

GREEN SHEET REDIGEST

HB 775

2026 Regular Session

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**HEALTH/CHILDREN: Provides relative to minor's consent for medical procedures and treatments.**

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DIGEST

Present law provides that consent to the provision of medical or surgical care or services by a hospital or public clinic, or to the performance of medical or surgical care or services by a physician, licensed to practice medicine in this state, when executed by a minor who is or believes himself to be afflicted with an illness or disease, shall be valid and binding as if the minor had achieved his majority.

Proposed law repeals present law.

Proposed law requires informed consent from a person lawfully exercising parental authority over a person who has not attained the age of majority for all medical and mental health services provided to the person who has not attained the age of majority.

Proposed law provides exemptions for a person who has not attained the age of majority if the person:

- (1) Is a member of the armed forces of the United States of America.
- (2) Is emancipated.
- (3) Is pregnant and consenting to medical or surgical care or services related to the pregnancy.
- (4) Is seeking treatment for alcohol or substance misuse.
- (5) Is seeking medical or surgical care and services for the treatment of sexually transmitted diseases.
- (6) Is donating blood.
- (7) Is exhibiting signs of abuse or neglect based on the judgment of a healthcare provider.
- (8) Voluntarily chooses to be admitted to a treatment facility in accordance with present law.
- (9) Is enrolled as a student in a college or university.
- (10) Is seeking contraceptives or prevention or treatment for a sexually transmitted infection.

Present law provides that consent of a spouse, parent, guardian, or any other person standing in a fiduciary capacity to the minor shall not be necessary in order to authorize hospital care or services or medical or surgical care or services, or administration of drugs to be provided by a physician licensed to practice medicine to a minor.

Proposed law repeals present law.

Proposed law further provides that consent to surgical or medical treatment for a person who has not attained the age of majority shall be implied in cases of emergency.

Present law provides that, upon the advice and direction of a treating physician, or, in the case of a medical staff, any one of them, a physician or member of a medical staff may, but

shall not be obligated to, inform the spouse, parent, or guardian of any treatment given to or needed for the minor. Present law further provides that such information may be given to, or withheld from the spouse, parent, or guardian without the consent and over the express objection of the minor.

Proposed law repeals present law.

Proposed law modifies the definition of "patient" to authorize a parent or legal guardian of a person who has not obtained the age of majority to obtain the minor's medical records.

Proposed law further provides that no licensed healthcare facility or healthcare provider licensed in accordance with present law shall incur civil or criminal liability in connection with any examination, diagnosis, and treatment, procedure, or service in conformance with proposed law.

Present law provides that consent to the provision of medical or surgical care or services by a hospital or public clinic, or to the performance of medical or surgical care or services by a physician, licensed to practice medicine in this state, when executed by a minor who is or believes himself to be addicted to a narcotic or other drug, shall be valid and binding as if the minor had achieved his majority.

Proposed law repeals present law.

Present law further provides that any such consent shall not be subject to a later disaffirmance by reason of his minority.

Proposed law repeals present law.

Present law allows a minor to give consent to the donation of his blood and to the penetration of tissue necessary to accomplish such donation if certain criteria are satisfied.

Proposed law modifies present law to provide that a person who has not attained the age of majority may donate blood without criteria.

Present law provides that consent obtained in accordance with present law shall not be subject to deferments because of minority.

Proposed law repeals present law.

Present law allows a school or a facility to provide preventive counseling or treatment to a child without parental consent if certain conditions are met.

Proposed law repeals present law.

Present law requires a school or facility to comply with certain provisions outlined in present law when requesting a child's written consent for the provision of preventive counseling services or treatment.

Proposed law repeals present law.

(Amends R.S. 40:1079.1 and 1165.1(B)(2); Repeals R.S. 40:1079.2, 1079.3, and 1079.13)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Revise the definition of "patient".

#### Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the engrossed bill

1. Changes "minor" to "person who has not attained the age of majority".
2. Adds additional exemptions for when a person who has not attained the age of majority may consent.