



11 Columbia St.
Augusta, ME 04330
Tel.: (207) 621-0313
Fax: (207) 622-4437
Pam@mnpa.us
www.mnpa.us

25 Years of Independent Practice as Healthcare Providers for the People of Maine

27 January 2020

To: Senator Sanborn, Representative *Feder*
Members of the Health Coverage, Insurance and Financial Services Committee
Room 220
Cross State Office Building, Augusta, Maine 04330

From: Julie Jenkins, MSN, SAFE-A, WHNP-BC
Julie Jenkins <jjenkinsnp@gmail.com>
Member, Legislative Committee, Maine Nurse Practitioners Association

This testimony today is on behalf of the Maine Nurse Practitioners Association in support of LD 1948, *An Act to Prohibit, Except in Emergency Situations, the Performance without Consent of Pelvic Examinations on Unconscious or Anesthetized Patients*. As you know, the purpose of LD 1948 is to ensure that patients are not receiving medically unnecessary pelvic exams while anesthetized, unless prior explicit consent is obtained.

It has come to light that medical students frequently perform pelvic exams on anesthetized patients during their training. In 2003 Ubel et al (<https://www.ncbi.nlm.nih.gov/m/pubmed/12592274/>) found that of 400 medical students interviewed from five medical schools in Philadelphia, 90% admitted to performing a pelvic exam on an anesthetized patient. A similar study by Schniederjan et al in 2005 (<https://www.ncbi.nlm.nih.gov/m/pubmed/16206868/>) found that a large majority of medical students at the University of Oklahoma had performed pelvic exams on gyn surgery patients, and in nearly three quarters of these cases patients had not consented to the exams. In 2018 an article published in *Bioethics* (<https://onlinelibrary.wiley.com/doi/abs/10.1111/bioe.12441>) by Phoebe Friesen, a medical ethicist at McGill University, condemned the practice. (Articles attached).

In 2018 only six states expressly prohibited this practice- Hawaii, California, Illinois, Virginia, Oregon, and Iowa. In 2019, bills were passed in New York, Maryland, Utah, and Delaware.

The Maine Nurse Practitioners Association is in agreement with our colleagues at the American College of Obstetricians and Gynecologists, the American Medical Association, and the Association of American Medical Colleges, all of whom publicly oppose the practice. This practice is a form of assault and we believe that Maine should codify patient protections against it by passing LD 1948.

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