

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 547

By: Guthrie

AS INTRODUCED

An Act relating to health care; amending 63 O.S. 2021, Section 2602, which relates to minor self-consent to health services; modifying applicability of certain self-consent authorization; requiring parental consent for administration of vaccines to minors; granting certain protections to parent or legal guardian related to medical records; providing exceptions; making language gender neutral; updating statutory language and references; and providing an effective date.

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

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

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

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

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

1           3. Any minor who is or has been pregnant, afflicted with any  
2 reportable communicable disease, drug and substance abuse, or  
3 abusive use of alcohol; provided, however, that such self-consent:

4           a. only applies to the prevention, diagnosis, and  
5 treatment of those conditions specified in this  
6 section, and

7           b. shall not apply to administration of any vaccine,  
8 which shall require the consent of the parent or legal  
9 guardian except as otherwise provided by law.

10           Any health professional who accepts the responsibility of  
11 providing such health services also assumes the obligation to  
12 provide counseling for the minor by a health professional. If the  
13 minor is found not to be pregnant nor suffering from a communicable  
14 disease, ~~nor~~ drug or substance abuse, nor abusive use of alcohol,  
15 the health professional shall not reveal any information whatsoever  
16 to the spouse, parent, or legal guardian, without the consent of the  
17 minor;

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

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

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

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

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

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

18           ~~B.~~ C. 1. The health professional shall ~~be required to:~~

19           a. make a reasonable attempt to inform the spouse,  
20 parent, or legal guardian of the minor of any  
21 treatment needed or provided under paragraph 7 of  
22 subsection A of this section, and

23           b. except as otherwise provided by law, obtain the  
24 consent of the parent or legal guardian of the minor

1           before administering any vaccine to a minor for a  
2           communicable disease as described under paragraph 3 of  
3           subsection A of this section.

4       2. In all other instances the health professional may, but  
5 shall not be required to, inform the spouse, parent, or legal  
6 guardian of the minor of any treatment needed or provided. The  
7 judgment of the health professional as to notification shall be  
8 final, and his or her disclosure shall not constitute libel,  
9 slander, the breach of the right of privacy, the breach of the rule  
10 of privileged communication, or result in any other breach that  
11 would incur liability.

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

13           a. the parent or legal guardian of a minor shall have the  
14           right to access and review all medical records of the  
15           minor, and

16           b. a health professional shall not prevent or restrict  
17           access to the minor's medical records by the parent or  
18           legal guardian.

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

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

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

23           c. where the parent is the subject of an investigation of  
24           a crime committed against the minor child and a law  
25

1                   enforcement official requests that the information not  
2                   be released.

3           E. Information about the minor obtained through care by a  
4 health professional under the provisions of ~~this act~~ Section 2601 et  
5 seq. of this title shall not be disseminated to any health  
6 professional, school, law enforcement agency or official, court  
7 authority, government agency, or official employer, without the  
8 consent of the minor, except through specific legal requirements or  
9 if the giving of the information is necessary to the health of the  
10 minor and public. Statistical reporting may be done when the  
11 minor's identity is kept confidential.

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

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

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17           60-1-1101           DC           1/19/2025 5:38:29 AM