

ACT 171

H.B. NO. 619

A Bill for an Act Relating to the Treatment of Venereal Disease for Minors.
Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 577A, Hawaii Revised Statutes, is amended as follows:

(1) By amending section 577A-3 to read:

“Sec. 577A-3 Providing information. Public and private hospitals, or public and private clinics or physicians licensed to practice medicine shall inform the spouse, parent, custodian, or guardian of any minor patient who is diagnosed as pregnant and such information shall be given to the spouse, parent, custodian, or guardian without the consent of the minor patient and even over the express refusal of the minor patient.

If the minor patient who is under eighteen years of age is not diagnosed as pregnant, withholding of such information shall be within the discretion of the staff of such hospitals or such clinics or the physicians licensed to practice medicine, as the case may be.”

(2) By adding a new section to be appropriately designated and to read as follows:

“Sec. 577A- Venereal disease; diagnosis, treatment, responsibilities,

counseling. (a) A physician licensed to practice medicine may in his discretion inform the spouse, parent, custodian or guardian of any minor patient who is diagnosed as afflicted with venereal disease. If the minor patient is not diagnosed as afflicted with venereal disease such information as well as the application for diagnosis shall not be disclosed without the consent of the minor patient.

(b) If a minor consents to receive medical care and services for venereal disease, the spouse, parent, custodian, or guardian of the minor patient shall not be liable for the legal obligations resulting from the furnishing of medical care and services provided by the public and private hospital, or public and private clinic or physician licensed to practice medicine. A minor who consents to the provision of medical care and services under this section shall assume financial responsibility for the costs of such medical care and services. Any other law to the contrary notwithstanding, no spouse, parent, custodian, guardian, governmental agency, or third party payor whose consent has not been obtained or who has no prior knowledge that the minor has consented to the provision of such medical care and services shall be liable for the costs incurred by virtue of the minor's consent.

(c) The treatment of venereal disease shall include individual counseling for each minor patient by a physician licensed to practice medicine. Such counseling shall seek to open the lines of communication between parent and child."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved June 2, 1975.)

*Edited accordingly.