

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1203

Short Title: Parental Notification of Health Care.

(Public)

Sponsors: Representatives Shubert; Harrington, Capps, and Davis.

Referred to: Education.

April 12, 2001

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE PROVISION OF CERTAIN HEALTH SERVICES BY
LOCAL SCHOOL ADMINISTRATIVE UNITS AND TO REQUIRE UNITS TO
OBTAIN PERMISSION FROM PARENTS FOR CERTAIN SERVICES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 22 of Chapter 115C of the General Statutes is amended
by adding the following new Part to read:

"Part 9. School-based health services.

**"§ 115C-335.8. Certain school-based health services prohibited; parental consent
required for referral of students to certain community health services.**

(a) Local school administrative units shall not provide, directly or under contract
with another public or private entity, psychological or reproductive health services to
students, nor shall they permit access to students entrusted to their care on the school
grounds by health care professionals who might provide these services.

(b) Local school administrative units shall not refer a student to a health care
provider for psychological or reproductive health services without obtaining the prior
written consent of the student's parent. The local school administrative unit shall obtain
prior written consent for each proposed referral for psychological or reproductive health
services. Notwithstanding the provisions of this subsection a local school administrative
unit may refer a student for psychological health services where the necessity for
immediate treatment is so apparent that securing approval would delay the treatment so
long as to endanger the life of the child, although the local school administrative unit
shall immediately attempt to notify the parent and must notify the parent within 24
hours. The local school administrative unit may use a general consent form to obtain
parental consent for health services other than psychological and reproductive health
services. Such general consent form does not cover psychological or reproductive health
services.

(c) This section does not apply to nonpublic schools.

- 1 (d) As used in this section, the term:
2 (1) 'Health care provider' means an individual authorized under State law
3 to provide health services and who provides services as a private
4 provider, or under contract with or as an employee or associate of a
5 public or private entity.
6 (2) 'Parent' means:
7 a. The natural parent.
8 b. A legal guardian.
9 c. A legal custodian.
10 d. Another person authorized in writing by the parent to make
11 health care decisions on behalf of the child, but does not mean a
12 teacher or other school official."

13 **SECTION 2.** This act is effective when it becomes law.