

§2905-B. Informed consent for pelvic, rectal or prostate examination

A health care practitioner may not perform a pelvic, rectal or prostate examination or supervise a pelvic, rectal or prostate examination performed by an individual practicing under the supervision of the health care practitioner on a patient without first obtaining the patient's specific informed consent, orally and in writing, to that pelvic, rectal or prostate examination, unless: [PL 2019, c. 602, §1 (NEW).]

1. Unconscious patient; diagnostic purposes and medically necessary. In the case of an unconscious patient, the examination is required for diagnostic purposes and is medically necessary; [PL 2021, c. 92, §1 (AMD).]

2. Examination on unconscious alleged victim of sexual assault. The health care practitioner is authorized to perform the examination pursuant to section 2986, subsection 5; or [PL 2021, c. 92, §1 (AMD).]

3. Conscious patient. The patient is conscious, in which case the health care practitioner shall obtain the patient's specific informed consent, orally, to that pelvic, rectal or prostate examination. [PL 2021, c. 92, §1 (NEW).]

SECTION HISTORY

PL 2019, c. 602, §1 (NEW). PL 2021, c. 92, §1 (AMD).

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