

House Bill 526

By: Representatives Loudermilk of the 14th, Lewis of the 15th, Scott of the 2nd, Jerguson of the 22nd, Franklin of the 43rd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 49 of the Official Code of Georgia Annotated, relating to family
2 planning services, so as to revise and add definitions; to provide that agencies may offer
3 medical referral services to persons who are not unemancipated minors; to provide that
4 agencies shall not provide medical referral services to unemancipated minors except under
5 certain conditions; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 7 of Title 49 of the Official Code of Georgia Annotated, relating to family planning
10 services, is amended in Code Section 49-7-2, relating to definitions, as follows:

11 "49-7-2.

12 As used in this chapter, the term:

13 (1) 'Agencies' means the department, county boards of health, health districts, county
14 departments of family and children services, and district departments of family and
15 children services.

16 (2) 'Birth control device' means any drug, medical preparation, medical procedure,
17 medical device, rhythm chart, contraceptive, or related product whose primary function
18 is to prevent pregnancy.

19 ~~(2)(3) 'Family-planning services' means counseling and interviews with trained personnel~~
20 ~~regarding birth control, infertility, and family-planning methods and procedures; and~~
21 ~~distribution of literature relating to birth control, infertility, and family planning; referral~~
22 ~~to licensed physicians or local health departments for consultation, examination, tests,~~
23 ~~medical treatment, and prescriptions for the purposes of birth control, infertility, and~~
24 ~~family planning; and, to the extent prescribed, the distribution of rhythm charts, drugs,~~
25 ~~medical preparations, contraceptive devices, and similar products used for birth control~~
26 ~~and family planning.~~

1 (4) 'Medical referral services' means referral to licensed physicians or local health
 2 departments for consultation, examination, tests, medical treatment, and prescriptions for
 3 the purposes of birth control, infertility, and family planning.

4 (5) 'Proper identification' means any document issued by a governmental agency
 5 containing a description of a person, the person's photograph, or both, including, but not
 6 limited to, a driver's license, an identification card authorized under Code Sections 40-5-
 7 100 through 40-5-104 or similar identification card issued by another state, a military
 8 identification card, a passport, or an appropriate work authorization issued by the United
 9 States Immigration and Naturalization Service.

10 (6) 'Unemancipated minor' means any person under the age of 18 who is not or has not
 11 been married or who is under the care, custody, and control of such person's parent or
 12 parents, guardian, or the juvenile court of competent jurisdiction."

13 SECTION 2.

14 Said chapter is further amended in Code Section 49-7-3, relating to persons to whom
 15 agencies may offer services, as follows:

16 "49-7-3.

17 (a) Within the limitations of the funds available to such agencies, all agencies are
 18 authorized to offer family-planning services to any person who is in any one or more of the
 19 following classifications:

- 20 (1) Married;
- 21 (2) The parent of at least one child;
- 22 (3) Pregnant; or
- 23 (4) Requesting such services.

24 (b) Within the limitations of the funds available to such agencies, all agencies are
 25 authorized to offer medical referral services, contraceptives, and birth control devices to
 26 any person who is not an unemancipated minor and is requesting such services."

27 SECTION 3.

28 Said chapter is further amended in Code Section 49-7-4, relating to services provided at no
 29 cost, as follows:

30 "49-7-4.

31 ~~Agencies may support family-planning services at no cost to the recipients of such services~~
 32 ~~in accordance with rules and regulations of said agencies.~~

33 The agencies, employees of such agencies, or contractors of such agencies shall not provide
 34 any medical referral services, contraceptives, or birth control devices to an unemancipated
 35 minor unless such minor seeking the services is accompanied by a parent or guardian who

1 shows proper identification and states that he or she is the lawful parent or guardian of such
2 minor and that such parent or guardian has been notified that such services have been
3 requested by the minor."

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SECTION 4.

5 All laws and parts of laws in conflict with this Act are repealed.