

ENGROSSED HOUSE
BILL NO. 1692

BY: MITCHELL of the HOUSE

and

BROWN of the SENATE

AN ACT RELATING TO CHILDREN; AMENDING 10 O.S. 1991,
SECTION 170.1, WHICH RELATES TO AUTHORIZATION OF
CERTAIN MEDICAL OR DENTAL CARE; ADDING TO LIST OF
AREAS OF CONSENT; PROVIDING FOR PROTECTION FROM
LIABILITY FOR CERTAIN PERSONS; SPECIFYING
CONDITIONS; SPECIFYING LIMITATIONS; AND PROVIDING
AN EFFECTIVE DATE.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 10 O.S. 1991, Section 170.1, is
amended to read as follows:

Section 170.1 A. 1. Either parent, ~~if both parents have legal
custody, or the parent or person having legal custody~~ or the legal
guardian of a minor may authorize, in writing, any adult person into
whose care the minor has been entrusted to consent to any:

- a. x-ray examination,
- b. anesthetic,
- c. medical or surgical diagnosis or treatment ~~and,~~
- d. hospital care,

- e. immunization, blood tests, examinations, Guidance Services, and Early Intervention Services provided by a city or county Department of Health, or
- f. before any minor child may submit to an abortion, the said must have parental consent,

to be rendered to said minor under the general or special supervision and upon the advice of a physician and surgeon licensed under the laws of the State of Oklahoma, or to consent to an x-ray examination, anesthetic, dental or surgical diagnosis or treatment and hospital care to be rendered to said minor by a dentist licensed under the laws of the State of Oklahoma.

2. If any parent or other person falsely represents in writing that he or she has legal custody or legal guardianship of the minor child, or if any adult falsely represents that the written authorization provided for in subsection A or B of this section is valid, and a health professional provides health services or care as provided by this section in good faith upon such misrepresentation, the health professional shall incur no liability except for negligence or intentional harm.

B. Either parent, if both parents have legal custody, or the parent or person having legal custody or the legal guardian of a minor may authorize, in writing, pursuant to the provisions of Section ~~5 of this act~~ 1-116.2 of Title 70 of the Oklahoma Statutes a school or county nurse or in the absence of such nurse, a school administrator or designated school employees to administer:

- 1. A nonprescription medicine; and
- 2. A filled prescription medicine as that term is defined by Section 353.1 of Title 59 of the Oklahoma Statutes.

SECTION 2. This act shall become effective September 1, 1991.

Passed the House of Representatives the 4th day of March, 1992.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate