

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY

—  
H.P. 1392 - L.D. 1948

**An Act To Prohibit, Except in Emergency Situations, the Performance  
without Consent of Certain Examinations on Unconscious or Anesthetized  
Patients**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24 MRSA §2905-B is enacted to read:

**§2905-B. Informed consent for pelvic, rectal or prostate examination on  
anesthetized or unconscious patient**

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:

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; or

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.