

2023 South Dakota Legislature

House Bill 1225**AMENDMENT 1225B
FOR THE INTRODUCED BILL**

1 **An Act to clarify informed consent requirements for the provision of prenatal and**
2 **postnatal care to minors.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That chapter 26-1 be amended with a NEW SECTION:**

5 If a ~~pregnant~~ minor seeks prenatal ~~care~~, or if a ~~minor seeks~~ postnatal care, a health
6 care provider may offer the minor the opportunity to provide informed consent for such
7 care, and thereafter act on that consent, if the health care provider determines and
8 documents that:

9 (1) The minor's parent is unavailable to provide informed consent; or

10 (2) The minor's parent is incapable, because of a mental or physical incapacity, of
11 providing informed consent.

12 This section does not apply to an emancipated minor, as defined in § 25-5-24.