

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 582
HOUSE BILL 370

AN ACT TO AUTHORIZE HEALTH SERVICES FOR MINORS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 90-21.4 is hereby rewritten to read as follows:

"§ 90-21.4. **Responsibility, liability and immunity of physicians.** — (a) Any physician licensed to practice medicine in North Carolina providing health services to a minor under the terms, conditions and circumstances of this Article shall not be held liable in any civil or criminal action for providing such services without having obtained permission from the minor's parent, legal guardian, or person standing in loco parentis. The physician shall not be relieved on the basis of this Article from liability for negligence in the diagnosis and treatment of a minor.

(b) The physician shall not notify a parent, legal guardian, or person standing in loco parentis, without the permission of the minor, concerning the medical health services set out in G.S. 90-21.5(a), unless the situation in the opinion of the attending physician indicates that notification is essential to the life or health of the minor. If a parent, legal guardian or person standing in loco parentis contacts the physician concerning the treatment or medical services being provided to the minor, the physician may give information."

Sec. 2. G.S. 90-21.5 is hereby rewritten to read as follows:

"§ 90-21.5. **Minor's consent sufficient for certain medical health services.** — (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. 130-81, (ii) pregnancy, (iii) abuse of controlled substances or alcohol, and (iv) emotional disturbance. This section does not authorize the inducing of an abortion, performance of a sterilization operation, or commitment to a mental institution or hospital for confinement or treatment of a mental condition.

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

Sec. 3. This act shall become effective on July 1, 1977, and shall not apply to pending litigation.

In the General Assembly read three times and ratified, this the 16th day of June, 1977.