

FIRST REGULAR SESSION

HOUSE BILL NO. 1075

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE INGLE.

2109H.021

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 431.061, RSMo, and to enact in lieu thereof one new section relating to parental consent for vaccinations.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 431.061, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 431.061, to read as follows:

- 431.061. 1. In addition to such other persons as may be so authorized and empowered, any one of the following persons if otherwise competent to contract, is authorized and empowered to consent, either orally or otherwise, to any surgical, medical, or other treatment or procedures, including immunizations, not prohibited by law:
- (1) Any adult eighteen years of age or older for himself **or herself**;
 - (2) Any parent for his **or her** minor child in his **or her** legal custody;
 - (3) Any minor who has been lawfully married and any minor parent or legal custodian of a child for himself **or herself**, his **or her** child and any child in his **or her** legal custody;
 - (4) Any minor for himself **or herself** in case of:
 - (a) Pregnancy, but excluding abortions;
 - (b) Venereal disease;
 - (c) Drug or substance abuse including those referred to in chapter 195; **or**
 - (d) **Immunizations**;
 - (5) Any adult standing in loco parentis, whether serving formally or not, for his **or her** minor charge in case of emergency as defined in section 431.063;
 - (6) Any guardian of the person for his **or her** ward;
 - (7) Any relative caregiver of a minor child as provided for under section 431.058.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 2. The provisions of sections 431.061 and 431.063 shall be liberally construed, and all
19 relationships set forth in subsection 1 of this section shall include the adoptive and
20 step-relationship as well as the natural relationship and the relationship by the half blood as well
21 as by the whole blood.

22 3. A consent by one person so authorized and empowered shall be sufficient
23 notwithstanding that there are other persons so authorized and empowered or that such other
24 persons shall refuse or decline to consent or shall protest against the proposed surgical, medical
25 or other treatment or procedures.

26 4. Any person acting in good faith and not having been put on notice to the contrary shall
27 be justified in relying on the representations of any person purporting to give such consent,
28 including, but not limited to, his **or her** identity, his **or her** age, his **or her** marital status, and
29 his **or her** relationship to any other person for whom the consent is purportedly given.

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