

HOUSE No. 4270

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, December 2, 2021.

The committee on Public Health to whom was referred the petition (accompanied by bill, House, No. 2267) of Mindy Domb, Kimberly N. Ferguson and others for legislation to further regulate pelvic examinations, reports recommending that the accompanying bill (House, No. 4270) ought to pass.

For the committee,

MARJORIE C. DECKER.

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

An Act prohibiting non consensual pelvic examinations.

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, the patient’s guardian, or the patient’s
6 activated health care proxy has given specific informed consent in writing to the pelvic
7 examination; or the performance of a pelvic examination is within the scope of care for the
8 surgical procedure or diagnostic examination to be performed on the patient or, in the case of an
9 unconscious patient, the pelvic examination is required for diagnostic purposes.