

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1316

Short Title: Require Notification to Treat Minors.

(Public)

Sponsors: Representative Morris.

Referred to: Health.

April 12, 2001

A BILL TO BE ENTITLED

AN ACT REQUIRING PHYSICIANS TO NOTIFY THE PARENT OR GUARDIAN
OF A MINOR AFTER TREATING THE MINOR FOR VENEREAL DISEASE,
PREGNANCY, ABUSE OF CONTROLLED SUBSTANCES OR ALCOHOL, OR
EMOTIONAL DISTURBANCE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 90-21.4(b) reads as rewritten:

"(b) The physician shall ~~not~~ notify a parent, legal guardian, person standing in loco parentis, or a legal custodian other than a parent when granted specific authority in a custody order to consent to medical or psychiatric treatment, without the permission of the minor, concerning the medical health services set out in ~~G.S. 90-21.5(a)~~, G.S. 90-21.5(a) after treating the minor, unless the situation notification would, in the opinion of the attending physician indicates that notification is essential to physician, pose a serious risk to the life or physical health of the minor. Notification shall be given within 48 hours after the minor receives the treatment. If a parent, legal ~~guardian~~, guardian, person standing in loco parentis, or a legal custodian other than a parent when granted specific authority in a custody order to consent to medical or psychiatric treatment contacts the physician concerning the treatment or medical services being provided to the minor, the physician ~~may~~ shall give information."

SECTION 2. G.S. 90-21.5 reads as rewritten:

"§ 90-21.5. Minor's consent sufficient for certain medical health ~~services~~.services; exception.

(a) Any minor may give effective consent to a physician licensed to practice medicine in North Carolina for medical health services for the prevention, diagnosis and treatment of (i) venereal disease and other diseases reportable under G.S. 130A-135, (ii) pregnancy, (iii) abuse of controlled substances or alcohol, and (iv) emotional ~~disturbance~~. disturbance, if the physician notifies the minor's parent, legal guardian, person standing in loco parentis, or a legal custodian other than a parent when granted

1 specific authority in a custody order to consent to medical or psychiatric treatment
2 within 48 hours after the minor receives the services. This section does not authorize the
3 inducing of an abortion, performance of a sterilization operation, or admission to a
4 24-hour facility licensed under Article 2 of Chapter 122C of the General Statutes except
5 as provided in G.S. 122C-222. This section does not prohibit the admission of a minor
6 to a treatment facility upon his own written application in an emergency situation as
7 authorized by G.S. 122C-222.

8 (b) Any minor who is emancipated may consent to any medical treatment, dental
9 and health services for himself or for his child."

10 **SECTION 3.** This act is effective when it becomes law.