

105TH CONGRESS
2D SESSION

H. R. 3230

To provide for parental notification of family planning services, and reporting under State law for minors who are victims of abuse, rape, molestation, or incest, under title X of the Public Health Service Act.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 1998

Mr. MANZULLO (for himself, Mr. HYDE, Mr. ISTOOK, Mr. CANNON, Mr. HOEKSTRA, Mrs. EMERSON, and Mr. BACHUS) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To provide for parental notification of family planning services, and reporting under State law for minors who are victims of abuse, rape, molestation, or incest, under title X of the Public Health Service Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Title X Parental Noti-
5 fication Act of 1998”.

1 **SEC. 2. REQUIREMENTS WITH RESPECT TO STATE REPORT-**
2 **ING REQUIREMENTS FOR MINORS WHO ARE**
3 **VICTIMS OF ABUSE, RAPE, MOLESTATION, OR**
4 **INCEST, AND WITH RESPECT TO PARENTAL**
5 **NOTIFICATION, UNDER TITLE X OF PUBLIC**
6 **HEALTH SERVICE ACT.**

7 (a) **APPLICABILITY OF STATE LAW.**—Notwithstand-
8 ing any other provision of law, no provider of services
9 under title X of the Public Health Service Act shall be
10 exempt from any State law requiring notification or the
11 reporting of child abuse, child molestation, sexual abuse,
12 rape, or incest.

13 (b) **CONTRACEPTIVE DRUGS AND DEVICES.**—None of
14 the funds appropriated in any Federal Act for any fiscal
15 year for carrying out title X of the Public Health Service
16 Act may be made available to any family planning project
17 under section 1001 of such title if any provider of services
18 in the project knowingly provides contraceptive prescrip-
19 tion drugs or contraceptive prescription devices to a
20 minor, unless—

21 (1) the minor is emancipated under applicable
22 State law;

23 (2) a court of competent jurisdiction has di-
24 rected that the minor may receive the drugs or de-
25 vices;

1 (3) such provider of services has given actual
2 written notice to a custodial parent or custodial legal
3 guardian of the minor, notifying the parent or legal
4 guardian of the intent to provide the drugs or de-
5 vices, at least five business days before providing the
6 drugs or devices; or

7 (4) the minor has the written consent of a cus-
8 todial parent or custodial legal guardian to receive
9 the drugs or devices.

10 (c) CERTIFICATIONS BY PROVIDERS; REGULA-
11 TIONS.—Each provider of services under title X of the
12 Public Health Service Act shall each year certify to the
13 Secretary of Health and Human Services compliance with
14 this section. Such Secretary shall prescribe such regula-
15 tions as may be necessary to effectuate this section.

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