GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

BILL

AN ACT TO ENUMERATE THE RIGHTS OF NONPUBLIC SCHOOL PARENTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE, AND MENTAL HEALTH OF THEIR MINOR CHILDREN.

The General Assembly of North Carolina enacts:

PART I. PRIVATE SCHOOL PARENTS' BILL OF RIGHTS

SECTION 1. Article 39 of Subchapter Z of Chapter 115C is amended by adding a new Part to read:

"**Part 2b. Private School Parents' Bill of Rights.**

"**§ 115C-562.9. Definitions.**

The following definitions apply in this Part:

(1) Reserved for future codification purposes.

(2) Child. – A person less than 18 years of age who has not been emancipated pursuant to Article 35 of Chapter 7B of the General Statutes.

(3) Reserved for future codification purposes.

(4) Reserved for future codification purposes.

(5) Parent. – A person who has legal custody of a child, including a natural parent, adoptive parent, or legal guardian.

(6) Nonpublic School. – Any school under Parts 1 and 2 of this Article.

"**§ 115C-562.10. Parents' bill of rights.**

A parent has the right to the following:

(1) To direct the education and care of his or her child.

(2) To direct the upbringing and moral or religious training of his or her child.

(3) To enroll his or her child in a public or nonpublic school and in any school choice options available to the parent for which the child is otherwise eligible by law in order to comply with compulsory attendance laws, as provided in Part 1 of Article 26 of Chapter 115C of the General Statutes.

(4) To access and review all education records, to the same extent afforded public school students under the federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, relating to his or her child.

(5) To make health care decisions for his or her child, unless otherwise provided by law, including Article 1A of Chapter 90 of the General Statutes.

(6) To access and review all medical records of his or her child, as authorized by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), P.L. 104-191, as amended, except as follows:

a. If an authorized investigator requests that information not be released to a parent because the parent is the subject of an investigation of either of the following:

1. A crime committed against the child under Chapter 14 of the General Statutes.

2. An abuse and neglect complaint under Chapter 7B of the General Statutes.

b. When otherwise prohibited by law.

(7) To prohibit the creation, sharing, or storage of a biometric scan of his or her

child without the parent's prior written consent, except as authorized pursuant to a court order or otherwise required by law, including G.S. 7B-2102 and G.S. 7B-2201.

(8) To prohibit the creation, sharing, or storage of his or her child's blood or deoxyribonucleic acid (DNA) without the parent's prior written consent, except as authorized pursuant to a court order or otherwise required by law, including G.S. 7B-2201.

(9) To prohibit the creation by the nonpublic school of a video or voice recording of his or her child without the parent's prior written consent, except a recording made in the following circumstances:

a. During or as part of a court proceeding.

b. As part of an investigation under Chapter 7B or Chapter 14 of the General Statutes.

c. When the recording will be used solely for any of the following purposes:

1. A safety demonstration, including one related to security and discipline on educational property.

2. An academic or extracurricular activity.

3. Classroom instruction.

4. Photo identification cards.

5. Security or surveillance of buildings, grounds, or school transportation.

(10) To be promptly notified if an employee of the nonpublic school suspects that a criminal offense has been committed against his or her child, unless the incident has first been reported to law enforcement or the county child welfare agency, and notification of the parent would impede the investigation.

"**§ 115C-562.11. Limitations on the right to parent.**

(a) The requirements of this Part do not authorize a parent to do any of the following:

(1) Engage in unlawful conduct.

(2) Abuse or neglect the child, as defined in Chapter 7B of the General Statutes.

(b) The requirements of this Part do not prohibit the following:

(1) A court of competent jurisdiction from acting in its official capacity within the reasonable and prudent scope of its authority or issuing an order otherwise permitted by law.

"**§ 115C-562.12. Employee penalties.**

An employee of the nonpublic school who encourages, coerces, or attempts to encourage or coerce a child to withhold information from his or her parent may be subject to disciplinary action."

"**§ 115C-562.13. Priority of parental involvement in nonpublic school.**

(a) The General Assembly finds that parental involvement and empowerment is fundamental to the successful education of all students. To strengthen partnerships among parents and school personnel, nonpublic schools shall fully support and cooperate in implementing a well-planned, inclusive, and comprehensive program to assist parents and families in effectively participating in their child's education.

(b) To ensure active engagement and timely provision of information that parents can use to improve success for their child, nonpublic schools shall comply with the requirements of this Part to do all of the following:

(1) Inform parents of their legal rights and responsibilities with regards to their child's education.

(2) Provide a parent's guide for student achievement annually to parents to

provide information parents need to know about their child's educational progress and how they can help their child to succeed in school.

(3) Develop policies to effectively involve parents in schools and their child's education.

"**§ 115C-562.14. Parent legal rights for their child's education.**

(a) Notwithstanding the nonpublic school's and parents' contractual rights and responsibilities, parents have legal rights with regard to their child's education, including the following:

(1) The right to consent or withhold consent for participation in reproductive health and safety education programs, consistent with the requirements of G.S. 115C-81.30.

(2) The right to seek a medical or religious exemption from immunization requirements, consistent with the requirements of G.S. 130A-156 and G.S. 130A-157.

(3) The right to request an evaluation of their child for an academically or intellectually gifted program, or for identification as a child with a disability, as provided in Article 9 of this Chapter.

(4) The right to inspect and purchase textbooks and other supplementary instructional materials, as provided in Part 3 of Article 8 of this Chapter.

(5) The right to access information relating to the nonpublic school's policies for promotion or retention, including high school graduation requirements.

(6) The right to receive student report cards on a regular basis that clearly depict and grade the student's academic performance in each class or course, the student's conduct, and the student's attendance.

(7) The right to participate in parent-teacher organizations.

(8) The right to opt in to certain data collection for their child, as provided in Part 5 of this Article and Article 29 of this Chapter.

(9) The right for students to participate in protected student information surveys only with parental consent, as provided in Part 5 of this Article.

(10) The right to review all available records of materials their child has borrowed from a school library.

(11) The right to have any elections for the governing body be conducted by secret ballot and administered by an independent organization having no financial or other relationship with the nonpublic school, any member of the governing body, any administrator, or any employee of the school.

(12) The right to freedom of speech, including but not limited to speech regarding the curriculum, the classroom environment, and the school culture, to the same extent as public school parents and students.

(13) The right to be free from unreasonable searches and seizures by the nonpublic school to the same extent as public school parents and students.

(14) The right to be provided due process protections by the nonpublic school to the same extent as provided to public school parents and students.

(15) The right to be provided with their child's curriculum, including the books and other instructional materials to be used, prior to the first day of school and throughout the school year to the extent there are changes.

(16) The right to be free from harassment, intimidation, and retaliation by the nonpublic school for the exercise of the rights in this Part and any other rights afforded by the nonpublic school to the parents contractually.

(b) Nonpublic schools shall (i) allow parents to exercise these rights and (ii) make the rights contained in this section available to parents electronically or by displaying the information on the website of the nonpublic school.

"**§ 115C-562.15. Parent's guide for student achievement.**

(a) The State Board of Education shall develop requirements for nonpublic schools for a parent's guide to student achievement to provide what parents need to know about their child's educational progress and how they can help their child to succeed in school. These requirements shall only include the following:

(1) Parental information regarding the following:

a. Requirements for his or her child to be promoted to the next grade, including the requirements of Part 1A of Article 8 of this Chapter.

b. The course of study, textbooks, and other supplementary instructional materials for his or her child and the policies for inspection and review of those materials.

c. Progress of his or her child toward achieving State and unit expectations for academic proficiency, including policies for student assessment, and his or her child's assessment results, report cards, and progress reports.

d. Qualifications of his or her child's teachers, including licensure status.
e. School entry requirements, including required immunizations and the recommended immunization schedule.

(2) Parental actions that can do the following:
a. Strengthen the child's academic progress, especially in the area of reading as provided in Part 1A of Article 8 of this Chapter.
b. Strengthen the child's citizenship, especially social skills and respect for others.
c. Strengthen the child's realization of high expectations and setting lifelong learning goals.

d. Place a strong emphasis on the communication between the school and the home.

(3) Services available for parents and their children, such as family literacy services; mentoring, tutoring, and other academic reinforcement programs; college planning, academic advisement, and student counseling services; and after-school programs.

(4) Opportunities for parental participation, such as parenting classes, adult education, school advisory councils, and school volunteer programs.

(5) Opportunities for parents to learn about rigorous academic programs that may be available for their child, such as honors programs, Career and College Promise and other dual enrollment opportunities, advanced placement, Advanced International Certificate of Education (AICE) courses, International Baccalaureate, North Carolina Virtual High School courses, and accelerated access to postsecondary education.

(6) Educational choices available to parents, including each type of public school unit available to residents of the county in which the child lives and nonpublic school options, educational choice options offered within the public school unit, and scholarship grant programs under Part 2A of Article 39 and Article 41 of this Chapter.

(7) Rights of students who have been identified as students with disabilities, as provided in Article 9 of this Chapter.

(8) Contact information for school offices.

(9) Resources for information on the importance of student health and other available resources for parents, including the following information on available immunizations and vaccinations:

a. A recommended immunization schedule in accordance with the United States Centers for Disease Control and Prevention recommendations.

b. Information about meningococcal meningitis and influenza, as required by G.S. 115C-375.4.

(b)

(c) Each nonpublic school shall provide to parents, students, and school personnel at the beginning of each school year a parent guide for student achievement that only includes the following requirements:

(1) Includes the State Board requirements developed as provided in subsection (a) of this section and policies developed by the governing body as provided in G.S. 115C-76.35.

(2) Is understandable to students and parents.

(3) Is provided in writing to the parent.

(4) Is discussed at the beginning of each school year in meetings of students, parents, and teachers.

"**§ 115C-562.16. Nonpublic school policies to increase parental involvement.**

(a) Governing bodies of nonpublic schools shall, in consultation with parents, teachers, administrators, and community partners, develop and adopt policies to promote parental involvement and empowerment in the nonpublic school. The policies shall provide for parental choices and establish parental responsibilities. Policies that provide for parental involvement shall include the following:

(1) Providing links to parents for community services.

(2) Establishing opportunities for parental involvement in the development, implementation, and evaluation of family involvement programs.

(3) Establishing opportunities for parents to participate on school advisory councils and in school volunteer programs and other activities.

(b) Governing bodies of nonpublic schools shall establish policies to do all of the following:

(1) Provide for parental participation in their child's education to improve parent and teacher cooperation in areas such as homework, school attendance, and discipline that aligns with the parent guide for student achievement required by G.S. 115C-76.30.

(2) Require principals to effectively communicate to parents the manner in which textbooks are used to implement the school's curricular objectives.

(3) Establish a procedure for parents to learn about their child's course of study and the source of any supplementary instructional materials. This procedure shall include the process for parents to inspect and review all textbooks and supplementary instructional materials that will be used in their child's classroom. The policy shall be available for in-person review by parents at the school site and publicly available on the school's website. For the purposes of this section, a textbook is as defined in G.S. 115C-85 and supplementary instructional materials include supplementary textbooks, periodicals, audiovisual materials, and other supplementary materials used for instructional purposes.

(4) Establish a means for parents to object to textbooks and supplementary instructional materials consistent with the requirements of G.S. 115C-98.

(5) Establish a process for parents to review materials for and to consent or withhold consent for participation in reproductive health and safety education programs consistent with the requirements of G.S. 115C-81.30.

(6) Establish a process for parents to learn about the nature and purpose of clubs and activities offered at their child's school, including both curricular and extracurricular activities.

"**§ 115C-562.17. Time lines for parental requests for information.**

(a) A parent may request in writing from the principal of the school in which his or her child is enrolled any of the information the parent has the right to access, as provided in this Part. A principal, within 10 business days, shall either (i) provide the requested information to the parent or (ii) provide an extension notice to the parent that, due to the volume or complexity of the request, the information will be provided no later than 20 business days from the date of the parental request.

(b) If the principal (i) denies or fails to respond to the request for information within 10 business days or (ii) fails to provide information within 20 business days following an extension notice as provided in subsection (a) of this section, the parent may request in writing any of the information the parent has the right to access, as provided in this Part, from the head of school, along with a statement specifying the time frame of the denial or failure to provide information by the principal.

(c) If the head of school denies or does not respond to the request for information within 10 business days, the parent may appeal the denial or lack of response to the governing body of the nonpublic school no later than 20 business days from the date of the request to the head of school as provided in subsection (b) of this section. The governing body shall place the parent's appeal on the agenda for the next meeting of the body occurring more than three business days after submission of the appeal.

(d) The governing body shall establish, by policy, procedures governing requests for information and appeals that reflect the requirements of this section. The governing body may designate the process to be used by parents when submitting requests for information and shall

display information on the procedures for requests for information and appeals along with other parental rights, as required by G.S. 115C-76.25.

(e) A decision of a governing body under this section is final and is not subject to judicial review.

"**§ 115C-562.18. Notifications of student physical and mental health.**

(a) The governing body of a nonpublic school shall adopt procedures to notify a parent of the following:

(1) At the beginning of each school year, notice of each health care service offered at his or her child's school and the means for the parent to provide consent for any specific service. A parent's consent to a health care service does not waive the parent's right to access his or her child's educational records or health records or to be notified of changes in his or her child's services or monitoring.

(2) At the beginning of each school year, procedures to exercise the parental remedies provided by G.S. 115C-76.60.

(3) Prior to administration to students in kindergarten through third grade, a copy of any student well-being questionnaire or health screening form and the means for the parent to consent to the use of the questionnaire or form for his or her child.

(4) Prior to or contemporaneous with changes, notice of changes in services or monitoring related to his or her child's mental, emotional, or physical health or well-being and the school's ability to provide a safe and supportive learning environment for that child.

(5) Prior to any changes in the name or pronoun used for a student in school records or by school personnel, notice to the parent of the change.

(b) In accordance with the right of parents provided in Chapter 114A of the General Statutes, the procedures shall include a requirement that school personnel do one or both of the following:

(1) Encourage a child to discuss issues related to the child's well-being with his or her parent.

(2) Facilitate discussion of the issue with the child's parents.

(c) The procedures shall not prohibit parents from accessing any of their child's education and health records created, maintained, or used by the nonpublic school, except as follows:

(1) As limited by G.S. 114A-10(6)a.

(2) When a reasonably prudent person would believe that disclosure would result in the child becoming an abused juvenile or neglected juvenile, as those terms are defined in G.S. 7B-101.

(d) The governing body and nonpublic school shall not adopt procedures or forms that do any of the following:

(1) Prohibit school employees from notifying a parent about his or her child's mental, emotional, or physical health or well-being or a change in related services or monitoring.

(2) Encourage or have the effect of encouraging a child to withhold from that child's parent information about his or her mental, emotional, or physical health or well-being or a change in related services or monitoring.

(e) School personnel shall not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being.

"**§ 115C-562.19. Student support services training.**

Student support services training developed or provided by a nonpublic school to school personnel shall adhere to student services guidelines, standards, and frameworks established by the Division of Non-Public Education.

"**§ 115C-562.20. Age-appropriate instruction for grades kindergarten through fourth grade.**

Instruction on gender identity, sexual activity, or sexuality shall not be included in the curriculum provided in grades kindergarten through fourth grade, regardless of whether the information is provided by school personnel or third parties. For the purposes of this section, curriculum includes locally developed curriculum, supplemental instruction, and textbooks and other supplementary materials, but does not include responses to student-initiated questions.

"**§ 115C-562.21. Remedies for parental concerns.**

(a) The governing body of a nonpublic school shall adopt procedures for a parent to notify the principal at his or her child's school regarding concerns about a nonpublic school's procedure or practice under this Part and a process for resolving those concerns within seven days of the date of notification by the parent. If the parental concern has not been resolved within 30 days following the date of notification by the parent, the nonpublic school shall provide a statement of the reasons for not resolving the concern.

(b) If a concern is not resolved by the nonpublic school within 30 days, a parent may do either of the following:

(1) Notify the State Board of Education of the concern and request a parental concern hearing. The State Board shall establish rules for parental concern hearings. At a minimum, the rules shall require the following:

a. The State Board of Education shall appoint a qualified hearing officer. To qualify as a hearing officer, an individual must be a member in good standing of the North Carolina State Bar with demonstrated experience in education or administrative law within the last five years.

b. The hearing shall be conducted in accordance with rules established by the State Board.

c. The hearing officer shall determine facts related to the dispute over the nonpublic school's procedure or practice, consider information provided by the nonpublic school, and render a recommended decision for resolution to the State Board of Education within 30 days after assignment to the parental concern hearing.

d. The State Board shall approve or reject the recommended decision at its next regularly scheduled board meeting held more than seven days after receipt of the recommended decision.

e. The nonpublic school shall pay for the costs of the hearing officer.

(2) Bring an action against the nonpublic school for a declaratory judgment that the nonpublic school's procedure or practice violates this Part. The court may award injunctive relief to a parent and shall award reasonable attorneys' fees and costs to a parent awarded injunctive relief.

(c) The provisions of this section are in addition to any other remedies or procedures authorized or permitted by law.

"**§ 115C-562.22. Parental rights to opt-in to protected information surveys.**

(a) The following definitions shall apply in this section:

(1) Adult student. – An enrolled student who is 18 years of age or older or is an emancipated minor.

(2) Protected information survey. – A survey, analysis, or evaluation that reveals information concerning any of the following:

a. Political affiliations or beliefs of the student or the student's parent.

b. Mental or psychological problems of the student or the student's family.

c. Sex behavior or attitudes.

d. Illegal, antisocial, self-incriminating, or demeaning behavior.

e. Critical appraisals of other individuals with whom respondents have close family relationships.

f. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers.

g. Religious practices, affiliations, or beliefs of the student or student's parent.

h. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

(b) The nonpublic school shall make the following available to parents and adult students at least 10 days prior to administration of a protected information survey. The nonpublic school shall provide opportunities for review of the following both electronically and in person:

(1) The process for providing consent to participation in the protected information survey.

(2) The full text of the protected information survey.

(c) No student shall be permitted to participate in a protected information survey without the prior written or electronic consent of the parent or the adult student.

(d) The requirements of this section are in addition to the rights provided to parents and students under the Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h.

"**§ 115C-562.23. Reporting requirements.**

(a) Each nonpublic school shall report annually by September 15 the following information to the State Board of Education in a format designated by the State Board:

(1) The most current version of the policies and procedures adopted as required by this Part with any modifications of the policy or procedure from the prior year's submission clearly delineated.

(2) The following information from the prior school year:

a. The number of appeals to the governing body under G.S. 115C-76.40 and the percentage of appeals decided in favor of the parent and in favor of the administration in the prior school year.

b. The number of statements provided to parents as required by G.S. 115C-76.60(a).

c. The number of parental concern hearings involving the nonpublic school as provided in G.S. 115C-76.60(b)(1).

d. The number of actions brought against the nonpublic school as provided in G.S. 115C-76.60(b)(2) and the number of declaratory judgments entered against the nonpublic school.

(b) The State Board of Education shall report annually by November 15 to the Joint Legislative Education Oversight Committee and the Joint Legislative Commission on Governmental Operations on the following:

(1) A summary of each data point received from nonpublic school pursuant to subsection (a) of this section.

(2) Identification of any trends in noncompliance.

(3) An appendix of each nonpublic school's report."

SECTION 2.(b) G.S. 115C-150.16, as enacted by S.L. 2023-10, reads as rewritten:

"**§ 115C-150.16. Applicability of Chapter.**

Except as otherwise provided in this ~~Article,~~ Article and Article 7B of this Chapter, the requirements of this Chapter shall not apply to the schools for the deaf and blind. Schools for the deaf and blind shall be considered a State agency, as defined in G.S. 143C-1-1, and shall comply with all requirements for State agencies unless otherwise specified in this Article. Schools for the deaf and blind shall not be considered local school administrative units."

SECTION 2.(c) G.S. 115C-218.10 reads as rewritten:

"**§ 115C-218.10. Charter school exemptions.**

Except as provided in this Article and Article 7B of this Chapter, and pursuant to the provisions of its charter, a charter school is exempt from statutes and rules applicable to a local board of education or local school administrative unit."

SECTION 2.(d) G.S. 115C-238.60(b) reads as rewritten:

"(b) Except as otherwise provided in this ~~Part,~~ Part and Article 7B of this Chapter, a regional school is exempt from statutes and rules applicable to a local board of education or local school administrative unit."

SECTION 2.(e) G.S. 115C-402.15 reads as rewritten:

"**§ 115C-402.15. Parental notification regarding rights to student records and opt-out opportunities.**

(a) Annual Parental Notification. – Local boards of education shall annually provide parents, by a method reasonably designed to provide actual notice, information on parental rights under State and federal law with regards to student records and opt-out opportunities for disclosure of directory information as provided under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, and notice and ~~opt-out~~ opt-in opportunities for surveys covered by G.S. 115C-76.65 and the Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h.

(b) Notice Content. – The notice shall include information on parental rights under State and federal law to:

(1) Inspect and review education records.
(2) Seek to amend inaccurate education records.
(3) Provide written consent prior to disclosure of personally identifiable information from education records, except as otherwise provided by law. Information shall be included on disclosure of directory information and parental rights to opt out of disclosure of directory information.
(4) File a complaint with the U.S. Department of Education concerning alleged failures to comply with the Family Educational Rights and Privacy Act.
(5) Receive notice and the opportunity to ~~opt out~~ opt in prior to the participation of the student in a protected information survey under G.S. 115C-76.65 and 20 U.S.C. § 1232h."

SECTION 2.(f) G.S. 116-239.5(d) reads as rewritten:

"(d) Except as otherwise provided in this ~~Article,~~ Article and Article 7B of Chapter 115C of the General Statutes, the Subcommittee, the chancellor of each constituent institution that operates a laboratory school, and the laboratory school are exempt from statutes and rules applicable to a local board of education or local school administrative unit."

SECTION 2.(g) Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision to read:

"(3a) Article 7B, Public School Unit Requirements."

SECTION 2.(h) By June 30, 2024, the Department of Public Instruction shall review and update, as necessary, all of the following in accordance with this act:

(1) School counseling frameworks and standards.
(2) Educator practices and professional conduct principles.

(3) Other student services and school personnel guidelines, standards, or frameworks.

SECTION 2.(i) This section is effective when it becomes law and applies beginning with the 2023-2024 school year.

PART III. PARENTAL AUTHORIZATION FOR HEALTH CARE OF MINORS

SECTION 3.(a) Article 1A of Chapter 90 of the General Statutes is amended by adding a new Part to read:

"Part 3. Parental Consent for Treatment.

"**§ 90-21.10A. Definitions.**

The following definitions apply in this Article:

(1), (2) Reserved for future codification purposes.

(3) Health care facility. – A health care facility, licensed under Chapter 131E or 122C of the General Statutes, where health care services are provided to patients, including:

a. An agent or employee of the health care facility that is licensed, certified, or otherwise authorized to provide health care services.

b. The officers and directors of a health care facility.

(4) Health care practitioner. – An individual who is licensed, certified, or otherwise authorized under this Chapter, Chapter 90B, Chapter 90C, or Chapter 115C of the General Statutes to provide health care services in the ordinary course of business or practice of a profession or in an approved education or training program, or an agent or employee of that individual.

(5) Minor. – Any person under the age of 18 who has not been married or has not been emancipated pursuant to Article 35 of Chapter 7B of the General Statutes.

(6) Parent. – A minor's parent, guardian, or person standing in loco parentis. A person standing in loco parentis is a person who has assumed parental responsibilities, including support and maintenance of the minor.

(7) Treatment. – Any medical procedure or treatment, including X-rays, the administration of drugs, blood transfusions, use of anesthetics, and laboratory or other diagnostic procedures employed by or ordered by a health care practitioner, that is used, employed, or ordered to be used or employed commensurate with the exercise of reasonable care and equal to the standards of medical practice normally employed in the community where the health care practitioner administers treatment to the minor child.

"**§ 90-21.10B. Parental consent for treatment.**

(a) Except as otherwise provided in this Article or by court order, a health care practitioner shall not provide, solicit, or arrange treatment for a minor child without first obtaining written or documented consent from that minor child's parent.

(b) Except as otherwise provided in this Article or by court order, a health care facility shall not allow treatment to be performed on a minor child in its facility without first obtaining written or documented consent from that minor child's parent.

(c) This section does not apply to services provided by a clinical laboratory unless the services are delivered through a direct encounter with the minor child at the clinical laboratory facility.

"**§ 90-21.10C. Penalty.**

A health care practitioner or other person that violates this section is subject to disciplinary action by the board that licensed, certified, or otherwise authorized the health care practitioner to provide treatment, including a fine of up to five thousand dollars ($5,000)."

SECTION 3.(b) This section becomes effective December 1, 2023, and applies to violations committed on or after that date.

PART IV. EFFECTIVE DATE

SECTION 4. Except as otherwise provided, this act becomes effective August 15, 2023.

In the General Assembly read three times and ratified this the 3rd day of July, 202_.

s/ Carl Ford
Presiding Officer of the Senate

s/ Erin Paré
Presiding Officer of the House of Representatives

_____
Governor

Approved _____.m. this _____day of _____, 202_