

By Mr. Saltonstall, a petition of Ralph E. Minear, Jr., and William L. Saltonstall for legislation to provide that certain minors may give consent to the provision of health care. Social Welfare.

The Commonwealth of Massachusetts

In the year One Thousand Nine Hundred and Seventy-Two.

AN ACT PROVIDING THAT CERTAIN MINORS MAY GIVE CONSENT TO THE PROVISION OF HEALTH CARE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 112 of the General Laws is hereby  
2 amended by inserting after section 12E the following sec-  
3 tion: —

4 *Section 12F.* Any minor may give effective consent to  
5 medical or surgical diagnosis and/or treatment at the time  
6 such is sought and is ordered or rendered by physicians reg-  
7 istered pursuant to Massachusetts General Laws if he or  
8 she is:

- 9 (a) married, or is widowed, or is divorced, or
- 10 (b) is or has been a member of any of the Armed forces  
11 of the United States of America, or
- 12 (c) is 18 years of age or older.

13 Such consent shall not be subject to later disaffirmance be-  
14 cause of minority, and the consent of the parent or legal  
15 guardian shall not be required to authorize such medical or  
16 surgical diagnosis and/or treatment.

17 In the case of subclassification (a), (b), and (c) above,  
18 the minor may give effective consent to medical or surgical  
19 diagnosis and/or treatment for his or her dependent children.

20 Notwithstanding any other provisions of law, the parent or  
21 legal guardian of such minors shall not be liable for the pay-  
22 ment of such medical or surgical diagnosis and/or treatment

23 rendered pursuant to subclassifications (a), (b), and (c)  
24 above.

1 SECTION 2. Chapter 6 of the General Laws is hereby  
2 amended by inserting after Section 161 the following section:—  
3 *Section 162.* There shall be an Advisory Committee on  
4 Medical Care for Minors, consisting of the Commissioner of  
5 Public Health or his designee, the Commissioner of Mental  
6 Health or his designee, the Commissioner of Education or his  
7 designee, the Commissioner of Public Welfare or his designee,  
8 the Commissioner of Youth Services or his designee and ten  
9 members of whom five shall be between the ages of eighteen  
10 and twenty-one, inclusive, at the time of their appointment,  
11 and of whom five shall be interested or experienced in the  
12 problems of medical care for children and adolescents, to be  
13 appointed by the Governor. Appointive members shall serve  
14 without compensation, except that the Commonwealth may  
15 pay the travelling expenses necessarily incurred by each in  
16 connection with the performance of his official duties. Each  
17 appointee shall serve for a term of three years, or for the  
18 unexpired term of his predecessor if appointed to fill a va-  
19 cancy, and shall continue to serve until a successor is ap-  
20 pointed. The Chairman shall be designated from time to time  
21 by the committee members.

22 The committee shall have the responsibility of promoting  
23 the availability of medical, dental and other health services  
24 for minors; encouraging the coordination and development of  
25 resources of payment, public and private, for the provision of  
26 such services; and suggesting to the appropriate authorities  
27 regulations for the delivery of health care for minors.

1 SECTION 3. Of the original appointees to the Advisory Com-  
2 mittee on Medical Care to Minors, established by Section 162  
3 of Chapter 6 of the General Laws, as appearing in Section 2  
4 of this act, two shall be appointed for one year, four shall be  
5 appointed for two years, and four shall be appointed for three  
6 years. Upon the expiration of the term of any such member  
7 his successor shall be appointed for a term of three years.