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HOUSE BILL 1356

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Lambert, Pelesky, Koster, Thompson, Skinner, Smith, Hymes, Stevens, Radcliff, Campbell, Benton, McMahan, Huff, Johnson and Backlund

Read first time 01/23/95. Referred to Committee on Health Care.

1 AN ACT Relating to parental presence at a minor child's medical  
2 treatment; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) A parent of a minor child has a right to  
5 be present whenever the child is receiving medical care. This right  
6 does not extend to a parent against whom a restraining order or other  
7 court order has been issued prohibiting the parent from having contact  
8 with the child.

9 (2) In the case of a decree or other order designating one parent  
10 as the custodial parent of a minor child or as the primary residential  
11 parent of a minor child, the right provided by subsection (1) of this  
12 section does not extend to the other parent except when:

13 (a) The child is lawfully in the custody of or residing with such  
14 other parent;

15 (b) The child is in need of immediate medical care; and

16 (c) Such other parent has made every reasonable effort to notify  
17 the custodial parent or primary residential parent of the need for such  
18 care.

1 (3) A minor child who is more than twelve years old has a right to  
2 have a counselor, minister, or other support person present whenever  
3 the child is receiving medical care to assist the child in dealing with  
4 any information connected with the care that might be traumatic or  
5 might cause family conflict. The child may arrange for the presence of  
6 a counselor, minister, or other support person of the child's own  
7 choosing, or may request the medical care provider to arrange for the  
8 presence of a counselor, minister, or other support person. If the  
9 child makes such a request, the medical care provider shall arrange for  
10 the presence of such a person without charge.

11 (4) For purposes of this section, the following terms have the  
12 following meanings:

13 (a) "Medical care" means any medical procedure, treatment  
14 diagnosis, or examination that involves the physical touching of the  
15 child, or any consultation, that is performed by a person licensed in  
16 this state to provide health care;

17 (b) "Minor child" means an unmarried child under the age of  
18 eighteen who is not emancipated pursuant to RCW 13.64.050;

19 (c) "Parent" means a parent or legal guardian of a minor child.

20 NEW SECTION. **Sec. 2.** If any provision of this act or its  
21 application to any person or circumstance is held invalid, the  
22 remainder of the act or the application of the provision to other  
23 persons or circumstances is not affected.

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