

# HOUSE BILL No. 1523

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 12-23-12-1; IC 16-36-1-3.

**Synopsis:** Parental notification of treatment of a minor. Requires a health care provider, when providing treatment to a minor for alcoholism, alcohol abuse, drug abuse, or a venereal disease, to make a reasonable effort to contact the minor's parent or guardian to provide information on the minor's condition and proposed treatment and to document in writing each attempt the health care provider makes to contact the parent or guardian of the minor.

**Effective:** July 1, 2021.

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**Smaltz, Heine**

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January 14, 2021, read first time and referred to Committee on Public Health.

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First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

## HOUSE BILL No. 1523

A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 12-23-12-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. **(a)** A minor who  
3 voluntarily seeks treatment for alcoholism, alcohol abuse, or drug  
4 abuse from the division or a facility approved by the division may  
5 receive treatment without ~~notification~~ or consent of the parents,  
6 guardian, or person having control or custody of the minor.

7 **(b) A health care provider may provide care to a minor**  
8 **described in subsection (a) after receiving the minor's consent.**  
9 **However, the health care provider shall:**

10 **(1) make a reasonable effort to contact the minor's parent or**  
11 **guardian to provide information on the minor's condition and**  
12 **proposed treatment; and**

13 **(2) document in writing each attempt the health care provider**  
14 **makes to contact the parent or guardian of the minor.**

15 SECTION 2. IC 16-36-1-3, AS AMENDED BY P.L.139-2019,  
16 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2021]: Sec. 3. (a) Except as provided in subsections (b)



1 through (d), unless incapable of consenting under section 4 of this  
2 chapter, an individual may consent to the individual's own health care  
3 if the individual is:

4 (1) an adult; or

5 (2) a minor and:

6 (A) is emancipated;

7 (B) is:

8 (i) at least fourteen (14) years of age;

9 (ii) not dependent on a parent for support;

10 (iii) living apart from the minor's parents or from an  
11 individual in loco parentis; and

12 (iv) managing the minor's own affairs;

13 (C) is or has been married;

14 (D) is in the military service of the United States;

15 (E) meets the requirements of section 3.5 of this chapter; or

16 (F) is authorized to consent to the health care by any other  
17 statute.

18 (b) A person at least seventeen (17) years of age is eligible to donate  
19 blood in a voluntary and noncompensatory blood program without  
20 obtaining parental permission.

21 (c) A person who is sixteen (16) years of age is eligible to donate  
22 blood in a voluntary and noncompensatory blood program if the person  
23 has obtained written permission from the person's parent.

24 (d) An individual who has, suspects that the individual has, or has  
25 been exposed to a venereal disease is competent to give consent for  
26 medical or hospital care or treatment of the individual.

27 **(e) A health care provider may provide care to a minor**  
28 **described in subsection (d) after receiving the minor's consent.**  
29 **However, the health care provider shall:**

30 **(1) make a reasonable effort to contact the minor's parent or**  
31 **guardian to provide information on the minor's condition and**  
32 **proposed treatment; and**

33 **(2) document in writing each attempt the health care provider**  
34 **makes to contact the parent or guardian of the minor.**

