



2023 South Dakota Legislature

House Bill 1225

Introduced by: **Representative Healy**

1 **An Act to clarify informed consent requirements for the provision of prenatal and**
2 **postnatal care to minors.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That chapter 26-1 be amended with a NEW SECTION:**

5 If a minor seeks prenatal or postnatal care, a health care provider may offer the
6 minor the opportunity to provide informed consent for such care, and thereafter act on
7 that consent, if the health care provider determines and documents that:

8 (1) The minor's parent is unavailable to provide informed consent; or

9 (2) The minor's parent is incapable, because of a mental or physical incapacity, of
10 providing informed consent.

11 This section does not apply to an emancipated minor, as defined in § 25-5-24.