

SS SCS SB 532 -- EDUCATIONAL AND MEDICAL CONSENT

This bill changes the laws regarding consent provided by relative caregivers.

The bill repeals the current provisions regarding a person's consent for the immunization of a child and 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.

"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.

If a child stops living with the relative caregiver, the caregiver must immediately notify any health care provider or school that has been given the affidavit, and the affidavit is immediately invalid.

These provisions do not relieve a parent of liability for the payment of the treatment or services and must not be construed to create a cause of action against a relative caregiver who has complied with these provisions.

The bill specifies the required information that must be contained in the affidavit and that the affidavit must expire after one year.