

April 2, 2009

H 1069. NOTIFICATION TO TREAT MINORS/12 OR YOUNGER. Filed 4/2/09. *REQUIRING PHYSICIANS TO NOTIFY THE PARENT OR GUARDIAN OF A MINOR TWELVE YEARS OF AGE OR YOUNGER AFTER TREATING THE MINOR FOR VENEREAL DISEASE, PREGNANCY, ABUSE OF CONTROLLED SUBSTANCES OR ALCOHOL, OR EMOTIONAL DISTURBANCE.*

Amends GS 90-21.4 to require that a physician notify a parent, legal guardian, person standing in loco parentis, or a legal custodian other than a parent of a minor 12 years of age or younger 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 GS 90-21.5(a) after treating the minor, unless notification would, in the opinion of the physician, pose a serious risk to the life or physical health of the minor. Requires notification to be given within 48 hours after the minor receives treatment. Makes conforming and technical changes. Current law prohibits a physician from notifying 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 GS 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.

Amends GS 90-21.5 to provide that any minor older than 12 years of age (was, any minor) may give effective consent to a licensed physician for medical health services for the prevention, diagnosis and treatment of (1) venereal disease and other diseases reportable under GS 130A-135, (2) pregnancy, (3) abuse of controlled substances or alcohol, and (4) emotional 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 specific authority in a custody order to consent to medical or psychiatric treatment within 48 hours after the minor receives the services.*

Intro. by Stevens, Randleman.

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