



Maine Medical Association

Karen Saylor, MD, President | Jeffrey S. Barkin, MD, President-Elect | Erik N. Steele, DO, FAAFP, Chair, Board of Directors
Andrew B. MacLean, JD, CEO | Dan Morin, Director of Communications & Government Affairs

TO: The Honorable Heather Sanborn, Chair
The Honorable Denise Tepler, Chair
Members, Joint Standing Committee Health Coverage, Insurance and Financial Services

FM: Dan Morin, Director of Communications and Government Affairs

DATE: April 6, 2021

RE: **Support**
LD 790, An Act Clarifying Patient Consent for Certain Medical Examinations

The Maine Medical Association is the state's largest professional physician organization representing more than 4300 physicians, residents, and medical students across all clinical specialties, organizations, and practice settings.

The MMA supports LD 790, An Act Clarifying Patient Consent for Certain Medical Examinations, sponsored by Representative Doudera and supported by the Maine Hospital Association.

[P.L. 2019, Ch. 602](#) has created some confusion with the treatment of conscious patients and double consents. We agree the original intent of [LD 1948, An Act To Prohibit, Except in Emergency Situations, the Performance without Consent of Pelvic Examinations on Unconscious or Anesthetized Patients](#), as introduced during the 129th Legislature was to address unconscious patients. We took an [active position in support](#) of that bill at public hearing and also support the bill before you today. This bill clarifies that written informed consent is not required for pelvic, rectal, or prostate examinations performed on a conscious patient; in such cases the informed consent must be obtained orally.

We urge the committee to vote Ought to Pass and are available to provide any additional information prior to the work session and intend to again be in virtual attendance.