

REVISED

STATEMENT OF PURPOSE

RS31273 / S1329

The Parents' Rights in Medical Decision-making Act ensures that children, who often lack maturity and make choices without considering either immediate or long-term consequences, are protected by the informed decision-making of their parents, who possess the most knowledge and are in the best position to ensure that their children receive adequate medical attention. The rights secured by this Act flow out of the rights recognized by the Idaho Parental Rights Act, Idaho Code Ann. §§ 32-1010 through -1014, which are "rooted in the due process of law guaranteed pursuant to Section 13, Article I, of the constitution of the state of Idaho."

This Act clarifies that consent for the furnishing of health care services to any person who is an unemancipated minor must be given or refused by the parent of such person. The Act further declares that a parent has a right to access health information relating to the parent's minor child. Finally, the Act is intended to supersede any current provisions of Idaho law that may otherwise conflict with the Act.

FISCAL NOTE

This legislation only reaffirms the fundamental rights of parents to access health care information and make their children's health care decision. It requires no government spending and therefore has no impact to the general funds of Idaho.

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).