

1 A bill to be entitled
 2 An act relating to parental rights; amending s.
 3 1014.04, F.S.; deleting exceptions for certain
 4 parental rights; creating the parental right to review
 5 and consent to a survey or questionnaire provided to
 6 his or her minor child; creating the parental right to
 7 grant permission for the results or responses of such
 8 survey or questionnaire to be shared or distributed;
 9 amending s. 1014.06, F.S.; revising exceptions for
 10 specified requirements of parental consent;
 11 prohibiting the use of a biofeedback device on a minor
 12 child without written permission from the minor
 13 child's parent or guardian; defining the term
 14 "biofeedback device"; requiring the results of the use
 15 of such device be provided to a parent or guardian;
 16 requiring that such results be held as a confidential
 17 medical record; reenacting ss. 408.813(3)(f) and
 18 456.072(1)(rr), F.S., relating to administrative fines
 19 and grounds for discipline, respectively, to
 20 incorporate the amendment made to s. 1014.06, F.S., in
 21 references thereto; providing an effective date.

22
 23 Be It Enacted by the Legislature of the State of Florida:

24
 25 **Section 1. Paragraphs (e), (f), and (h) of subsection (1)**

26 **of section 1014.04, Florida Statutes, are amended, and paragraph**
27 **(k) is added to that subsection, to read:**

28 1014.04 Parental rights.—

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

35 (e) The right to make health care decisions for his or her
36 minor child, ~~unless otherwise prohibited by law.~~

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

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

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

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

51 the purpose of the survey or questionnaire, or the specified
52 information to be shared.

53 **Section 2. Present subsections (3), (4), and (5), of**
54 **section 1014.06, Florida Statutes, are redesignated as**
55 **subsections (4), (5), and (6), a new subsection (3) is added to**
56 **that section, and subsections (1) and (2) of that section are**
57 **amended to, read:**

58 1014.06 Parental consent for health care services.—

59 (1) ~~Except as otherwise provided by law,~~ A health care
60 practitioner, as defined in s. 456.001, or an individual
61 employed by such health care practitioner may not provide or
62 solicit or arrange to provide health care services or prescribe
63 medicinal drugs to a minor child without first obtaining written
64 parental consent.

65 (2) Except as otherwise provided for emergency medical
66 care under s. 743.064 ~~by law~~ or a court order, a provider, as
67 defined in s. 408.803, may not allow a medical procedure to be
68 performed on a minor child in its facility without first
69 obtaining written parental consent.

70 (3) The use of a biofeedback device is a health care
71 service for the purpose of this section. The use of such a
72 device on a minor child without first obtaining express written
73 permission from the minor child's parent or guardian is
74 prohibited. As used in this subsection, the term "biofeedback
75 device" means an instrument or a sensor used to measure bodily

76 functions, such as heart rate variability, brain waves, or
77 breathing rate, for the purpose of improving performance. If the
78 parent or guardian consents to the use of the device, all
79 results must be provided to the parent or guardian and must
80 otherwise be held as a confidential medical record.

81 **Section 3. For the purpose of incorporating the amendment**
82 **made by this act to section 1014.06, Florida Statutes, in a**
83 **reference thereto, paragraph (f) of subsection (3) of section**
84 **408.813, Florida Statutes, is reenacted to read:**

85 408.813 Administrative fines; violations.—As a penalty for
86 any violation of this part, authorizing statutes, or applicable
87 rules, the agency may impose an administrative fine.

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

93 (f) Violating the parental consent requirements of s.
94 1014.06.

95 **Section 4. For the purpose of incorporating the amendment**
96 **made by this act to section 1014.06, Florida Statutes, in a**
97 **reference thereto, paragraph (rr) of subsection (1) of section**
98 **456.072, Florida Statutes, is reenacted to read:**

99 456.072 Grounds for discipline; penalties; enforcement.—

100 (1) The following acts shall constitute grounds for which

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101 | the disciplinary actions specified in subsection (2) may be
102 | taken:

103 | (rr) Failure to comply with the parental consent
104 | requirements of s. 1014.06.

105 | **Section 5.** This act shall take effect July 1, 2025.