

HOUSE BILL No. 2508

By Committee on Health and Human Services

Requested by Representative Bryce

1-21

AN ACT concerning children and minors; relating to health and healthcare; prohibiting healthcare providers from prescribing medication, administering diagnostic tests or conducting ongoing behavioral health treatments to minors except in certain circumstances; amending K.S.A. 2025 Supp. 72-6287 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2025 Supp. 72-6287 is hereby amended to read as follows: 72-6287. (a) As used in this section:

(1) "Appropriate licensing agency" means the agency that issues the license, certification or registration to the healthcare provider under this section.

(2) "Behavioral health crisis" means the same as defined in K.S.A. 65-536, and amendments thereto.

(3) "Consent" means assent in fact, whether expressed or apparent.

(4) "Drug" means the same as defined in K.S.A. 65-1626, and amendments thereto.

(5) "Healthcare provider" means a person who is licensed by or holds a temporary permit to practice issued by the state board of healing arts, the board of nursing or, the behavioral sciences regulatory board, *the Kansas dental board, the board of examiners in optometry, the state board of pharmacy or a person who holds an emergency medical service provider certificate issued by the board of emergency medical services.*

(6) "Minor" means an individual under 18 years of age.

(7) "Parent" means the same as defined in K.S.A. 38-141, and amendments thereto.

~~(8) "School facility" means any building or structure owned, operated or maintained by the board of education of a public school or the governing body of an accredited nonpublic school if such facility is accessible to students.~~

(b) (1) Except as provided in subsection (c), notwithstanding any other provision of law to the contrary, unless a healthcare provider has consent of a minor's parent, a healthcare provider shall not, ~~while a minor or healthcare professional is at a school facility:~~

1 (A) Prescribe, dispense or administer any prescription or
2 nonprescription drug *to a minor*;

3 (B) administer a diagnostic test with ~~the~~ *a* minor's bodily fluids; or

4 (C) conduct ongoing behavioral health treatment *with a minor*.

5 (2) Notwithstanding the provisions of K.S.A. 72-6316, and
6 amendments thereto, the provisions of paragraph (1) shall not prevent a
7 healthcare provider ~~at a school~~ from conducting a behavioral health
8 assessment or intervention for a minor experiencing a behavioral health
9 crisis, conducting a ~~school-based~~ screening required by law or providing
10 education to a minor.

11 (3) A healthcare provider who violates the provisions of paragraph
12 (1) shall be subject to professional discipline from such healthcare
13 provider's appropriate licensing agency.

14 (c) The provisions of this section shall not apply to:

15 (1) Consent by parent for surgery and other procedures on a child,
16 K.S.A. 38-122, and amendments thereto;

17 (2) consent for medical care of unmarried pregnant minor, K.S.A. 38-
18 123, and amendments thereto;

19 (3) donation of blood by persons over 16, K.S.A. 38-123a, and
20 amendments thereto;

21 (4) consent for immunization by person other than a parent, K.S.A.
22 38-137, and amendments thereto;

23 (5) health services under the revised Kansas code for care of children,
24 K.S.A. 38-2217, and amendments thereto;

25 (6) emergency care by healthcare providers, K.S.A. 65-2891, and
26 amendments thereto;

27 (7) examination and treatment of persons under 18 for venereal
28 disease, K.S.A. 65-2892, and amendments thereto; and

29 (8) examination and treatment of minors for drug abuse, misuse or
30 addiction, K.S.A. 65-2892a, and amendments thereto.

31 Sec. 2. K.S.A. 2025 Supp. 72-6287 is hereby repealed.

32 Sec. 3. This act shall take effect and be in force from and after its
33 publication in the statute book.