

SENATE No. 1383

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

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>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>3/23/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>6/7/2021</i>

SENATE No. 1383

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 1383) of Joanne M. Comerford and Christina A. Minicucci for legislation to prohibit non-consensual pelvic examinations. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4265 OF 2019-2020.]

The Commonwealth of Massachusetts

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

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 Chapter 111 of the General Laws is hereby amended by inserting after section 70H the
2 following section:-

3 Section 70I. A health care provider or a student undertaking a course of professional
4 instruction or a clinical training program, may not perform a pelvic examination on an
5 anesthetized or unconscious patient unless the patient has given specific informed consent in
6 writing to the pelvic examination; or the performance of a pelvic examination is within the scope
7 of care for the surgical procedure or diagnostic examination to be performed on the patient or, in
8 the case of an unconscious patient, the pelvic examination is required for diagnostic purposes.