

SENATE No. 623

The Commonwealth of Massachusetts

SENATE, March 24, 1941.

The committee on Bills in the Third Reading, to which was referred the Senate Bill providing for the regulation of the practice of physicians and surgeons in certain cases (printed as House, No. 609), reports recommending that the same be amended by substituting therefor a new draft entitled "An Act requiring Physicians and Surgeons to Furnish Written Statements Following Operations in Certain Cases" (Senate, No. 623), and that, when so amended, the same will be correctly drawn.

For the committee,

NEWLAND H. HOLMES.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-One.

AN ACT REQUIRING PHYSICIANS AND SURGEONS TO FURNISH WRITTEN STATEMENTS FOLLOWING OPERATIONS IN CERTAIN CASES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter one hundred and twelve of the General
2 Laws is hereby amended by inserting after section
3 twelve A, as appearing in the Tercentenary Edition,
4 the two following new sections: —

5 *Section 12B.* Except in the case of a public catas-
6 trophe where sudden drastic action is needed to save
7 human lives, after the removal of any limb or organ,
8 whether or not written or verbal permission has been
9 given by the patient or whether or not, as the result
10 of an accident, the patient is unconscious, and no
11 near relative, guardian or conservator can be reached
12 quickly, the operating physician or surgeon shall de-
13 liver to the patient, if mentally and physically com-
14 petent, otherwise to his or her wife, husband, nearest
15 known relative, conservator or guardian, a written
16 statement setting forth the nature of the operation
17 which he has performed upon the patient and giving
18 his reasons for considering such an operation neces-
19 sary. *Section 12C.* Whoever violates any provision
20 of section twelve B shall be punished by a fine of not
21 less than fifty or more than five hundred dollars, or
22 by imprisonment for not more than one year, or both.