

As Introduced

132nd General Assembly

Regular Session

2017-2018

H. B. No. 302

Representatives Boggs, Antonio

**Cosponsors: Representatives Ramos, Carfagna, Ashford, Howse, Smith, K.,
Lepore-Hagan, Kent, Kelly, Miller**

A BILL

To enact section 3701.36 of the Revised Code to 1
authorize a pregnant minor to consent to receive 2
health care to maintain or improve her life or 3
the life of the unborn child she is carrying. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 3701.36 of the Revised Code be 5
enacted to read as follows: 6

Sec. 3701.36. (A) As used in this section, "health care" 7
means only treatment or services intended to maintain the life 8
or improve the health of either a pregnant minor or the unborn 9
child she is carrying. 10

(B) Notwithstanding any other provision of law to the 11
contrary, a minor may consent to receive prenatal health care, 12
health care during delivery, and post-delivery health care. Such 13
care includes family planning services. Such consent is not 14
subject to disaffirmance because the minor has not reached the 15
age of majority. The consent of any other person is not needed 16
to authorize the provision of health care under this section, 17

including consent from any of the following: the minor's spouse, 18
parent, or guardian; a person acting in loco parentis to the 19
minor; or the putative father of the unborn child. 20

(C) At the minor's initial prenatal visit to the health 21
care facility or health care professional, the facility or 22
professional shall request permission from the minor to contact 23
the minor's spouse or any parent, guardian, or person acting in 24
loco parentis to the minor for the purpose of seeking additional 25
medical information that may be necessary or helpful to the 26
provision of proper health care to the minor or her unborn 27
child. 28

(D) For reasons related to medical treatment, the minor's 29
treating health care professional or that professional's 30
delegate may inform the minor's spouse, parent, or guardian, or 31
a person acting in loco parentis to the minor, regarding the 32
health care provided or needed. However, the health care 33
professional or delegate may not provide information related to 34
the minor's medical history. 35

(E) A minor's parent or guardian, or a person acting in 36
loco parentis to the minor, is not liable for the cost of 37
treatment or services provided to the minor or her unborn child 38
pursuant to this section. 39

(F) Nothing in this section abrogates or limits any 40
person's responsibility under section 2151.421 of the Revised 41
Code to report child abuse that is known or reasonably suspected 42
or believed to have occurred, child neglect that is known or 43
reasonably suspected or believed to have occurred, and children 44
who are known to face or are reasonably suspected or believed to 45
be facing a threat of suffering abuse or neglect. 46