

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

HOUSE BILL 1785

By: Representative Pilkington

For An Act To Be Entitled

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

Subtitle

TO REQUIRE INFORMED CONSENT BEFORE
SURGICAL MESH IMPLANTATION.

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

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

20-9-607. Surgical mesh implantation.

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

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

(2) The informed consent shall include without limitation:

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

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

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

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



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