

HOUSE No. 2238

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel Cahill, (BY REQUEST)

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 relative to the presence of chaperones.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-----------------------|-------------------|------------------|
| <i>Michael Drinan</i> | | <i>2/16/2021</i> |

HOUSE No. 2238

By Mr. Cahill of Lynn (by request), a petition (accompanied by bill, House, No. 2238) of Michael Drinan relative to the presence of chaperones during certain medical examinations. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1859 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the presence of chaperones.

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

1 M.G.L. c. 112, as appearing in the 2016 Official Edition, is hereby amended by adding
2 the following section:-

3 Section 275 – Presence of Chaperones

4 In all medical examinations, a physician or physician assistant shall provide notice to a
5 patient, or any other person who is to be examined, of the right to have a chaperone present
6 during breast and pelvic examinations of females and genitalia and rectal examinations of both
7 males and females.

8 Notice to the patient is required and is satisfied by either written notice to the patient or
9 posting notice in a manner in which the patient or caregiver can reasonably be made aware. In

10 circumstances where the posting or written notice to the patient would not convey the right to
11 have a chaperone present, the physician or physician assistant shall use another means to ensure
12 that the patient or person to be examined understands his or her right to have a chaperone
13 present.

14 A physician or physician assistant shall not be obligated to provide further care for a non-
15 emergency immediate medical problem presented if the physician or physician assistant is unable
16 to provide a requested chaperone acceptable to the patient. A physician or physician assistant
17 shall not be obligated to provide further care for a non-emergency immediate medical problem
18 presented if the patient refuses to have a chaperone present and it is the physician's or physician
19 assistant's desire to have a chaperone present during the examination.