

HOUSE No. 4265

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

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 adding after Section 70H the
2 following new 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.