An Act

ENROLLED HOUSE
BILL NO. 2518

By: Grau, Scott and Sherrer of the House

and

Dahm of the Senate

An Act relating to definitions and general provisions; amending Section 4, Chapter 238, O.S.L. 2014 (25 O.S. Supp. 2015, Section 2004), which relates to written consent required prior to medical treatment of minors; providing for exception if emergency exists and surgery is necessary for treatment of illness; providing for exception if emergency exists, surgery is necessary and effort has been made to contact other adult authorized by law to consent on behalf of minor; and providing an effective date.

SUBJECT: Parents' Bill of Rights

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 4, Chapter 238, O.S.L. 2014 (25 O.S. Supp. 2015, Section 2004), is amended to read as follows:

Section 2004. A. Except as otherwise provided by law, no person, corporation, association, organization, state-supported institution, or individual employed by any of these entities may procure, solicit to perform, arrange for the performance of, perform surgical procedures, or perform a physical examination upon a minor or prescribe any prescription drugs to a minor without first obtaining a written consent of a parent or legal guardian of the minor.

B. ~~No~~ Except as otherwise provided by law, no hospital as defined in Section 1-701 of Title 63 of the Oklahoma Statutes may permit surgical procedures to be performed upon a minor in its facilities without first having received a written consent from a parent or legal guardian of the minor.

C. The provisions of this section shall not apply when it has been determined by a physician that an emergency exists and that it is necessary to perform such surgical procedures for the treatment of an injury, illness or drug abuse, or to save the life of the patient, or when such parent or ~~legal guardian~~ other adult authorized by law to consent on behalf of a minor cannot be located or contacted after a reasonably diligent effort.

D. The provisions of this section shall not apply to an abortion, which shall be governed by the provisions of Sections 1-740 through 1-740.6 and Sections 1-744 through 1-744.6 of Title 63 of the Oklahoma Statutes or any successor statute.

E. A person who violates a provision of this section is guilty of a misdemeanor, punishable by a fine of not more than One Thousand Dollars ($1,000.00) or imprisonment of not more than one (1) year in the county jail, or by both such fine and imprisonment.

SECTION 2. This act shall become effective November 1, 2016.

Passed the House of Representatives the 17th day of February, 2016.

Presiding Officer of the House of Representatives

Passed the Senate the 6th day of April, 2016.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 7th day of April, 2016, at 10:20 o'clock A M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 12th day of April, 2016, at 2:21 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 12th day of April, 2016, at 2:48 o'clock P. M.

By: Chris Benge