

HOUSE BILL NO. 6472

November 09, 2022, Introduced by Rep. Stone and referred to the Committee on Families, Children, and Seniors.

A bill to allow unaccompanied homeless minors access to health care without parental consent; and to allow health care providers to treat unaccompanied homeless minors without parental consent.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act, "unaccompanied homeless minor"
2 means a minor 14 years of age or older living in 1 of the
3 situations described in 42 USC 11434a(2) and who is not in the care
4 and physical custody of a parent or legal guardian.

5 Sec. 2. (1) An unaccompanied homeless minor may consent to,
6 contract for, and receive medical, dental, or behavioral health

1 examinations, care, or treatment without a parent's or guardian's
2 permission, authority, or consent. Acceptable documentation
3 demonstrating an individual's status as an unaccompanied homeless
4 minor includes the following:

5 (a) A statement documenting that status, signed by a director
6 or designee of a governmental or nonprofit entity that receives
7 public or private funding to provide services to individuals who
8 are homeless.

9 (b) A statement documenting that status, signed by a local
10 educational agency liaison for homeless children and youth
11 designated under 42 USC 11432(g)(1)(J)(ii), a local educational
12 agency foster care point of contact designated under 20 USC
13 6312(c)(5)(A), or a school social worker or counselor.

14 (c) A statement documenting that status, signed by an attorney
15 representing the individual in any legal matter.

16 (d) A statement documenting that status, signed by the
17 individual and 2 adults with knowledge of the individual's actual
18 circumstances.

19 (2) This act does not authorize an unaccompanied homeless
20 minor to consent to an abortion.

21 Sec. 3. An unaccompanied homeless minor who is a parent may
22 consent to, contract for, and receive medical, dental, and
23 behavioral health examinations, care, or treatment for the minor's
24 child.

25 Sec. 4. (1) A physician or other qualified professional
26 licensed to practice in this state who provides medical, dental, or
27 behavioral health examinations, care, or treatment to an
28 unaccompanied homeless minor under this act may not be held liable
29 in a civil or criminal action for providing those services without

1 having obtained permission from the minor's parent or guardian.

2 (2) This section does not relieve the physician or other
3 qualified professional from liability for negligence in the
4 diagnosis or treatment of an unaccompanied homeless minor.

5 Sec. 5. (1) Identification of an individual as an
6 unaccompanied homeless minor does not automatically mean the
7 individual is a neglected child as child neglect is defined in
8 section 2 of the child protection law, 1975 PA 238, MCL 722.622.

9 (2) This act does not supersede the mandatory reporting
10 requirements of section 3 of the child protection law, 1975 PA 238,
11 MCL 722.623.