



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 4

#### PUBLIC HEALTH FUNCTIONS OF HEALTH BOARDS

##### *Medical examinations*

#### **35 Medical examination: least invasive and least intrusive procedures**

- (1) A health care professional authorised by virtue of an order under section 34(1) to medically examine a person—
- (a) must not use invasive or intrusive procedures unless that professional considers such procedures are necessary to achieve the purpose for which the examination is being carried out; and
  - (b) must, where the professional considers such procedures are necessary for that purpose, use the least invasive and least intrusive procedures practicable.
- (2) In this section, “invasive procedures” do not include—
- (a) examination of the ear, nose or mouth;
  - (b) temperature assessment using—
    - (i) an ear, oral or cutaneous thermometer; or
    - (ii) thermal imaging;
  - (c) physical examination of skin and hair;
  - (d) auscultation;
  - (e) external palpation;
  - (f) retinoscopy;
  - (g) external collection of urine, faeces or saliva samples;
  - (h) external measurement of blood pressure;
  - (i) electrocardiography.

---

#### **Commencement Information**

**II** S. 35 in force at 1.10.2009 by S.S.I. 2009/319, art. 2(a), Sch. 1

**Status:**

Point in time view as at 01/10/2009.

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health etc. (Scotland) Act 2008, Section 35.