

By Senator Grall

29-00132-26

2026166\_\_

A bill to be entitled  
An act relating to parental rights; amending s.  
381.0051, F.S.; revising requirements for the  
provision of maternal health and contraceptive  
information and services to minors; amending s.  
384.30, F.S.; requiring consent from a parent or  
guardian for a minor's treatment for certain diseases;  
amending s. 394.459, F.S.; conforming a provision to  
changes made by the act; repealing s. 394.4784, F.S.,  
relating to minors' access to outpatient crisis  
intervention services and treatment; amending s.  
394.495, F.S.; requiring consent from a parent or  
guardian for certain services provided by a mobile  
response team; amending s. 397.431, F.S.; revising  
responsibility for the cost of certain substance abuse  
services; amending s. 397.501, F.S.; revising  
requirements for consent to disclosure of individual  
records; amending s. 397.601, F.S.; revising  
requirements for voluntary admission for substance  
abuse impairment services; amending s. 1001.42, F.S.;  
requiring school districts to provide parents with  
specified information before the district administers  
certain questionnaires or forms to students; requiring  
school districts to give parents an opportunity to opt  
their students out of such questionnaire or form;  
amending s. 1014.04, F.S.; revising exceptions for  
certain parental rights; providing that a parent has  
the right to review, inspect, and consent to a  
specified survey or questionnaire before the survey or

29-00132-26

2026166\_\_

questionnaire is provided to the parent's minor child;  
providing that a parent has the right to certain  
information about the survey or questionnaire at the  
time consent is provided; providing applicability;  
providing that a parent has the right to consent in  
writing to the use of a biofeedback device on the  
parent's minor child; defining the term "biofeedback  
device"; requiring that the results from the use of  
such device be provided to a parent and be held as a  
confidential medical record; amending s. 1014.06,  
F.S.; revising exceptions for specified requirements  
of parental consent; reenacting ss. 408.813(3)(f) and  
456.072(1)(rr), F.S., relating to administrative fines  
and grounds for discipline, respectively, to  
incorporate the amendment made to s. 1014.06, F.S., in  
references thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (4) of section  
381.0051, Florida Statutes, is amended to read:

381.0051 Family planning.—

(4) MINORS; PROVISION OF MATERNAL HEALTH AND CONTRACEPTIVE  
INFORMATION AND SERVICES.—

(a) Maternal health and contraceptive information and  
services of a nonsurgical nature may be rendered to any minor by  
persons licensed to practice medicine under the provisions of  
chapter 458 or chapter 459, as well as by the Department of  
Health through its family planning program, provided the minor:

29-00132-26

2026166\_\_

59           1. Is married;  
60           2. Is a parent;  
61           3. Is pregnant; or  
62           4. Has the consent of a parent or legal guardian; ~~or~~  
63           5. ~~May, in the opinion of the physician, suffer probable~~  
64 ~~health hazards if such services are not provided.~~

65           Section 2. Section 384.30, Florida Statutes, is amended to  
66 read:

67           384.30 Minors' consent to treatment.—

68           (1) The department and its authorized representatives, each  
69 physician licensed to practice medicine under the provisions of  
70 chapter 458 or chapter 459, each health care professional  
71 licensed under the provisions of part I of chapter 464 who is  
72 acting pursuant to the scope of his or her license, and each  
73 public or private hospital, clinic, or other health facility may  
74 examine ~~and provide treatment~~ for sexually transmissible  
75 diseases ~~to~~ any minor, if the physician, health care  
76 professional, or facility is qualified to provide such  
77 examination and treatment. The consent of a parent ~~the parents~~  
78 or guardian ~~guardians~~ of a minor is not a prerequisite for an  
79 examination; however, the consent of a parent or guardian is  
80 required for ~~or~~ treatment.

81           (2) The fact of consultation, examination, and treatment of  
82 a minor for a sexually transmissible disease is confidential and  
83 exempt from ~~the provisions of~~ s. 119.07(1) and may ~~shall~~ not be  
84 divulged in any direct or indirect manner, such as sending a  
85 bill for a consultation or examination ~~services rendered~~ to a  
86 parent or guardian, except as provided in s. 384.29.

87           Section 3. Paragraph (a) of subsection (3) of section

29-00132-26

2026166\_\_

394.459, Florida Statutes, is amended to read:

394.459 Rights of patients.—

(3) RIGHT TO EXPRESS AND INFORMED PATIENT CONSENT.—

(a)1. Each patient entering treatment shall be asked to give express and informed consent for admission or treatment. If the patient has been adjudicated incapacitated or found to be incompetent to consent to treatment, express and informed consent to treatment shall be sought instead from the patient's guardian or guardian advocate. If the patient is a minor, express and informed consent for admission or treatment shall also be requested from the patient's guardian. Express and informed consent for admission or treatment of a patient under 18 years of age shall be required from the patient's guardian, ~~unless the minor is seeking outpatient crisis intervention services under s. 394.4784.~~ Express and informed consent for admission or treatment given by a patient who is under 18 years of age shall not be a condition of admission when the patient's guardian gives express and informed consent for the patient's admission pursuant to s. 394.463 or s. 394.467.

2. Before giving express and informed consent, the following information shall be provided and explained in plain language to the patient, or to the patient's guardian if the patient is 18 years of age or older and has been adjudicated incapacitated, or to the patient's guardian advocate if the patient has been found to be incompetent to consent to treatment, or to both the patient and the guardian if the patient is a minor: the reason for admission or treatment; the proposed treatment; the purpose of the treatment to be provided; the common risks, benefits, and side effects thereof; the

29-00132-26

2026166\_\_

specific dosage range for the medication, when applicable;  
alternative treatment modalities; the approximate length of  
care; the potential effects of stopping treatment; how treatment  
will be monitored; and that any consent given for treatment may  
be revoked orally or in writing before or during the treatment  
period by the patient or by a person who is legally authorized  
to make health care decisions on behalf of the patient.

Section 4. Section 394.4784, Florida Statutes, is repealed.

Section 5. Paragraph (b) of subsection (7) of section  
394.495, Florida Statutes, is amended to read:

394.495 Child and adolescent mental health system of care;  
programs and services.—

(7)

(b) A mobile response team shall, at a minimum:

1. Triage new requests to determine the level of severity  
and prioritize new requests that meet the clinical threshold for  
an in-person response. To the extent permitted by available  
resources, mobile response teams must provide in-person  
responses to such calls meeting such clinical level of response  
within 60 minutes after prioritization.

2. Respond to a crisis in the location where the crisis is  
occurring.

3. Provide behavioral health crisis-oriented services that  
are responsive to the needs of the child, adolescent, or young  
adult and his or her family.

4. Provide evidence-based practices to children,  
adolescents, young adults, and families to enable them to de-  
escalate and respond to behavioral challenges that they are  
facing and to reduce the potential for future crises.

29-00132-26

2026166\_\_

146 5. Provide screening, standardized assessments, early  
147 identification, and referrals to community services.

148 6. Provide care coordination by facilitating the transition  
149 to ongoing services.

150 7. Ensure there is a process in place for informed consent  
151 and confidentiality compliance measures. Consent of a parent or  
152 guardian is required for services provided by the mobile  
153 response team after the immediate, onsite behavioral health  
154 crisis services, including, but not limited to, the provision of  
155 additional evidence-based services subsequent to the crisis  
156 event, referrals to community services, and care coordination.

157 8. Promote information sharing and the use of innovative  
158 technology.

159 9. Coordinate with the applicable managing entity to  
160 establish informal partnerships with key entities providing  
161 behavioral health services and supports to children,  
162 adolescents, or young adults and their families to facilitate  
163 continuity of care.

164 Section 6. Subsections (1) and (3) of section 397.431,  
165 Florida Statutes, are amended to read:

166 397.431 Individual responsibility for cost of substance  
167 abuse impairment services.—

168 (1) Before accepting an individual for admission and in  
169 accordance with confidentiality guidelines, both the full charge  
170 for services and the fee charged to the individual for such  
171 services under the provider's fee system or payment policy must  
172 be disclosed to each individual or his or her authorized  
173 personal representative, or parent or legal guardian if the  
174 individual is a minor ~~who did not seek treatment voluntarily and~~

29-00132-26

2026166\_\_

without parental consent.

(3) ~~The parent, legal guardian, or legal custodian of a minor is not liable for payment for any substance abuse services provided to the minor without parental consent pursuant to s. 397.601(4), unless the parent, legal guardian, or legal custodian participates or is ordered to participate in the services, and only for the substance abuse services rendered. If the minor is receiving services as a juvenile offender, the obligation to pay is governed by the law relating to juvenile offenders.~~

Section 7. Paragraph (e) of subsection (7) of section 397.501, Florida Statutes, is amended to read:

397.501 Rights of individuals.—Individuals receiving substance abuse services from any service provider are guaranteed protection of the rights specified in this section, unless otherwise expressly provided, and service providers must ensure the protection of such rights.

(7) RIGHT TO CONFIDENTIALITY OF INDIVIDUAL RECORDS.—

~~(c)1. Since a minor acting alone has the legal capacity to voluntarily apply for and obtain substance abuse treatment, any written consent for disclosure may be given only by the minor. This restriction includes, but is not limited to, any disclosure of identifying information to the parent, legal guardian, or custodian of a minor for the purpose of obtaining financial reimbursement.~~

~~2. When the consent of a parent, legal guardian, or custodian is required under this chapter in order for a minor to obtain substance abuse treatment, any written consent for disclosure must be given by both the minor and the parent, legal~~

29-00132-26

2026166\_\_

guardian, ~~or custodian.~~

Section 8. Subsection (4) of section 397.601, Florida Statutes, is amended to read:

397.601 Voluntary admissions.—

~~(4)(a) The disability of minority for persons under 18 years of age is removed solely for the purpose of obtaining voluntary substance abuse impairment services from a licensed service provider, and consent to such services by a minor has the same force and effect as if executed by an individual who has reached the age of majority. Such consent is not subject to later disaffirmance based on minority.~~

~~(b) Except for purposes of law enforcement activities in connection with protective custody, the disability of minority is not removed if there is~~ For an involuntary admission of a minor ~~for substance abuse services, in which case~~ parental participation may be required as the court finds appropriate.

Section 9. Paragraph (c) of subsection (8) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(8) STUDENT WELFARE.—

(c)1. In accordance with the rights of parents enumerated in ss. 1002.20 and 1014.04, adopt procedures for notifying a student's parent if there is a change in the student's services or monitoring related to the student's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for the student. The procedures must reinforce the fundamental right of



29-00132-26

2026166\_\_

parents to make decisions regarding the upbringing and control of their children by requiring school district personnel to encourage a student to discuss issues relating to his or her well-being with his or her parent or to facilitate discussion of the issue with the parent. The procedures may not prohibit parents from accessing any of their student's education and health records created, maintained, or used by the school district, as required by s. 1002.22(2).

2. A school district may not adopt procedures or student support forms that prohibit school district personnel from notifying a parent about his or her student's mental, emotional, or physical health or well-being, or a change in related services or monitoring, or that encourage or have the effect of encouraging a student to withhold from a parent such information. School district personnel may not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being. This subparagraph does not prohibit a school district from adopting procedures that permit school personnel to withhold such information from a parent if a reasonably prudent person would believe that disclosure would result in abuse, abandonment, or neglect, as those terms are defined in s. 39.01.

3. Classroom instruction by school personnel or third parties on sexual orientation or gender identity may not occur in prekindergarten through grade 8, except when required by ss. 1003.42(2)(o)3. and 1003.46. If such instruction is provided in grades 9 through 12, the instruction must be age-appropriate or developmentally appropriate for students in accordance with

29-00132-26

2026166\_\_

state standards. This subparagraph applies to charter schools.

4. Student support services training developed or provided by a school district to school district personnel must adhere to student services guidelines, standards, and frameworks established by the Department of Education.

5. At the beginning of the school year, each school district shall notify parents of each health care service offered at their student's school and the option to withhold consent or decline any specific service in accordance with s. 1014.06. Parental consent to a health care service does not waive the parent's right to access his or her student's educational or health records or to be notified about a change in his or her student's services or monitoring as provided by this paragraph.

6. Except as provided in s. 1014.04(1)(k), before administering any a student well-being, mental health, or health screening questionnaire or health-screening form to a student in kindergarten through grade 12 3, the school district must provide the questionnaire or health-screening form to the parent, either electronically or in paper form, and notify the parent of the date or time period when the questionnaire or form will be administered. The school district must give the parent an opportunity to opt his or her student out of participation and obtain the permission of the parent.

7. Each school district shall adopt procedures for a parent to notify the principal, or his or her designee, regarding concerns under this paragraph at his or her student's school and the process for resolving those concerns within 7 calendar days after notification by the parent.

29-00132-26

2026166\_\_

a. At a minimum, the procedures must require that within 30 days after notification by the parent that the concern remains unresolved, the school district must either resolve the concern or provide a statement of the reasons for not resolving the concern.

b. If a concern is not resolved by the school district, a parent may:

(I) Request the Commissioner of Education to appoint a special magistrate who is a member of The Florida Bar in good standing and who has at least 5 years' experience in administrative law. The special magistrate shall determine facts relating to the dispute over the school district procedure or practice, consider information provided by the school district, and render a recommended decision for resolution to the State Board of Education within 30 days after receipt of the request by the parent. The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30 days after the date the recommended decision is transmitted. The costs of the special magistrate shall be borne by the school district. The State Board of Education shall adopt rules, including forms, necessary to implement this subparagraph.

(II) Bring an action against the school district to obtain a declaratory judgment that the school district procedure or practice violates this paragraph and seek injunctive relief. A court may award damages and shall award reasonable attorney fees and court costs to a parent who receives declaratory or injunctive relief.

c. Each school district shall adopt and post on its website

29-00132-26

2026166\_\_

320 policies to notify parents of the procedures required under this  
321 subparagraph.

322 d. Nothing contained in this subparagraph shall be  
323 construed to abridge or alter rights of action or remedies in  
324 equity already existing under the common law or general law.

325 Section 10. Paragraphs (e), (f), and (h) of subsection (1)  
326 of section 1014.04, Florida Statutes, are amended, and  
327 paragraphs (k) and (l) are added to that subsection, to read:

328 1014.04 Parental rights.—

329 (1) All parental rights are reserved to the parent of a  
330 minor child in this state without obstruction or interference  
331 from the state, any of its political subdivisions, any other  
332 governmental entity, or any other institution, including, but  
333 not limited to, all of the following rights of a parent of a  
334 minor child in this state:

335 (e) The right to make health care decisions for his or her  
336 minor child, unless:

337 1. The parent is the subject of an investigation of a crime  
338 committed against the minor child;

339 2. The minor child has been maintained in an out-of-home  
340 placement by the Department of Children and Families and the  
341 department has the minor child examined for injury, illness, and  
342 communicable diseases and to determine the need for  
343 immunization;

344 3. The minor child is authorized by law to make specific  
345 health care decisions for himself or herself as provided in ss.  
346 743.01, 743.015, 743.06, 743.065, 743.066, and 743.067;

347 4. A parent cannot be located and another person is  
348 authorized by law to make health care decisions as provided in

29-00132-26

2026166\_\_

349 s. 743.0645;

350 5. The minor child is receiving emergency medical care  
351 under s. 743.064, involuntary services under s. 394.463 or s.  
352 397.675, or immediate, onsite behavioral health crisis services  
353 under s. 394.495(7);

354 6. Circumstances exist which satisfy the requirements of  
355 law for a parent's implied consent to medical care and treatment  
356 of the minor child as provided in s. 383.50; or

357 7. A court order provides otherwise ~~prohibited by law.~~

358 (f) The right to access and review all medical records of  
359 his or her minor child, unless ~~prohibited by law or if the~~  
360 parent is the subject of an investigation of a crime committed  
361 against the minor child and a law enforcement agency or official  
362 requests that the information not be released.

363 (h) The right to consent in writing before any record of  
364 his or her minor child's blood or deoxyribonucleic acid (DNA) is  
365 created, stored, or shared, except as required by s. 943.325 or  
366 s. 943.326 ~~general law~~ or authorized pursuant to a court order.

367 (k)1. The right to review, inspect, and consent to a survey  
368 or questionnaire before such survey or questionnaire is given to  
369 his or her minor child which may reveal information concerning  
370 any of the following:

371 a. Political affiliations or beliefs of the child or the  
372 child's family;

373 b. Mental or psychological problems of the child or the  
374 child's family;

375 c. Sexual behavior or attitudes;

376 d. Illegal, antisocial, self-incriminating, or demeaning  
377 behavior;

29-00132-26

2026166\_\_

e. Critical appraisals of any other individual with whom the child has a close family relationship;

f. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

g. Religious practices, affiliations, or beliefs of the child or child's parent; or

h. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

2. The right to know, at the time consent is provided, the purpose of the survey or questionnaire, how the information will be used, and the extent to which the information will be shared and redisclosed and to whom.

This paragraph does not apply when a parent does not have the right to make health care decisions for his or her minor child pursuant to paragraph (e).

(1) The right to consent in writing to the use of a biofeedback device on his or her minor child. As used in this paragraph, the term "biofeedback device" means an instrument or a sensor used to measure bodily functions, such as heart rate variability, brain waves, or breathing rate, outside of a health care facility or provider's office, for the purpose of improving performance. If the parent consents to the use of the device, all results must be provided to the parent and must otherwise be held as a confidential medical record.

Section 11. Subsections (1) and (2) of section 1014.06, Florida Statutes, are amended to read:

29-00132-26

2026166\_\_

1014.06 Parental consent for health care services.—

(1) Except as otherwise provided in s. 1014.04(1)(e) or by a court order ~~law~~, a health care practitioner, as defined in s. 456.001, or an individual employed by such health care practitioner may not provide or solicit or arrange to provide health care services or prescribe medicinal drugs to a minor child without first obtaining written parental consent.

(2) Except as otherwise provided in s. 1014.04(1)(e) ~~by law~~ or by a court order, a provider, as defined in s. 408.803, may not allow a medical procedure to be performed on a minor child in its facility without first obtaining written parental consent.

Section 12. For the purpose of incorporating the amendment made by this act to section 1014.06, Florida Statutes, in a reference thereto, paragraph (f) of subsection (3) of section 408.813, Florida Statutes, is reenacted to read:

408.813 Administrative fines; violations.—As a penalty for any violation of this part, authorizing statutes, or applicable rules, the agency may impose an administrative fine.

(3) The agency may impose an administrative fine for a violation that is not designated as a class I, class II, class III, or class IV violation. Unless otherwise specified by law, the amount of the fine may not exceed \$500 for each violation. Unclassified violations include:

(f) Violating the parental consent requirements of s. 1014.06.

Section 13. For the purpose of incorporating the amendment made by this act to section 1014.06, Florida Statutes, in a reference thereto, paragraph (rr) of subsection (1) of section

29-00132-26

2026166\_\_

436 456.072, Florida Statutes, is reenacted to read:

437 456.072 Grounds for discipline; penalties; enforcement.—

438 (1) The following acts shall constitute grounds for which  
439 the disciplinary actions specified in subsection (2) may be  
440 taken:

441 (rr) Failure to comply with the parental consent  
442 requirements of s. 1014.06.

443 Section 14. This act shall take effect July 1, 2026.