

§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).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.