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A BILL  
25-463

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To amend Chapter 6 of Title 22-B of the District of Columbia Municipal Regulations to permit a minor who is 16 years of age or older enrolled in Medicaid or the DC HealthCare Alliance to access their medical records and consent to health services without parental consent if the minor is capable of meeting the informed consent standard.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Minor Access to Medical Records and Appointments Regulations Amendment Act of 2023.”

Sec. 2. Chapter 6 of Title 22-B of the District of Columbia Municipal Regulations (22-B DCMR § 600) is amended by adding a new subsection 600.10 to read as follows:

“600.10 (a) A minor who is sixteen (16) years of age or more and enrolled in a Medicaid or DC HealthCare Alliance health benefits plan may:

“(1) Request their medical records from a health care provider without parental consent; and

“(2) Make medical appointments and consent to the provision of health services for themselves without parental consent; provided, that the minor is capable of meeting the informed consent standard.

“(b) For the purposes of this subsection, the term:

28                   “(1) “Health services” means primary care, dental, and vision health services, but  
29 shall not include specialist care, emergency care, surgery, or vaccinations; provided, that nothing  
30 in this definition shall be construed to limit or prevent a minor from seeking any health service  
31 that a minor is otherwise entitled to under any other provision in this chapter.

32                   “(2) “Informed consent standard” means the minor is able to comprehend the need for,  
33 the nature of, and any significant risks ordinarily inherent in the health services to be provided.”.

34                   Sec. 3. Fiscal impact statement.

35                   The Council adopts the fiscal impact statement in the committee report as the fiscal  
36 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
37 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

38                   Sec. 4. Effective date.

39                   This act shall take effect following approval by the Mayor (or in the event of veto by the  
40 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
41 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
42 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
43 Columbia Register.