

House File 2523

S-5121

1 Amend House File 2523, as passed by the House, as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. Section 601.1, subsection 2, Code 2026, is  
5 amended to read as follows:

6 2. a. Subject to [section 147.164](#), a parent or guardian  
7 bears the ultimate responsibility, and has the fundamental,  
8 constitutionally protected right, to make decisions affecting  
9 the parent's or guardian's minor child, including decisions  
10 related to the minor child's medical care, moral upbringing,  
11 religious upbringing, residence, education, and extracurricular  
12 activities.

13 b. A parent or guardian of a minor child may consent to and  
14 authorize the minor child's evaluation, counseling, therapy,  
15 rehabilitation service, medication management, outpatient  
16 treatment, or prescreening interview and consultation for  
17 inpatient treatment for a substance use disorder as defined  
18 in section 125.2, or a mental health condition. A parent's  
19 or guardian's consent and authorization under this paragraph  
20 shall be effective over any objection to the consent and  
21 authorization from the minor child.

22 c. This subsection shall not be construed to require a  
23 mental health care professional as defined in section 228.1, or  
24 a facility as defined in section 125.2, to provide treatment  
25 to a minor child if the mental health professional or facility  
26 determines that treatment is not appropriate, the criteria to  
27 admit the minor child for treatment has not been met, or the  
28 mental health professional or facility is otherwise unable to  
29 treat the minor child.

30 d. Any and all restrictions of ~~this right~~ the rights  
31 described in this subsection shall be subject to strict  
32 scrutiny.>

33 2. Title page, by striking lines 1 through 3 and inserting  
34 <An Act establishing the right of a parent or guardian of  
35 a minor child to consent to and authorize certain medical

1 services over the minor child's objection.>

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COMMITTEE ON HEALTH AND HUMAN SERVICES  
KARA WARME, CHAIRPERSON