

## Confidentiality/ Minor Consent Laws

### PARENT/GUARDIAN CONSENT EXCEPTIONS

A parent or legal guardian must provide consent on behalf of a minor (under age 18) before health care services are provided, with **several important exceptions**.

- **Emergency care**
- **Care for emancipated minors**
  - Minors can be emancipated by: court order, marriage, military active duty.
- **Specific health care services related to:**
  - Sexual health
  - Mental health
  - Substance use treatment

**Patients under 18 have the right to the following WITHOUT parental/guardian consent or knowledge:**

- Pregnancy testing and prenatal care
- Birth control information and contraceptives
- Testing and treatment for sexually transmitted infections (STI's), including HIV
- Substance abuse treatment

### PATIENTS AGES 14 AND UP CAN ACCESS MENTAL HEALTH COUNSELING WITHOUT PARENTAL/GUARDIAN CONSENT OR KNOWLEDGE

- Up to 12 visits, or 4 months

### MINORS NEED A PARENT/GUARDIAN'S PERMISSION FOR:

- Vaccines (including HPV)
- Mental health medications
- Inpatient mental health treatment
- An abortion (unless a court-approved waiver is obtained)

### MINOR ACCESS TO PREP (PRE-EXPOSURE PROPHYLAXIS)

- Available to minors without parental consent if prescribed in a Title X clinic
- If not at a Title X clinic, parental consent is required unless the minor has had a recent STI

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

- There is suspicion of abuse by an adult
- The minor is a risk to themselves or someone else
- The minor is under age 12 and has been sexually active
- The provider may choose (but is not obligated) to tell the parents about any care provided to the minor patient, for a compelling medical reason