

2020 -- S 2657

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LC003980
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO HEALTH AND SAFETY -- CONSENT TO MEDICAL AND SURGICAL
CARE

Introduced By: Senators Satchell, Goldin, Valverde, Euer, and Lynch Prata

Date Introduced: February 27, 2020

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-4.6-1 of the General Laws in Chapter 23-4.6 entitled "Consent
2 to Medical and Surgical Care" is hereby amended to read as follows:

3 **23-4.6-1. Consent to medical and surgical care.**

4 (a) Any person of the age of sixteen (16) or over or married may consent to routine,
5 emergency, medical or surgical care. A minor parent may consent to treatment of his or her child.

6 (b) In addition to the provisions of subsection (a), any person, including, but not limited
7 to, a minor who is pregnant, may give effective consent for medical, dental, health, and hospital
8 services relating to prenatal, delivery, and post-delivery care. The attending physician shall
9 comply with § 40-11-3. Consent shall not be given pursuant to this subsection for abortion or
10 sterilization.

11 (c) A pelvic, rectal, or breast examination may not be performed on an unconscious or
12 anesthetized patient unless:

13 (1) The patient gave informed consent;

14 (2) The examination is within the scope of care; or

15 (3) The examination is required for diagnostic purposes.

16 (d) The department of health may promulgate rules and regulations in accordance with
17 this section.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO HEALTH AND SAFETY -- CONSENT TO MEDICAL AND SURGICAL
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1 This act would not allow a pelvic, rectal, or breast examination to be performed on an
2 unconscious or anesthetized patient unless the patient gave informed consent, the exam is within
3 the scope of care or the examination is required for diagnostic purposes. This act would also
4 allow the department of health to promulgate rules and regulations in accordance with this
5 section.

6 This act would take effect upon passage.

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