



SENATE OF PENNSYLVANIA BILL SUMMARY

House Bill 17 Printer's No. 398

Prime Sponsor: Representative Hahn
Committee: Health and Human Services

SYNOPSIS:

Amends the Drug and Alcohol Abuse Control Act (the "Act") to clarify that a parent or guardian of a minor child (defined as a person under the age of 18) can authorize treatment for the minor's use of a controlled or harmful substance.

SUMMARY:

Confidentiality

Provides that patient records relating to drug and alcohol abuse or dependence may be disclosed only:

- When the patient is 18 or older and consents to the disclosure, or
- If the patient is under 18 and consents to treatment and to disclosure (although an individual under 18 who does not consent to treatment may consent to disclosure of records and information).

Records and information subject to disclosure shall only be disclosed:

- To medical personnel for diagnosis and treatment,
- To the parent or guardian of a minor,
- To the government for the purpose of obtaining benefits due the patient.

Notwithstanding the above restrictions on disclosure, patient records may be released where the patient's life is in immediate jeopardy.

If a minor does not consent to medical care or counseling, but consent for treatment or counseling is provided by a parent or guardian, then the treating practitioner, hospital, etc. shall be permitted to inform the parent or guardian of any information that would constitute a threat to the minor or to any other individual.

Treatment

Under existing law, a minor who suffers from the use of a controlled or harmful substance may consent to his or her receipt of medical care or counseling. The consent of a parent or legal guardian is not necessary. HB 17 adds a section 12 (b) to the Act that clarifies that notwithstanding a minor's refusal to provide such consent, a parent or guardian may give consent for the minor.

In addition, if a minor receiving treatment or counseling revokes consent to share information with a parent or guardian or terminates treatment, notification of the revocation or termination must be given to the parent or guardian.

Effective Date: 60 days

BILL HISTORY:

In the House:

Referred to HEALTH, Jan. 23, 2017
Reported as committed, Jan. 25, 2017
First consideration, Jan. 25, 2017
Laid on the table, Jan. 25, 2017
Removed from table, Jan. 25, 2017
Second consideration, with amendments, Feb. 7, 2017
Re-committed to APPROPRIATIONS, Feb. 7, 2017
(Remarks see House Journal Page 118), Feb. 7, 2017
Re-reported as committed, Feb. 8, 2017
Third consideration and final passage, Feb. 8, 2017 (199-0)

In the Senate

Referred to HEALTH AND HUMAN SERVICES, Feb. 15, 2017

Prepared by: Cortez 6/8/2017