

HB 217 -- MEDICAL NEGLECT OF CHILDREN

SPONSOR: Wilson

This bill prohibits a parent or legal guardian from being charged with abusing or neglecting a child's need for medical care if:

- (1) The parent or legal guardian has sought medical care for the child from a licensed medical or mental health provider;
- (2) The licensed medical or mental health provider has made a diagnosis;
- (3) The licensed medical or mental health provider has prescribed a lawful course of treatment; and
- (4) The parent or legal guardian is following or willing to follow the recommended course of treatment.

A mandatory reporter is prohibited from filing a report of abuse or neglect based solely on a parent's or legal guardian's decision to follow the recommended treatment of a licensed medical or mental health provider. A parent or legal guardian has the right to follow the advice and treatment plan of a licensed medical or mental health provider over a contrary opinion or recommended treatment plan of another licensed medical or mental health provider if the decision does not involve immediate life-threatening conditions. Even in the case of life-threatening conditions, the decision of the parent or legal guardian to follow the advice or treatment plan of a licensed medical or mental health provider must not be overridden unless there is clear and convincing evidence to the contrary.

These provisions may be known as "Isaiah's Law."