

1-1 By: Van de Putte S.B. No. 592
1-2 (In the Senate - Filed January 29, 2009; February 23, 2009,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; April 14, 2009, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; April 14, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the capacity of certain minors to consent to
1-9 examination or medical treatment related to contraception.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (a), Section 32.003, Family Code, is
1-12 amended to read as follows:

1-13 (a) A child may consent to medical, dental, psychological,
1-14 and surgical treatment for the child by a licensed physician or
1-15 dentist if the child:

1-16 (1) is on active duty with the armed services of the
1-17 United States of America;

1-18 (2) is:

1-19 (A) 16 years of age or older and resides separate
1-20 and apart from the child's parents, managing conservator, or
1-21 guardian, with or without the consent of the parents, managing
1-22 conservator, or guardian and regardless of the duration of the
1-23 residence; and

1-24 (B) managing the child's own financial affairs,
1-25 regardless of the source of the income;

1-26 (3) consents to the diagnosis and treatment of an
1-27 infectious, contagious, or communicable disease that is required by
1-28 law or a rule to be reported by the licensed physician or dentist to
1-29 a local health officer or the [Texas] Department of State Health
1-30 Services, including all diseases within the scope of Section
1-31 81.041, Health and Safety Code;

1-32 (4) is unmarried and pregnant and consents to
1-33 hospital, medical, or surgical treatment, other than abortion,
1-34 related to the pregnancy;

1-35 (5) consents to examination and treatment for drug or
1-36 chemical addiction, drug or chemical dependency, or any other
1-37 condition directly related to drug or chemical use;

1-38 (6) is unmarried, is the parent of a child, and has
1-39 actual custody of his or her child and consents to medical, dental,
1-40 psychological, or surgical treatment for the child; ~~or~~

1-41 (7) is serving a term of confinement in a facility
1-42 operated by or under contract with the Texas Department of Criminal
1-43 Justice, unless the treatment would constitute a prohibited
1-44 practice under Section 164.052(a)(19), Occupations Code; or

1-45 (8) is 16 years of age or older, is unmarried, is the
1-46 mother of a child, and consents to examination or medical
1-47 treatment, other than abortion or emergency contraception, related
1-48 to contraception.

1-49 SECTION 2. This Act takes effect September 1, 2009.

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