

Original sponsor: Thomas

1 IN THE SENATE

BY THE HEALTH, WELFARE AND
EDUCATION COMMITTEE

2 CS FOR SENATE BILL NO. 263

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the examination and treatment of
7 minors."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 09.65.100 is repealed and re-enacted to read:

10 Sec. 09.65.100. EXAMINATION AND TREATMENT OF MINORS. (a) Except
11 as otherwise provided by law, a minor may give consent to medical,
12 surgical, dental or psychological services in the following cases:

13 (1) an emancipated minor may give consent to medical, surgi-
14 cal, dental or psychological services for himself, and the consent of
15 no other person is required;

16 (2) a minor who has been married or has conceived a child may
17 give consent to medical, surgical, dental or psychological services
18 for himself and for his child, and the consent of no other person is
19 required;

20 (3) a minor may give consent for medical, surgical or psycho-
21 logical services to determine the presence of or to treat pregnancy
22 and conditions associated with pregnancy, venereal disease, or alcohol
23 and other drug abuse, and the consent of no other person is required;

24 (4) medical, surgical, dental or psychological services may
25 be rendered to minors of any age without the consent of a parent or
26 legal guardian when, in the judgment of the person qualified to render
27 the services, the risk to the minor's life or health is of a nature
28 that treatment should be given without delay and the requirement of
29 consent would result in delay or denial of treatment.

1 (b) The consent of a minor who represents that he may give consent
2 for the purpose of receiving medical, surgical, dental or psychological
3 services under this section but who may not in fact do so, shall be
4 considered effective without the consent of the minor's parent or legal
5 guardian if the person rendering the service relied in good faith upon
6 the representations of the minor.

7 (c) A minor who consents to and receives health services under
8 this section is liable for the cost of the services.

9 (d) Nothing in this section may be construed to remove liability
10 of the person performing the examination or treatment for failure
11 to meet the standards of care common throughout the health professions
12 in the state or for intentional misconduct.

13 (e) In this section

14 (1) "emancipated minor" means a person under 19 years of
15 age who is living separate and apart from his parents or legal guardian
16 with their consent and who is managing his own financial affairs re-
17 gardless of the source or extent of his income;

18 (2) "psychological services" means mental health services
19 performed by a licensed psychologist or a person licensed to practice
20 medicine.