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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/02/2025	.	
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The Committee on Judiciary (Grall) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 384.30, Florida Statutes, is amended to
read:

384.30 Minors' consent to treatment.—

(1) The department and its authorized representatives, each
physician licensed to practice medicine under the provisions of
chapter 458 or chapter 459, each health care professional
licensed under the provisions of part I of chapter 464 who is



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12 acting pursuant to the scope of his or her license, and each
13 public or private hospital, clinic, or other health facility may
14 examine ~~and provide treatment~~ for sexually transmissible
15 diseases to any minor, if the physician, health care
16 professional, or facility is qualified to provide such
17 examination and treatment. The consent of a parent ~~the parents~~
18 or guardian ~~guardians~~ of a minor is not a prerequisite for an
19 examination; however, the consent of a parent or guardian is
20 required for ~~or~~ treatment.

21 (2) The fact of consultation, examination, and treatment of
22 a minor for a sexually transmissible disease is confidential and
23 exempt from the provisions of s. 119.07(1) and shall not be
24 divulged in any direct or indirect manner, such as sending a
25 bill for a consultation or examination ~~services rendered~~ to a
26 parent or guardian, except as provided in s. 384.29.

27 Section 2. Paragraphs (e), (f), and (h) of subsection (1)
28 of section 1014.04, Florida Statutes, are amended, and paragraph
29 (k) is added to that subsection, to read:

30 1014.04 Parental rights.—

31 (1) All parental rights are reserved to the parent of a
32 minor child in this state without obstruction or interference
33 from the state, any of its political subdivisions, any other
34 governmental entity, or any other institution, including, but
35 not limited to, all of the following rights of a parent of a
36 minor child in this state:

37 (e) The right to make health care decisions for his or her
38 minor child, unless:

39 1. The parent is the subject of an investigation of a crime
40 committed against the minor child;



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41 2. The child has been maintained in an out of home
42 placement by the Department of Children and Families and the
43 department has a child examined for injury, illness, and
44 communicable diseases and to determine the need for
45 immunization;

46 3. The child is authorized by law to make the specific
47 health care decisions for himself or herself as provided in ss.
48 743.01, 743.015, 743.06, 743.065, 743.066, and 743.067;

49 4. A parent cannot be located and another person is
50 authorized by law to make the health care decisions as provided
51 in s. 743.0645; or

52 5. Circumstances exist which satisfy the requirements of
53 law for a parent's implied consent to medical care and treatment
54 of the child as provided in s. 383.50 ~~otherwise prohibited by~~
55 law.

56 (f) The right to access and review all medical records of
57 his or her minor child, unless ~~prohibited by law or if the~~
58 parent is the subject of an investigation of a crime committed
59 against the minor child and a law enforcement agency or official
60 requests that the information not be released.

61 (h) The right to consent in writing before any record of
62 his or her minor child's blood or deoxyribonucleic acid (DNA) is
63 created, stored, or shared, except as ~~required by general law or~~
64 authorized pursuant to a court order.

65 (k)1. The right to review and consent to any survey or
66 questionnaire given to his or her minor child.

67 2. The right to grant permission for the responses or
68 results of such survey or questionnaire to be shared or
69 distributed, upon receiving notice of the intended recipient,



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70 the purpose of the survey or questionnaire, or the specified
71 information to be shared.

72 Section 3. Present subsections (3), (4), and (5), of
73 section 1014.06, Florida Statutes, are redesignated as
74 subsections (4), (5), and (6), respectively, a new subsection
75 (3) is added to that section, and subsections (1) and (2) of
76 that section are amended, to read:

77 1014.06 Parental consent for health care services.—

78 (1) Except as otherwise provided for emergency medical care
79 under s. 743.064 or s. 1014.04(1)(e) or by court order law, a
80 health care practitioner, as defined in s. 456.001, or an
81 individual employed by such health care practitioner may not
82 provide or solicit or arrange to provide health care services or
83 prescribe medicinal drugs to a minor child without first
84 obtaining written parental consent.

85 (2) Except as otherwise provided for emergency medical care
86 under s. 743.064, s. 1014.04(1)(e) by law or by a court order, a
87 provider, as defined in s. 408.803, may not allow a medical
88 procedure to be performed on a minor child in its facility
89 without first obtaining written parental consent.

90 (3) The use of a biofeedback device is a health care
91 service for the purpose of this section. The use of such a
92 device on a minor child without first obtaining express written
93 permission from the minor child's parent or guardian is
94 prohibited. As used in this subsection, the term "biofeedback
95 device" means an instrument or a sensor used to measure bodily
96 functions, such as heart rate variability, brain waves, or
97 breathing rate, for the purpose of improving performance. If the
98 parent or guardian consents to the use of the device, all



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99 results must be provided to the parent or guardian and must
100 otherwise be held as a confidential medical record.

101 Section 4. For the purpose of incorporating the amendment
102 made by this act to section 1014.06, Florida Statutes, in a
103 reference thereto, paragraph (f) of subsection (3) of section
104 408.813, Florida Statutes, is reenacted to read:

105 408.813 Administrative fines; violations.—As a penalty for
106 any violation of this part, authorizing statutes, or applicable
107 rules, the agency may impose an administrative fine.

108 (3) The agency may impose an administrative fine for a
109 violation that is not designated as a class I, class II, class
110 III, or class IV violation. Unless otherwise specified by law,
111 the amount of the fine may not exceed \$500 for each violation.
112 Unclassified violations include:

113 (f) Violating the parental consent requirements of s.
114 1014.06.

115 Section 5. For the purpose of incorporating the amendment
116 made by this act to section 1014.06, Florida Statutes, in a
117 reference thereto, paragraph (rr) of subsection (1) of section
118 456.072, Florida Statutes, is reenacted to read:

119 456.072 Grounds for discipline; penalties; enforcement.—

120 (1) The following acts shall constitute grounds for which
121 the disciplinary actions specified in subsection (2) may be
122 taken:

123 (rr) Failure to comply with the parental consent
124 requirements of s. 1014.06.

125 Section 6. This act shall take effect July 1, 2025.

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127 ===== T I T L E A M E N D M E N T =====



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128 And the title is amended as follows:

129 Delete everything before the enacting clause
130 and insert:

131 A bill to be entitled

132 An act relating to parental rights; amending s.
133 384.30, F.S.; requiring parental consent for a minor's
134 treatment for certain diseases; amending s. 1014.04,
135 F.S.; revising exceptions for certain parental rights;
136 creating the parental right to review and consent to a
137 survey or questionnaire provided to a parent's minor
138 child; creating the parental right to grant permission
139 for the results or responses of such survey or
140 questionnaire to be shared or distributed; amending s.
141 1014.06, F.S.; revising exceptions for specified
142 requirements of parental consent; prohibiting the use
143 of a biofeedback device on a minor child without
144 written permission from the minor child's parent or
145 guardian; defining the term "biofeedback device";
146 requiring the results of the use of such device be
147 provided to a parent or guardian; requiring that such
148 results be held as a confidential medical record;
149 reenacting ss. 408.813(3)(f) and 456.072(1)(rr), F.S.,
150 relating to administrative fines and grounds for
151 discipline, respectively, to incorporate the amendment
152 made to s. 1014.06, F.S., in references thereto;
153 providing an effective date.