

1                   A bill to be entitled  
2       An act relating to parental rights; amending s.  
3       384.30, F.S.; requiring parental consent for a minor's  
4       treatment for certain diseases; amending s. 1014.04,  
5       F.S.; revising exceptions for certain parental rights;  
6       creating the parental right to review and consent to a  
7       survey or questionnaire provided to a parent's minor  
8       child; creating the parental right to grant permission  
9       for the results or responses of such survey or  
10      questionnaire to be shared or distributed; amending s.  
11      1014.06, F.S.; revising exceptions for specified  
12      requirements of parental consent; prohibiting the use  
13      of a biofeedback device on a minor child without  
14      written permission from the minor child's parent or  
15      guardian; defining the term "biofeedback device";  
16      requiring the results of the use of such device be  
17      provided to a parent or guardian; requiring that such  
18      results be held as a confidential medical record;  
19      reenacting ss. 408.813(3)(f) and 456.072(1)(rr), F.S.,  
20      relating to administrative fines and grounds for  
21      discipline, respectively, to incorporate the amendment  
22      made to s. 1014.06, F.S., in references thereto;  
23      providing an effective date.

24  
25   Be It Enacted by the Legislature of the State of Florida:

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

29       384.30 Minors' consent to treatment.—

30       (1) The department and its authorized representatives,  
31 each physician licensed to practice medicine under the  
32 provisions of chapter 458 or chapter 459, each health care  
33 professional licensed under the provisions of part I of chapter  
34 464 who is acting pursuant to the scope of his or her license,  
35 and each public or private hospital, clinic, or other health  
36 facility may examine ~~and provide treatment~~ for sexually  
37 transmissible diseases ~~to~~ any minor, if the physician, health  
38 care professional, or facility is qualified to provide such  
39 examination and treatment. The consent of a parent ~~the parents~~  
40 or guardian ~~guardians~~ of a minor is not a prerequisite for an  
41 examination; however, the consent of a parent or guardian is  
42 required for ~~or~~ treatment.

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

49       **Section 2. Paragraphs (e), (f), and (h) of subsection (1)**  
50 **of section 1014.04, Florida Statutes, are amended, and paragraph**

51 **(k) is added to that subsection, to read:**

52 1014.04 Parental rights.—

53 (1) All parental rights are reserved to the parent of a  
54 minor child in this state without obstruction or interference  
55 from the state, any of its political subdivisions, any other  
56 governmental entity, or any other institution, including, but  
57 not limited to, all of the following rights of a parent of a  
58 minor child in this state:

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

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

63 2. The minor child has been maintained in an out of home  
64 placement by the Department of Children and Families and the  
65 department has a minor child examined for injury, illness, and  
66 communicable diseases and to determine the need for  
67 immunization;

68 3. The minor child is authorized by law to make the  
69 specific health care decisions for himself or herself as  
70 provided in ss. 743.01, 743.015, 743.06, 743.065, 743.066, and  
71 743.067;

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

75 5. Circumstances exist which satisfy the requirements of

76 law for a parent's implied consent to medical care and treatment  
77 of the minor child as provided in s. 383.50 ~~otherwise prohibited~~  
78 ~~by law.~~

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

84 (h) The right to consent in writing before any record of  
85 his or her minor child's blood or deoxyribonucleic acid (DNA) is  
86 created, stored, or shared, except as required by s. 943.325 or  
87 s. 943.326 ~~general law~~ or authorized pursuant to a court order.

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

90 2. The right to grant permission for the responses or  
91 results of such survey or questionnaire to be shared or  
92 distributed, upon receiving notice of the intended recipient,  
93 the purpose of the survey or questionnaire, or the specified  
94 information to be shared.

95 **Section 3. Present subsections (3), (4), and (5) of**  
96 **section 1014.06, Florida Statutes, are redesignated as**  
97 **subsections (4), (5), and (6), respectively, a new subsection**  
98 **(3) is added to that section, and subsections (1) and (2) of**  
99 **that section are amended, to read:**

100 1014.06 Parental consent for health care services.—

101           (1) Except as otherwise provided for emergency medical  
102 care under s. 743.064 or s. 1014.04(1)(e) or by court order ~~law~~,  
103 a health care practitioner, as defined in s. 456.001, or an  
104 individual employed by such health care practitioner may not  
105 provide or solicit or arrange to provide health care services or  
106 prescribe medicinal drugs to a minor child without first  
107 obtaining written parental consent.

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

113           (3) The use of a biofeedback device is a health care  
114 service for the purpose of this section. The use of such a  
115 device on a minor child without first obtaining express written  
116 permission from the minor child's parent or guardian is  
117 prohibited. As used in this subsection, the term "biofeedback  
118 device" means an instrument or a sensor used to measure bodily  
119 functions, such as heart rate variability, brain waves, or  
120 breathing rate, for the purpose of improving performance. If the  
121 parent or guardian consents to the use of the device, all  
122 results must be provided to the parent or guardian and must  
123 otherwise be held as a confidential medical record.

124           **Section 4. For the purpose of incorporating the amendment**  
125 **made by this act to section 1014.06, Florida Statutes, in a**

reference thereto, paragraph (f) of subsection (3) of section 408.813, Florida Statutes, is reenacted to read:

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

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

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

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

456.072 Grounds for discipline; penalties; enforcement.—

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

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

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