

By: Gámez, Hayes

H.B. No. 2159

A BILL TO BE ENTITLED

AN ACT

relating to the capacity of a minor to consent to certain treatment for the minor or the minor's child.

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

SECTION 1. The heading to Chapter 32, Family Code, is amended to read as follows:

CHAPTER 32. CONSENT TO CERTAIN TREATMENT, CARE, AND SERVICES FOR
[OF] CHILD BY NON-PARENT, MINOR PARENT, OR CHILD

SECTION 2. Section 32.003(a), Family Code, is amended to read as follows:

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

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

(2) is:

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

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

(3) consents to the diagnosis and treatment of an

1 infectious, contagious, or communicable disease that is required by
2 law or a rule to be reported by the licensed physician or dentist to
3 a local health officer or the Texas Department of Health, including
4 all diseases within the scope of Section 81.041, Health and Safety
5 Code;

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

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

12 (6) is unmarried, is the parent of a child, and has
13 actual custody of that ~~[his or her]~~ child ~~[and consents to medical,~~
14 ~~dental, psychological, or surgical treatment for the child]~~; or

15 (7) is serving a term of confinement in a facility
16 operated by or under contract with the Texas Department of Criminal
17 Justice, unless the treatment would constitute a prohibited
18 practice under Section 164.052(a)(19), Occupations Code.

19 SECTION 3. Subchapter A, Chapter 32, Family Code, is
20 amended by adding Section 32.0031 to read as follows:

21 Sec. 32.0031. CONSENT TO TREATMENT OF CHILD BY MINOR
22 PARENT. A minor who is the parent of a child may consent to medical,
23 dental, psychological, and surgical treatment for the child by a
24 licensed physician or dentist if the minor:

25 (1) is unmarried; and

26 (2) has actual custody of the child.

27 SECTION 4. This Act takes effect September 1, 2025.