

MEDICAL DECISIONS OF A PARENT OR GUARDIAN

Senator **David L. Thomas** proposes the following amendments:

1. *Page 1, Lines 14 through 25:*

- 14 ▶ modifies provisions of Child and Family Services to provide that:
- 15 • a health care decision made by a child’s parent or guardian does not constitute
- 16 neglect unless the state or other party to the proceeding shows, by clear and
- 17 convincing evidence, that the decision is not reasonable and prudent; and
- 18 • a parent or guardian has the right to a second ~~{-medical-}~~ health care opinion;
- 19 ▶ modifies the Licensing Information System portion of Child and Family Services to
- 20 provide that:
- 21 • a health care decision made by a child’s parent or guardian does not constitute
- 22 severe child abuse or neglect unless the state or other party to the proceeding
- 23 shows, by clear and convincing evidence, that the decision is not reasonable and
- 24 prudent; and
- 25 • a parent or guardian retains the right to a second ~~{-medical-}~~ health care opinion;

2. *Page 1, Lines 19 through 25:*

- 19 ▶ modifies the Licensing Information System portion of Child and Family Services to
- 20 provide that:
- 21 • a health care decision made by a child’s parent or guardian does not constitute
- 22 severe child abuse or neglect unless the state or other party to the proceeding
- 23 shows, by clear and convincing evidence, that the decision is not reasonable and
- 24 prudent; and
- 25 • a parent or guardian retains the right to a second ~~{-medical-}~~ health care opinion;

3. *Page 2, Lines 38 through 44:*

- 38 ▶ modifies the Juvenile Court Act of 1996 to provide that a parent or guardian has the
- 39 right to a second ~~{-medical-}~~ health care opinion;
- 40 ▶ modifies the Termination of Parental Rights Act to provide that:
- 41 • a health care decision made by a child’s parent does not constitute neglect
- 42 unless the state or other party to the proceeding shows, by clear and convincing
- 43 evidence, that the decision is not reasonable and prudent; and
- 44 • a parent has the right to a second ~~{-medical-}~~ health care opinion;

4. Page 6, Lines 153 through 154:

153 (ii) Nothing in Subsection (18)(d)(i) may prohibit a parent or guardian from exercising
154 the right to obtain a second ~~{-medical}~~ health care opinion.

5. Page 11, Lines 325 through 326:

325 (9) Nothing in Subsection (3)(c) may prohibit a parent or guardian from exercising the
326 right to obtain a second ~~{-medical}~~ health care opinion.

6. Page 17, Lines 519 through 520:

519 (v) Nothing in Subsection (1)(s)(iv) may prohibit a parent or guardian from exercising
520 the right to obtain a second ~~{-medical}~~ health care opinion.

7. Page 20, Lines 613 through 614:

613 (b) Nothing in Subsection (4)(a) may prohibit a parent from exercising the right to
614 obtain a second ~~{-medical}~~ health care opinion.