

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 103

Short Title: Parental Notification to Treat Minors. (Public)

Sponsors: Representatives Dollar, Cleveland, Folwell (Primary Sponsors); Barnhart, Blackwood, Blust, Brown, Current, Daughtry, Gulley, Hilton, Holloway, Holmes, Justice, Killian, Langdon, McGee, Moore, Neumann, Pate, Samuelson, Starnes, and Wiley.

Referred to: Rules, Calendar, and Operations of the House.

February 8, 2007

A BILL TO BE ENTITLED

AN ACT PERMITTING 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 reads as rewritten:

"§ 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, 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. 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~~ may 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 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. If 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

1 treatment contacts the physician concerning the treatment or medical services being
2 provided to the minor, the physician may give information."
3 **SECTION 2.** This act becomes effective October 1, 2007.