

As Reported by the Senate Health and Human Services Committee

131st General Assembly

Regular Session

2015-2016

Sub. S. B. No. 42

Senator Beagle

Cosponsors: Senators Cafaro, Eklund, Hite, Jones, Tavares, Brown

A BILL

To amend section 5122.04 of the Revised Code 1
regarding minors and mental health treatment. 2

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5122.04 of the Revised Code be 3
amended to read as follows: 4

Sec. 5122.04. (A) Upon the request of a minor fourteen 5
years of age or older, a mental health professional may provide 6
outpatient mental health services, excluding the use of 7
medication, without the consent or knowledge of the minor's 8
parent or guardian. Except as otherwise provided in this 9
section, the minor's parent or guardian shall not be informed of 10
the services without the minor's consent unless the mental 11
health professional treating the minor determines that there is 12
a compelling need for disclosure based on a substantial 13
probability of harm to the minor or to other persons, and if the 14
minor is notified of the mental health professional's intent to 15
inform the minor's parent, or guardian. 16

(B) Services provided to a minor pursuant to this section 17
shall be limited to not more than six sessions ~~or thirty days of~~ 18

~~services whichever occurs sooner.~~ After the sixth session ~~or~~ 19
~~thirty days of services,~~ the mental health professional shall 20
terminate the services or, with the consent of the minor, notify 21
the parent, or guardian, to obtain consent to provide further 22
outpatient services. 23

(C) The minor's parent or guardian shall not be liable for 24
the costs of services which are received by a minor under 25
division (A). 26

(D) Nothing in this section relieves a mental health 27
professional from the obligations of section 2151.421 of the 28
Revised Code. 29

(E) As used in this section, "mental health professional" 30
has the same meaning as in section ~~340.02~~ 2305.51 of the Revised 31
Code. 32

Section 2. That existing section 5122.04 of the Revised 33
Code is hereby repealed. 34