

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1450

Introduced by

Representatives S. Olson, K. Anderson, Bolinske, McLeod, Morton, Rohr, M. Ruby

Senator Castaneda

1 A BILL for an Act to create and enact a new section to chapter 14-10 of the North Dakota
2 Century Code, relating to parent and guardian access to the medical examination room of a
3 minor.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 14-10 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Parent or guardian access to the medical examination room of a minor.**

8 1. A parent or guardian of a minor has full and complete access to an examination room
9 in which the minor is receiving medical care.

10 a. A provider or health care facility shall provide notice of this right in a clear and
11 conspicuous manner before the minor is taken into the examination room.

12 b. If an examination involves a private area of the body and a parent or guardian
13 remains in the room, a health care facility shall make available upon request a
14 privacy screen or other mechanism to protect the privacy of the minor.

15 2. A provider or health care facility shall provide a parent or guardian of a minor written
16 notice before any standardized oral or written questions may be asked of the minor,
17 regardless of whether the parent or guardian chooses to be in the examination room
18 with the minor. The notice must include:

19 a. Information stating the right of the parent, guardian, or minor to opt-out of
20 answering questions unrelated to the purpose of the visit;

- 1 b. Information on whether the minor's answers to standardized questions will be
- 2 shared with other individuals, stored in the minor's medical record, or recorded in
- 3 any manner; and
- 4 c. A list of the categories and topics of questions that may be asked.
- 5 3. This section does not apply to:
- 6 a. A legally emancipated minor; or
- 7 b. A suspected case of physical or sexual abuse when the provider has
- 8 documented the concern and notified the appropriate authorities.