

By: Villarreal

H.B. No. 891

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the capacity of certain minors to consent to  
3 examination or medical treatment related to contraception.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 32.003(a), Family Code, is amended to  
6 read as follows:

7 (a) A child may consent to medical, dental, psychological,  
8 and surgical treatment for the child by a licensed physician or  
9 dentist if the child:

10 (1) is on active duty with the armed services of the  
11 United States of America;

12 (2) is:

13 (A) 16 years of age or older and resides separate  
14 and apart from the child's parents, managing conservator, or  
15 guardian, with or without the consent of the parents, managing  
16 conservator, or guardian and regardless of the duration of the  
17 residence; and

18 (B) managing the child's own financial affairs,  
19 regardless of the source of the income;

20 (3) consents to the diagnosis and treatment of an  
21 infectious, contagious, or communicable disease that is required by  
22 law or a rule to be reported by the licensed physician or dentist to  
23 a local health officer or the [~~Texas~~] Department of State Health  
24 Services, including all diseases within the scope of Section

1 81.041, Health and Safety Code;

2 (4) is unmarried and pregnant and consents to  
3 hospital, medical, or surgical treatment, other than abortion,  
4 related to the pregnancy;

5 (5) consents to examination and treatment for drug or  
6 chemical addiction, drug or chemical dependency, or any other  
7 condition directly related to drug or chemical use;

8 (6) is unmarried, is the parent of a child, and has  
9 actual custody of his or her child and consents to medical, dental,  
10 psychological, or surgical treatment for the child; ~~or~~

11 (7) is serving a term of confinement in a facility  
12 operated by or under contract with the Texas Department of Criminal  
13 Justice, unless the treatment would constitute a prohibited  
14 practice under Section 164.052(a)(19), Occupations Code; or

15 (8) is 16 years of age or older, is unmarried, is the  
16 mother of a child, and consents to examination or medical  
17 treatment, other than abortion or emergency contraception, related  
18 to contraception.

19 SECTION 2. This Act takes effect September 1, 2009.