

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1397

By: Provenzano

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6 AS INTRODUCED

7 An Act relating to telemedicine for mental health;  
8 amending 25 O.S. 2021, Section 2004, which relates to  
9 consent for medical treatment of minors, exceptions,  
and penalties for violations; adding mental health to  
telemedicine; and providing an effective date.

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

13 SECTION 1. AMENDATORY 25 O.S. 2021, Section 2004, is  
14 amended to read as follows:

15 Section 2004. A. Except as otherwise provided by law, no  
16 person, corporation, association, organization, state-supported  
17 institution, or individual employed by any of these entities may  
18 procure, solicit to perform, arrange for the performance of, perform  
19 surgical procedures, or perform a physical examination upon a minor  
20 or prescribe any prescription drugs to a minor without first  
21 obtaining a written consent of a parent or legal guardian of the  
22 minor. Provided, however, that if written consent is provided to a  
23 school district for assessment or treatment, such consent shall be  
24 effective for the school year for which it is granted and shall be

1 renewed each subsequent school year. If an assessment or treatment  
2 is performed through telemedicine, including but not limited to  
3 telemedicine for mental health, at a school site and if consent has  
4 been provided by the parent and is currently effective, the health  
5 professional shall not be required to verify that the parent is at  
6 the site.

7 B. Except as otherwise provided by law, no hospital as defined  
8 in Section 1-701 of Title 63 of the Oklahoma Statutes may permit  
9 surgical procedures to be performed upon a minor in its facilities  
10 without first having received a written consent from a parent or  
11 legal guardian of the minor.

12 C. The provisions of this section shall not apply when it has  
13 been determined by a physician that an emergency exists and that it  
14 is necessary to perform such surgical procedures for the treatment  
15 of an injury, illness or drug abuse, or to save the life of the  
16 patient, or when such parent or other adult authorized by law to  
17 consent on behalf of a minor cannot be located or contacted after a  
18 reasonably diligent effort.

19 D. The provisions of this section shall not apply to an  
20 abortion, which shall be governed by the provisions of Sections 1-  
21 740 through 1-740.6 and Sections 1-744 through 1-744.6 of Title 63  
22 of the Oklahoma Statutes or any successor statute.

23 E. A person who violates a provision of this section is guilty  
24 of a misdemeanor, punishable by a fine of not more than One Thousand

1 Dollars (\$1,000.00) or imprisonment of not more than one (1) year in  
2 the county jail, or by both such fine and imprisonment.

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