

ASSEMBLY, No. 2074

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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District 36 (Bergen and Passaic)

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District 14 (Mercer and Middlesex)

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SYNOPSIS

Allows follow up calls from operators of NJ Suicide Hopeline to minors at risk of committing suicide.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the New Jersey Suicide Hopeline, amending
2 P.L.1968, c.230, and supplementing Chapter 9A of Title 30 of
3 the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. Section 1 of P.L.1968, c.230 (C.9:17A-4) is amended to read
9 as follows:

10 1. a. (1) The consent to the provision of medical or surgical
11 care or services or a forensic sexual assault examination by a
12 hospital or public clinic, or consent to the performance of medical
13 or surgical care or services or a forensic sexual assault examination
14 by a health care professional, when executed by a minor who is or
15 believes that he or she may have a sexually transmitted infection, or
16 who is at least 13 years of age and is or believes that he or she may
17 be infected with the human immunodeficiency virus or have
18 acquired immune deficiency syndrome, or by a minor who, in the
19 judgment of the treating health care professional, appears to have
20 been sexually assaulted, shall be valid and binding as if the minor
21 had achieved the age of majority. Any such consent shall not be
22 subject to later disaffirmance by reason of minority. In the case of
23 a minor who appears to have been sexually assaulted, the minor's
24 parents or guardian shall be notified immediately, unless the
25 treating healthcare professional believes that it is in the best
26 interests of the patient not to do so. Inability of the treating health
27 care professional, hospital, or clinic to locate or notify the parents
28 or guardian shall not preclude the provision of any emergency or
29 medical or surgical care to the minor or the performance of a
30 forensic sexual assault examination on the minor.

31 (2) As used in this subsection, "health care professional" means a
32 physician, physician assistant, nurse, or other health care
33 professional whose professional practice is regulated pursuant to
34 Title 45 of the Revised Statutes.

35 b. When a minor believes that he or she is adversely affected
36 by a substance use disorder involving drugs or is a person with a
37 substance use disorder involving drugs as defined in section 2 of
38 P.L.1970, c.226 (C.24:21-2) or is adversely affected by an alcohol
39 use disorder or is a person with an alcohol use disorder as defined
40 in section 2 of P.L.1975, c.305 (C.26:2B-8), the minor's consent to
41 treatment under the supervision of a physician licensed to practice
42 medicine, or an individual licensed or certified to provide treatment
43 for an alcohol use disorder, or in a facility licensed by the State to
44 provide for the treatment of an alcohol use disorder, shall be valid
45 and binding as if the minor had achieved the age of majority. Any

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

 Matter underlined thus is new matter.

1 such consent shall not be subject to later disaffirmance by reason of
2 minority. Treatment for an alcohol use disorder or a substance use
3 disorder involving drugs that is consented to by a minor shall be
4 considered confidential information between the physician, the
5 treatment provider, or the treatment facility, as appropriate, and the
6 patient, and neither the minor nor the minor's physician, treatment
7 provider, or treatment facility, as appropriate, shall be required to
8 report such treatment when it is the result of voluntary consent,
9 except as may otherwise be required by law.

10 When a minor who is **【sixteen】** 16 years of age or older believes
11 that he or she is in need of behavioral health care services for the
12 treatment of mental illness or emotional disorders, the minor's
13 consent to temporary outpatient treatment, excluding the use or
14 administration of medication, under the supervision of a physician
15 licensed to practice medicine, an advanced practice nurse, or an
16 individual licensed to provide professional counseling under Title
17 45 of the Revised Statutes, including, but not limited to, a
18 psychiatrist, licensed practicing psychologist, certified social
19 worker, licensed clinical social worker, licensed social worker,
20 licensed marriage and family therapist, certified psychoanalyst, or
21 licensed psychologist, or in an outpatient health care facility
22 licensed pursuant to P.L.1971, c.136 (C.26:2H-1 et seq.), shall be
23 valid and binding as if the minor had achieved the age of majority.

24 When a minor who is 16 years of age or older believes that he or
25 she is in need of behavioral health care services for the treatment of
26 mental illness or emotional disorders and places a telephone call to
27 the New Jersey Suicide Hopeline for counseling and support, that
28 minor shall be allowed to consent to receive a follow-up call from
29 the operator of the hopeline who received and responded to the
30 minor's original call without parental consent or authorization in
31 accordance with the provisions of P.L. , c. (C.) (pending
32 before the Legislature as this bill), and that consent shall be valid
33 and binding as if the minor had achieved the age of majority.

34 Any such consent shall not be subject to later disaffirmance by
35 reason of minority. Treatment for behavioral health care services
36 for mental illness or emotional disorders or receiving a follow-up
37 telephone call from an operator of the New Jersey Suicide Hopeline
38 pursuant to the provisions of P.L. , c. (C.) (pending before
39 the Legislature as this bill) that is consented to by a minor shall be
40 considered confidential information between the physician, the
41 individual licensed to provide professional counseling, the
42 advanced practice nurse, **【or】** the health care facility, or the
43 operator of the New Jersey Suicide Hopeline that places a follow-up
44 call, as appropriate, and the **【patient】** minor, and neither the minor
45 nor the minor's physician, professional counselor, nurse, **【or】**
46 outpatient health care facility or the operator of the New Jersey
47 Suicide Hopeline, as appropriate, shall be required to report such

1 treatment or telephone call when it is the result of voluntary
2 consent.

3 The consent of no other person or persons, including but not
4 limited to, a spouse, parent, custodian, or guardian, shall be
5 necessary in order to authorize a minor to receive such hospital
6 services, facility, or clinical care or services, medical or surgical
7 care or services, or counseling services from a physician licensed to
8 practice medicine, an individual licensed or certified to provide
9 treatment for an alcohol use disorder, an advanced practice nurse, or
10 an individual licensed to provide professional counseling under
11 Title 45 of the Revised Statutes, or for the minor to receive a
12 follow-up telephone call from an operator of the New Jersey
13 Suicide Hopeline pursuant to P.L. , c. (C.) (pending before
14 the Legislature as this bill), as appropriate, except that behavioral
15 health care services for the treatment of mental illness or emotional
16 disorders shall be limited to temporary outpatient services only.
17 (cf: P.L.2017, c.131, s.7)

18
19 2. (New section) An operator of the New Jersey Suicide
20 Hopeline who receives and responds to a telephone call from a
21 minor who is 16 years of age or older for counseling and support
22 and the operator identifies as at a high risk of committing suicide
23 shall place follow-up calls to the minor, as appropriate, without the
24 necessity of obtaining parental consent or authorization pursuant to
25 subsection b. of section 1 of P.L.1968, c.238 (C.9:17A-4).

26
27 3. This act shall take effect immediately.
28
29

30 STATEMENT

31
32 This bill allows operators of the New Jersey Suicide Hopeline to
33 place follow-up telephone calls to minors, 16 years of age or older
34 who place calls to the hotline for counseling and support and who
35 are identified as being at a high risk of committing suicide, without
36 having to obtain the consent or authorization of the minor's parent.

37 Under current guidelines governing suicide hotlines established
38 by the National Suicide Prevention Helpline, operators of such
39 hotlines are prohibited from placing follow-up calls to minors who
40 they identify as being at a high risk of committing suicide without
41 the consent or authorization of the minor's parent.

42 The bill amends section 1 of P.L.1968, c.230 (C.9:17A-4) to
43 stipulate that when a minor who is 16 years of age or older believes
44 that he or she is in need of behavioral health care services for the
45 treatment of mental illness or emotional disorders and places a call
46 to the New Jersey Suicide Hopeline for counseling and support, the
47 minor would be allowed to consent to receive a follow-up telephone
48 call from the operator of the hotline who received and responded to

1 the minor's original call without parental consent or authorization.
2 The minor's consent would be valid and binding as if the minor
3 were an adult.

4 Presently, minors can consent to certain types of temporary,
5 outpatient, behavioral health, and substance use disorder treatment
6 services. Current law does not allow minors to receive follow-up
7 calls from the operators of suicide hotlines without parental
8 consent.

9 The bill also amends section 1 of P.L.1968, c.230 (C.9:17A-4) to
10 mandate that the minor's consent for receiving a follow-up
11 telephone call from an operator of the New Jersey Suicide Hopeline
12 would be considered confidential information between the operator
13 and minor, and the minor or the operator would not be required to
14 report the call to the minor's parent, if the call was the result of
15 voluntary consent. The bill amends the law to also stipulate that a
16 minor would not need the consent of anyone to receive a follow-up
17 call from an operator of the hotline.

18 The New Jersey Suicide Hopeline is a Statewide suicide
19 prevention hotline provided in partnership with Rutgers University
20 Behavioral Health Care and the Division of Mental Health and
21 Addiction Services in the Department of Human Services. In 2018,
22 the hotline received approximately 15,488 calls from youth under
23 the age of 25. Research shows there is a significant benefit to
24 follow-up telephone calls from operators of suicide hotlines to
25 youth who are in crisis and at high risk for suicide. Allowing the
26 operators of the New Jersey Suicide Hopeline to make follow-up
27 calls to minors who are at a high risk to commit suicide would help
28 in the prevention of youth suicide in the State.