

## **PUBLIC HEALTH COMMITTEE**

Public Testimony of Connecticut Women's Education and Legal Fund (CWEALF)

*H.B. 5278 An Act Prohibiting Unauthorized Intimate Examination On A Patient Who Is Under Deep Sedation or Anesthesia or Unconscious*

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The Connecticut Women's Education and Legal Fund (CWEALF) is a statewide nonprofit that advocates for and empowers women and girls in Connecticut, especially those who are underserved or marginalized. For forty-eight years, CWEALF has been a leading advocate for policies that advance the economic security of women across our state and promote gender equity.

We urge the committee to support H.B. 5278: *An Act Prohibiting Unauthorized Intimate Examination On A Patient Who Is Under Deep Sedation or Anesthesia or Unconscious*.

Teaching hospitals, including those in Connecticut, allow medical students the opportunity to examine a woman's pelvic area while she is unconscious for an unrelated procedure. Medical students examine these patients by invasively placing their hands and fingers into the vagina's of unconscious women and pushing on their stomachs to feel the area for teaching purposes.

From a trauma-informed perspective, this teaching practice can do immensely more harm than good. One in six American women has been a victim of an attempted or completed act of sexual assault in her lifetime.<sup>1</sup> As many women do not disclose or report their sexual abuse, this teaching practice can trigger emotional and psychological trauma and violates women's right to consent and autonomy.

H.B. 5278 requires teaching hospitals to provide informed and explicit consent for pelvic exams and specifies the nature and reason behind the intent of the exam. This allows women to make an informed decision on their participation in the additional procedure without subjecting their bodies to be violated without their knowledge. Women have always had to fight for the rights to their bodies. As it currently stands, this practice tells women that their bodies are not their own and perpetuates shame, loss of power, PTSD, moderate to severe distress and patriarchal beliefs that women are not worthy of their own decision making. This practice is medical battery as it is performed in a nonemergency

manner without proper consent, and is just as significant as other forms of sexual trauma that women face daily.<sup>2</sup>

Recently, there have been an influx of women disclosing their experiences in the media with receiving unauthorized pelvic exams while unconscious. Prior to the procedure, these women are not screened for histories of sexual violence and this practice alone can regress any amount of healing work done to overcome previous traumatic experiences and lead to complex PTSD, anxiety, depression and suicidal symptoms. Ninety four percent (94%) of women who have endured sexual trauma experience PTSD symptoms, 33% have contemplated suicide, and 13% have attempted suicide.<sup>3</sup>

Patients put trust in the hands of medical professionals, especially when a procedure requires them to be unconscious and under anesthesia when they are most vulnerable and do not have control. They simply trust that their bodies will be respected and the medical professionals will do what they consent for them to do.

CWEALF urges the committee to pass H.B. 5278 as the bill's language reflects a pro-patient approach to informed consent and bodily autonomy. Currently, there are thirteen (13) states who have passed legislation against this practice and four other states introduced similar bills but were halted due to the COVID-19 pandemic. Connecticut must end the practice of allowing a woman's body to be violated while unconscious and uninformed.

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1 <https://www.rainn.org/statistics/victims-sexual-violence>

2 <https://www.healthywomen.org/your-care/pelvic-exams-unconscious-women/nonconsensual-pelvic-exams-are-still-happening>

3 see note 1

Suggested Reading: <https://www.nytimes.com/2020/02/17/health/pelvic-medical-exam-unconscious.html>