

SS SCS SB 532 -- EDUCATIONAL AND MEDICAL CONSENT BY RELATIVE CAREGIVERS

SPONSOR: Nasheed (Hubbard)

COMMITTEE ACTION: Voted "Do Pass" by the Special Standing Committee on Urban Issues by a vote of 5 to 2.

This bill allows a relative caregiver, acting under an affidavit, to consent to medical treatment and for educational services for a minor child with whom the caregiver lives if the consent of the legal parent or guardian cannot be obtained through reasonable efforts. A parent may also delegate in writing his or her authority to consent to the treatment or services to the relative caregiver. Nothing in the bill can be construed to create a cause of action against a relative caregiver who has complied with the provisions of the bill.

"Relative caregiver" is defined as a competent adult who is related by blood, marriage, or adoption, who is not the parent and who represents in the affidavit that the child lives with the adult and that the adult is responsible for the care of the child.

"Educational services" is defined as enrollment of a child in a school to which the child has been or will be accepted for attendance and participation in any school activities, including extracurricular activities.

The bill specifies the required information that must be contained in the affidavit and that the affidavit must expire after one year. The provisions regarding consent for immunizations of a child are repealed and replaced with provisions regarding relative caregivers providing consent for medical treatment or educational services.

PROPOSERS: Supporters say that the bill will alleviate the burden on relative caregivers when attempting to provide educational or medical benefits for their charges. Most relative caregivers come from low-income backgrounds and cannot afford to go through court proceedings to establish guardianship or acquire a power of attorney.

Testifying for the bill were Senator Nasheed; and Adolphus Pruitt, Missouri State Conference NAACP.

OPPOSERS: There was no opposition voiced to the committee.