

LEGISLATIVE BILL 1096

Approved by the Governor March 1, 1972

Introduced by Wally Barnett, Jr., 26th District; Ramey C. Whitney, 44th District

AN ACT relating to public health; to provide for the examination and treatment for venereal disease of any person under twenty years of age with the consent of such person as prescribed; to provide exemptions from liability; to provide for parental liability for expenses; to provide for interviews as prescribed; to repeal sections 71-1119 and 71-1120, Revised Statutes Supplement, 1969; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. The state or local director of health, if a physician, or his agent, or any physician, upon consultation by any person as a patient, shall, with the consent of such person who is hereby granted the right of giving such consent, make or cause to be made a diagnostic examination for venereal disease and prescribe for and treat such person for venereal disease including prophylactic treatment for exposure to venereal disease whenever such person is suspected of having a venereal disease or contact with anyone having a venereal disease. All such examinations and treatment may be performed without the consent of, or notification to, the parent, parents, guardian or any other person having custody of such person. In any such case, the state or local director of health, if a physician, or his agent, or the physician shall incur no civil or criminal liability by reason of having made such diagnostic examination or rendered such treatment, but such immunity shall not apply to any negligent acts or omissions. The state or local director of health, if a physician, or his agent, or the physician shall incur no civil or criminal liability by reason of any adverse reaction to medication administered; Provided, reasonable care is taken to elicit from any such person who is under twenty years of age any history of sensitivity or previous adverse reaction to medication. Parents shall be liable for expenses of such treatment to minors under their custody. In the event such person is affected with a venereal disease, the state or local director of health may cause an interview of the person by a venereal disease investigator to secure the names of sexual contacts so that appropriate investigation can be made in an effort to locate and eliminate sources of infection.

Sec. 2. That sections 71-1119 and 71-1120, Revised Statutes Supplement, 1969, are repealed.

Sec. 3. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.