

Committee on Judiciary

HB 817 — Emergency Medical Care and Treatment of Minors

by Rep. Massullo and others (SB 1114 by Senators Bradley and Garcia)

The bill broadens an exception to the general rule that medical treatment cannot be rendered without a patient's consent. Under current law, parental consent is required for a physician to provide emergency medical care to a minor unless the care is rendered in a hospital or college health service.

The bill deletes restrictions on location, thereby allowing physicians to provide emergency medical care or treatment to a minor at any location without the consent of the minor's parent under specified conditions when parental consent cannot be immediately obtained.

The bill continues the requirements of current law that the need for care be the result of a genuine emergency and that appropriate medical personnel first attempt to identify and contact the minor's parents, guardian, or legal custodian to obtain consent before providing emergency care or treatment. The bill does not disturb the longstanding principle that children do not have the legal capacity to consent to treatment.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 38-0; House 107-0