

# Provider Guide: Sterilization and Hysterectomy Consent

Use this guide as a supplement to the Hysterectomy and Sterilization Oregon Administrative Rule (OAR 410-130-0580) in the Medical-Surgical Program Rules (Chapter 410 Division 130). Refer to these rules for official policies regarding billing.

Updated rule language to reflect recent policy changes are pending and will be completed mid-2026.

**Last updated April 23, 2026**

## Sterilization consent

A sterilization consent form is a legally required document ensuring a client gives voluntary, informed consent for a permanent sterilization procedure. The form details the procedures permanence, alternatives, and right to withdraw consent with no loss of benefits.

### When is consent required?

A sterilization consent form is required for any procedure funded by public programs such as Medicaid when the main purpose is permanent sterilization. It is *not* required for procedures that may result in permanent sterilization but are done for a different reason, such as removing a cancerous uterus or prostate gland.

### When must consent be obtained?

Consent must be obtained at least 30 days before the sterilization procedure and no more than 180 days in advance. There are two exceptions:

## 1. Premature delivery

- The consent form must have been signed at least 30 calendar days before the expected date of delivery and at least 72 hours before the sterilization is performed.
- In the case of premature delivery, the physician must state the expected date of delivery.

## 2. Emergency abdominal surgery

- The sterilization consent form must have been signed at least 72 hours before the sterilization is performed.
- In the case of emergency abdominal surgery, the physician must describe the emergency.

### What counts as a valid sterilization consent form?

The Oregon Health Plan (OHP) accepts these consent forms:

- HHS-687 (federal form) – for people ages 21 and older
- OHA 742A – for all ages (**this form will no longer be valid after 7/1/2026**)
- OHA 742B – for people ages 15-20

All forms are available on the OHA site under: [consent forms](#)

To be valid, the consent form must meet the following rules:

- All boxes be checked and all lines be filled in, except:
  - If no interpreter services were needed, the interpreter section may be left blank.
  - The race and ethnicity section is optional.
- All information must be easy to read.
  - If the interpreter's or patient's signature is not legible, print the name legibly underneath the signature line.
- Timing requirement:
  - The form must be signed **at least 30 before** the procedure, but no **more than 180 days before**.
- Required signatures:

- The patient
- The interpreter (if one was used)
- The person who obtained the consent
- The physician who performed the procedure
- If the doctor originally listed on the form can't perform the procedure:
  - A new consent form should be completed **on the day of the procedure** and be attached to the original form.
  - In this situation, the patient is not required to wait an additional 30 days.

### When is a consent form invalid?

A patient is considered incapable of giving informed consent when:

- In labor or childbirth
- In the process of seeking to obtain or obtaining an abortion
- Under the influence of alcohol or other substances, including pain medications for labor and delivery, that affect the patients state of awareness and ability to give informed consent.

### What can be changed on a consent form? (see appendix for a full list)

Not fixable (must deny or redo):

- Patient under 15
- Waiting period mistakes (signed too early or too late)
- Signatures/dates for the person obtaining consent are wrong, missing, or out of order
- Interpreter date does not match patient date (when interpreter was used)

Fixable (can be corrected and resubmitted):

- Missing or incorrect patient/physician signatures or dates
- Interpreter signature/date missing (if an interpreter was used)
- Wrong DOB, DOS, or delivery-related information

- Missing facility details
- Missing procedure date or type
- Missing info in premature delivery/emergency surgery section

## Hysterectomy consent

A properly completed Hysterectomy Consent form (OHA 741) or a statement signed by the performing physician, depending upon the following circumstances, is required for all hysterectomies:

### When is consent required?

A hysterectomy consent form is required when a hysterectomy is performed for medical reasons. Note, OHA does not cover hysterectomies performed for the sole purpose of sterilization. It is *not* required for procedures that may result in permanent sterilization but are done for a different reason, such as removing a cancerous uterus or prostate gland.

### When must consent be obtained?

For patients capable of bearing children:

Written consent can be obtained before or after the procedure, as long as the patient was informed beforehand that the hysterectomy will permanently prevent pregnancy.

For patients already sterile before the procedure or for life threatening emergencies where prior consent is not possible:

Patient consent is not required, only a physician statement is required. This can be completed after the procedure.

### What counts as a valid hysterectomy consent form?

For hysterectomies, the OHA 741 is the current valid consent form.

- Hysterectomy requires that a patient completes the consent form but does not require a 30-day waiting period.
- A copy of the hysterectomy consent form must be submitted with the claim.

### Cases where a woman is capable of bearing children

- Ensure medical reason is listed
- Ensure physician's signature and date are present
- Ensure patient's signature and date are present

Or if patient was previously sterile section 2 would be completed.

### Cases of previous sterility or life-threatening emergency

- Ensure physician marks appropriate box and completes reason.
- Ensure physician's signature and date are present.

## Electronic signatures for both sterilization and hysterectomy consent

Electronic signatures are allowed for the patient, the clinician and the interpreter (if used). The website or app used for the signature must be safe and private. It must follow HIPAA regulations that keep a person's medical information secret.

If an interpreter is unable to sign the consent form, the performing physician may enter the interpreter's name on their behalf.

### More information about electronic signatures:

- State law: ORS 84.001-84.061 Uniform Electronic Transactions Act (UETA)
- Federal law: Federal Electronic Signatures in Global and National Commerce Act (E-Sign)

## Translations for sterilization consent

Because of federal rules, OHA is not allowed to change the language or translate the sterilization consent forms.

Oregon Health Authority (OHA) created a [sterilization consent cover letter](#) to reflect the federal form. This letter explains the federal form. OHA can translate this form in other languages upon request.

Oregon state hysterectomy consent form (OHA 741) can be translated.

If you need a form or letter translated, you can email the Medicaid Programs team at [Medicaid.Programs@odhsoha.oregon.gov](mailto:Medicaid.Programs@odhsoha.oregon.gov).

## Appendix

### What can be corrected on a sterilization consent form?

Consent Condition	Correctable?	Notes
Interpreter signature (if used) missing or incorrect	Yes	
Interpreter signature date is not the same as the patient signature date	No	Must match the patient's date
Patient is younger than 15 (minimum age is 15)	No	
Patient signature date and date of service are less than 30 days apart	No	30-day waiting period required
Patient signature date and date of service are more than 180 days apart	No	Valid for 180 days only
Patient signature date is after the procedure date	No	
Patient signature date is patient's date of birth	Yes	Correctable error
Patient signature date missing or incorrect	Yes	
Patient signature missing or incorrect	Yes	
Person obtaining consent: signature date is after date of service	No	
Person obtaining consent: signature date is before patient signature date	No	
Person obtaining consent: signature date missing	No	
Person obtaining consent: signature missing	No	

Consent Condition	Correctable?	Notes
Person obtaining consent signed on date of service	No	Must be before DOS
Expected delivery date missing	Yes	Applies to postpartum cases
Facility name or address missing/incomplete	Yes	City and state required
Premature delivery/emergency abdominal surgery section missing or incomplete	Yes	Zip code not required
Interpreter signature date missing (if interpreter used)	Yes	
Patient enters date of service instead of date of birth	Yes	
Physician signature date missing, unreadable, or incorrect	Yes	
Physician signature date is before procedure date	Yes	
Physician signature missing	Yes	
Procedure date (DOS) missing, incomplete, or incorrect	Yes	
Procedure type missing or incomplete	Yes	
Surgery date missing or incomplete	Yes	
Date of birth field incorrect	Yes	

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