

1 S.314

2 Introduced by Senator Lyons

3 Referred to Committee on

4 Date:

5 Subject: Health; sexually transmitted diseases; prevention; consent by minors

6 Statement of purpose of bill as introduced: This bill proposes to enable a  
7 minor 12 years of age or older to consent to preventative services for sexually  
8 transmitted diseases.

9 An act relating to consent by minors to preventative services for sexually  
10 transmitted diseases

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 \* \* \* Communicable Diseases \* \* \*

13 Sec. 1. 18 V.S.A. chapter 21, subchapter 3 is amended to read:

14 Subchapter 3. ~~Venereal~~ Sexually Transmitted Diseases

15 \* \* \*

16 § 1107. CONSENT TO PREVENTATIVE SERVICES BY MINORS

17 (a) A minor 12 years of age or older may consent to medical care by a  
18 licensed physician related to the prevention of a sexually transmitted disease,  
19 including:

20 (1) receipt of an immunization for the prevention of Hepatitis B;

1           (2) receipt of an immunization for the prevention of the Human  
2           papillomavirus (HPV);

3           (3) medications for pre- and post-exposure to the human  
4           immunodeficiency virus (HIV); and

5           (4) any other services for the prevention of sexually transmitted  
6           diseases.

7           (b) Consent under this section shall not be subject to disaffirmance due to  
8           minority of the person consenting. The consent of the parent or legal guardian  
9           of a minor consenting under this section shall not be necessary to authorize  
10           care as described in this subsection.

11           § 1108. CONSENT TO TREATMENT BY MINORS

12           (a)(1) If a minor 12 years of age or older is suspected to have a sexually  
13           transmitted disease and the finding is verified by a licensed physician, the  
14           minor may give his or her consent to medical treatment and hospitalization.

15           (2) Consent under this section shall not be subject to disaffirmance due  
16           to minority of the person consenting. The consent of the parent or legal  
17           guardian of a minor consenting under this section shall not be necessary to  
18           authorize care as described in this subsection.

19           (b) The parent, parents, or legal guardian shall be notified by the physician  
20           if the condition of a minor child requires immediate hospitalization for  
21           treatment of the sexually transmitted disease.

1                   \* \* \* Possession and Control of Regulated Drugs \* \* \*

2           Sec. 2. 18 V.S.A. § 4226 is amended to read:

3           § 4226. MINORS; TREATMENT; CONSENT

4           (a)(1) If a minor 12 years of age or older is suspected to be dependent upon  
5 regulated drugs as defined in section 4201 of this title, ~~to have venereal~~  
6 ~~disease, or to be an alcoholic as defined in section 8401 of this title~~ have a  
7 substance use disorder, and the finding of such dependency, ~~disease, or~~  
8 ~~alcoholism~~ substance use disorder is verified by a licensed physician, the  
9 minor may give:

10                   (A) ~~his or her~~ consent to medical treatment and hospitalization; and

11                   (B) ~~in the case of a drug dependent or alcoholic person,~~ consent to  
12 nonmedical inpatient or outpatient treatment at a program approved by the  
13 Agency of Human Services to provide treatment for drug dependency or  
14 ~~alcoholism~~ substance use disorder if deemed necessary by the examining  
15 physician for diagnosis or treatment of such dependency or ~~disease or~~  
16 ~~alcoholism~~ substance use disorder.

17           (2) Consent under this section shall not be subject to disaffirmance due  
18 to minority of the person consenting. The consent of the parent or legal  
19 guardian of a minor consenting under this section shall not be necessary to  
20 authorize care as described in this subsection.

1 (b) The parent, parents, or legal guardian shall be notified by the physician  
2 if the condition of a minor child requires immediate hospitalization as the  
3 result of drug usage, ~~alcoholism, or for the treatment of a venereal disease~~ or a  
4 substance use disorder.

5 \* \* \* Conforming Revision \* \* \*

6 Sec. 3. CONFORMING REVISION

7 When preparing the Vermont Statutes Annotated for publication, the Office  
8 of Legislative Council shall make the following revisions throughout the  
9 statutes as needed for consistency with Sec. 1 of this act, provided the revisions  
10 have no effect on the meaning of the affected statutes:

11 (1) replace “venereal disease” with “sexually transmitted disease”; and

12 (2) revisions that are substantially similar to those described in  
13 subdivision (1) of this section.

14 \* \* \* Effective Date \* \* \*

15 Sec. 4. EFFECTIVE DATE

16 This act shall take effect on July 1, 2020.