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
  o Minors can be emancipated by: court order, marriage, military active duty.
• Specific health care services related to:
  o Sexual health
  o Mental health and 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 (STIs), including HIV
• Substance use treatment (inpatient or outpatient)

PATIENTS AGES 14 AND UP CAN ACCESS OUTPATIENT MENTAL HEALTH COUNSELING WITHOUT PARENTAL/GUARDIAN CONSENT OR KNOWLEDGE
• Up to 12 visits or 4 months (whichever comes first)

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 regardless of recent STIs

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 the age of 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