

**SENATE . . . . . No. 1383**

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**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> |

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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.

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[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.