

**HOUSE . . . . . No. 1991**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Denise Provost***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to assure informed consent for pelvic examinations of anesthetized or unconscious patients.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Carlos González</i>	<i>10th Hampden</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>

<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>

**HOUSE . . . . . No. 1991**

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By Ms. Provost of Somerville, a petition (accompanied by bill, House, No. 1991) of Denise Provost and others relative to informed consent for pelvic examinations of anesthetized or unconscious patients. Public Health.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act to assure informed consent for pelvic examinations of anesthetized or unconscious patients.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Section 70E of Chapter 111 of the General Laws, 2016 official edition, is hereby  
2 amended in subsection (l), by adding, after the phrase, “ to informed consent to the extent  
3 provided by law;” the following language:

4           “provided that no physician or surgeon, nor any student undertaking a course of  
5 professional instruction or a clinical training program, may perform a pelvic examination on an  
6 anesthetized or unconscious patient unless the patient has given specific informed consent in  
7 writing to the pelvic examination; or the performance of a pelvic examination is within the scope  
8 of care for the surgical procedure or diagnostic examination to be performed on the patient or, in  
9 the case of an unconscious patient, the pelvic examination is required for diagnostic purposes.”