8 AMENDMENT NO. 25

9 On page 3, delete lines 10 through 29 in their entirety and insert the following:

10 "(b) A healthcare provider who performs an examination pursuant to this  
11 Paragraph shall inform the patient that an additional examination was performed and  
12 the nature of the examination. The healthcare provider shall notify the patient of the  
13 examination at a reasonable time before the patient is discharged from his care."

14 B. Any violation of the provisions of this Section may constitute grounds for  
15 adverse licensure action by the applicable professional licensing board exercising  
16 jurisdiction over the healthcare provider.

17 "1160.4. Requirement for examinations performed by learners

18 A. Learners in a clinical setting, including but not limited to an operating  
19 room, when the patient is under general anesthesia, shall only perform an  
20 examination for teaching purposes when all of the following conditions are met:

- 21 (1) The examination is explicitly consented to by the patient.
- 22 (2) The examination is medically related to the planned procedure.
- 23 (3) The examination is performed by a learner who has been recognized by  
24 the patient as a part of his care team.
- 25 (4) The examination is conducted under direct supervision by the educator.

26 B. Any violation of the provisions of this Section shall constitute grounds for  
27 adverse action by the medical education program for any learner and shall constitute  
28 grounds for adverse licensure action by the appropriate professional licensing board  
29 for any licensed individual."

30 AMENDMENT NO. 26

31 Delete page 4 in its entirety