

Confidentiality/Minor Consent Laws

For Educational Purposes Only

PARENT/GUARDIAN CONSENT EXCEPTIONS

A parent or legal guardian must provide consent on behalf of a minor (under age 19) before health care services are provided, with **several important exceptions**:

- **Emergency care**
- **Care for independent minors**
 - living apart from parents and managing their own financial affairs; marriage OR active military duty
- **Specific health care services related to:**
 - Sexual health

Patients under 19 have the right to the following WITHOUT parent/guardian consent:

- Pregnancy testing and prenatal care
- Birth control information and contraceptives
- Testing and treatment for sexually transmitted infections/STIs (parents/guardians remain financially responsible for services)

MINORS NEED A PARENT/GUARDIAN'S PERMISSION FOR:

- Vaccines (including HPV)
- Mental health services and medications
- Substance use treatment
- Abortion (unless minor is age 18; *OR* in cases of parental abuse/neglect; *OR* a court approved waiver is obtained)

HEALTH CARE PROVIDERS MUST OVERRIDE THE MINOR'S CONFIDENTIALITY AND REPORT IF:

- The minor is a risk to themselves or someone else
- There is suspicion of abuse or neglect by an adult
- The minor is under age 12 and has been involved in sexual activity with a person age 19 or older
- The minor is under age 16 and has been involved in sexual activity with a person age 25 or older

ACCESS TO MEDICAL RECORDS

- Parents/guardians can access minors' records, but provider may use discretion to prohibit parent/guardian access if it is not in the minor's best interest

If maximum privacy and confidentiality is important to the adolescent, then family planning clinics offer the maximum safeguards.

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