

PRELIMINARY STAFF MEASURE SUMMARY**CARRIER:**

House Committee on Human Services and Housing

REVENUE: No revenue impact**FISCAL: No fiscal impact****SUBSEQUENT REFERRAL TO: None****Action:****Vote:****Yeas:****Nays:****Exc.:****Prepared By:** Regina Wilson, Administrator**Meeting Dates:** 4/22, 5/6

WHAT THE MEASURE DOES: Allows relative caregiver with whom minor child lives to consent to medical treatment and educational services for minor child if, after reasonable efforts have been made, consent from legal parent or guardian cannot be obtained. Clarifies required information in relative caregiver affidavit and expiration of affidavit. Exempts relative caregiver acting in good faith who provides consent to medical treatment or educational services for minor child from criminal or civil liability. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Medical and educational consent for children
- Number of states that have passed similar medical and educational consent legislation
- Report from National Conference of State Legislatures

EFFECT OF COMMITTEE AMENDMENT: Replaces language in section 3, subsection 7. Relieves relative caregiver who provides consent to medical treatment or educational services, acting in good faith, for minor child of criminal or civil liability.

BACKGROUND: In many states, extended families, such as grandparents, provide homes for children who are unable to remain with their parents. In 2012, almost three million American children received care from relatives other than their parents. That same year, according to data from the Adoption and Foster Care Analysis and Reporting System, about 107,000 children in foster care received care from relatives – approximately 27 percent. An absence of legal custody or guardianship impacts decisions on children’s medical, educational and emotional needs. Senate Bill 601 allows relative caregivers to consent to medical treatment and educational services for a minor child if consent from legal parents or guardians cannot be obtained.