

4th Sub. S.B. 90
MEDICAL NEGLECT - EXCLUSION

Representative **Stephen H. Urquhart** proposes the following amendments:

1. *Page 1, Lines 12 through 13:*

12 ▶ establishes that severe child abuse or neglect does not include the medical decision
13 of a competent parent ~~[[- [who has no prior history of abuse or neglect]]]~~ ; and]

2. *Page ~~[[+]] 4, Lines 96 through 98]:~~* ~~[[+]]~~

96 [~~[[+]]~~ (d) The medical decision of a competent parent or guardian does not constitute medical
97 neglect. A competent parent is defined herein as a parent who ~~[[+]]~~ ~~[[- [is a reasonable, prudent, and~~
fit
98 care giver toward their child]] ~~[[+]]~~ has made a reasonable and prudent health decision for his
child ~~[[+]]~~ ~~[[-]]~~

3. *Page ~~[[+]] 7, Lines 210 through 211:~~*

210 (c) the medical decision of a competent parent. A competent parent is defined herein
211 as a parent who ~~[[+]]~~ ~~[[- [is a reasonable, prudent, and fit care giver toward their~~
child]] ~~[[+]]~~ has made a reasonable and prudent health decision for his child ~~[[+]]~~ ~~[[-]]~~

4. *Page ~~[[+]] 13, Lines 379 through 381:~~*

379 (iv) The medical decision of a competent parent or guardian does not constitute
380 medical neglect. A competent parent is defined herein as a parent who ~~[[+]]~~ ~~[[- [is a reasonable,~~
prudent,
381 and fit care giver toward their child]] ~~[[+]]~~ has made a reasonable and prudent health decision
for his child ~~[[+]]~~ ~~[[-]]~~

5. *Page ~~[[+]] 17, Lines 510 through 512:~~*

510 (iv) The medical decision of a competent parent or guardian does not constitute
511 medical neglect. A competent parent is defined herein as a parent who ~~[[+]]~~ ~~[[- [is a reasonable,~~
prudent,
512 and fit care giver toward their child]] ~~[[+]]~~ has made a reasonable and prudent health decision
for his child ~~[[+]]~~ ~~[[-]]~~

6. *Page ~~[[+]] 20, Lines 600 through 603~~600 (5) All parents are presumed to be competent. This*

presumption may be rebutted if the

601 state can show that a parent or parents are incompetent beyond a reasonable doubt. A

**602 competent parent is defined herein as a parent who ~~[[+]]~~ ~~[[is a reasonable, prudent, and fit care~~
giver**

603 toward their child]] = ~~[[+]]~~ **has made a reasonable and prudent health decision for his**
child ~~[[+]]~~ = [-