

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 866 Session of
2001

INTRODUCED BY WOZNIAK, BOSCOLA, COSTA, O'PAKE, WAUGH, KITCHEN,
LOGAN, MOWERY AND MUSTO, MAY 17, 2001

REFERRED TO PUBLIC HEALTH AND WELFARE, MAY 17, 2001

AN ACT

1 Amending the act of April 14, 1972 (P.L.221, No.63), entitled,
2 as amended, "An act establishing the Pennsylvania Advisory
3 Council on Drug and Alcohol Abuse; imposing duties on the
4 Department of Health to develop and coordinate the
5 implementation of a comprehensive health, education and
6 rehabilitation program for the prevention and treatment of
7 drug and alcohol abuse and drug and alcohol dependence;
8 providing for emergency medical treatment; providing for
9 treatment and rehabilitation alternatives to the criminal
10 process for drug and alcohol dependence; and making repeals,"
11 further providing for consent of minor.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Section 12 of the act of April 14, 1972 (P.L.221,
15 No.63), known as the Pennsylvania Drug and Alcohol Abuse Control
16 Act, is amended to read:

17 Section 12. Consent of Minor.--Notwithstanding any other
18 provisions of law, a minor who suffers from the use of a
19 controlled or harmful substance may give consent to furnishing
20 of medical care or counseling related to diagnosis or treatment.
21 The consent of the parents or legal guardian of the minor shall
22 not be necessary to authorize medical care or counseling related

1 to such diagnosis or treatment. The consent of the minor shall
2 be valid and binding as if the minor had achieved his majority.
3 Such consent shall not be voidable nor subject to later
4 disaffirmance because of minority. Any physician or any agency
5 or organization operating a drug abuse program, who provides
6 counseling to a minor who uses any controlled or harmful
7 substance [may, but shall not be] is obligated to inform the
8 parents or legal guardian of any such minor upon request of the
9 parents or legal guardian as to the treatment given or needed.
10 Section 2. This act shall take effect in 60 days.