

1 **SENATE FLOOR VERSION**

2 February 17, 2025

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 547

6 By: Guthrie

7  
8 [ health care - minor self-consent - protections -  
9 exceptions - effective date ]  
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11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 63 O.S. 2021, Section 2602, is  
14 amended to read as follows:

15 Section 2602. A. Notwithstanding any other provision of law,  
16 the following minors may consent to have services provided by health  
17 professionals in the following cases:

18 1. Any minor who is married, has a dependent child, or is  
19 emancipated;

20 2. Any minor who is separated from his or her parents or legal  
21 guardian for whatever reason and is not supported by his or her  
22 parents or guardian;

23 3. Any minor who is or has been pregnant, or afflicted with any  
24 reportable communicable disease, drug and substance abuse, or

1 abusive use of alcohol; provided, however, that such self-consent  
2 only applies to the prevention, diagnosis, and treatment of those  
3 conditions specified in this section. Any health professional who  
4 accepts the responsibility of providing such health services also  
5 assumes the obligation to provide counseling for the minor by a  
6 health professional. If the minor is found not to be pregnant nor  
7 suffering from a communicable disease, ~~nor~~ drug or substance abuse,  
8 nor abusive use of alcohol, the health professional shall not reveal  
9 any information whatsoever to the spouse, parent, or legal guardian,  
10 without the consent of the minor;

11 4. Any minor parent as to his or her child;

12 5. Any spouse of a minor when the minor is unable to give  
13 consent by reason of physical or mental incapacity;

14 6. Any minor who by reason of physical or mental capacity  
15 cannot give consent and has no known relatives or legal guardian, if  
16 two physicians agree on the health service to be given;

17 7. Any minor in need of emergency services for conditions which  
18 will endanger his or her health or life if delay would result by  
19 obtaining consent from his or her spouse, parent, or legal guardian;  
20 provided, however, that the prescribing of any medicine or device  
21 for the prevention of pregnancy shall not be considered such an  
22 emergency service; or

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1 8. Any minor who is the victim of sexual assault; provided,  
2 however, that such self-consent only applies to a forensic medical  
3 examination by a qualified licensed health care professional.

4 B. If any minor falsely represents that he or she may give  
5 consent and a health professional provides health services in good  
6 faith based upon that misrepresentation, the minor shall receive  
7 full services without the consent of the minor's parent or legal  
8 guardian and the health professional shall incur no liability except  
9 for negligence or intentional harm. Consent of the minor shall not  
10 be subject to later disaffirmance or revocation because of his or  
11 her minority.

12 ~~B.~~ C. 1. The health professional shall ~~be required to~~ make a  
13 reasonable attempt to inform the spouse, parent, or legal guardian  
14 of the minor of any treatment needed or provided under paragraph 7  
15 of subsection A of this section.

16 2. In all other instances the health professional may, but  
17 shall not be required to, inform the spouse, parent, or legal  
18 guardian of the minor of any treatment needed or provided. The  
19 judgment of the health professional as to notification shall be  
20 final, and his or her disclosure shall not constitute libel,  
21 slander, the breach of the right of privacy, the breach of the rule  
22 of privileged communication, or result in any other breach that  
23 would incur liability.

24 D. 1. Except as provided by paragraph 2 of this subsection:

1           a. the parent or legal guardian of a minor shall have the  
2           right to access and review all medical records of the  
3           minor, and

4           b. a health professional shall not prevent or restrict  
5           access to the minor's medical records by the parent or  
6           legal guardian.

7           2. The provisions of this subsection shall not apply to cases:

8           a. as described in paragraphs 1, 2, 5, and 6 of  
9           subsection A of this section,

10          b. where such access and review is prohibited by law, or

11          c. where the parent is the subject of an investigation of  
12          a crime committed against the minor child and a law  
13          enforcement official requests that the information not  
14          be released.

15          E. Information about the minor obtained through care by a  
16 health professional under the provisions of ~~this act~~ Section 2601 et  
17 seq. of this title shall not be disseminated to any health  
18 professional, school, law enforcement agency or official, court  
19 authority, government agency, or official employer, without the  
20 consent of the minor, except through specific legal requirements or  
21 if the giving of the information is necessary to the health of the  
22 minor and public. Statistical reporting may be done when the  
23 minor's identity is kept confidential.

1        F. The health professional shall not incur criminal liability  
2 for action under the provisions of ~~this act~~ Section 2601 et seq. of  
3 this title except for negligence or intentional harm.

4        SECTION 2. This act shall become effective November 1, 2025.

5 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES  
6 February 17, 2025 - DO PASS AS AMENDED BY CS

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