

Consent Requirements for MEDICAL TREATMENT OF MINORS

| IF MINOR IS: | <i>Is parental consent required?</i> | <i>Are parents responsible for costs? †</i> | <i>Is minor's consent sufficient?</i> | <i>May M.D. inform parents of treatment without minor's consent?</i> |
|--|--------------------------------------|---|---------------------------------------|--|
| Unmarried, no special circumstances | Yes | Yes | No | Yes |
| Unmarried, emergency care and parents not available [Business and Professions Code § 2397] | No | Yes | Yes, if capable | Yes |
| Currently or previously married or in a domestic partnership [Family Code § 7002] | No | No | Yes | No |
| Emancipated (declaration by court, identification card from DMV) [Family Code §§ 7002, 7050, 7140] | No | Probably Not ¹ | Yes | No |
| Self-sufficient (15 or older, not living at home, manages own financial affairs) [Family Code § 6922] | No | No | Yes | ¹ |
| Not married, care related to prevention or treatment of pregnancy, except sterilization [Family Code § 6925] | No | No | Yes | No |
| Not married, seeking abortion [Family Code § 6925] | No | No | Yes | No |
| Not married, pregnant, care not related to prevention or treatment of pregnancy and no other special circumstances | Yes | Yes | No | Yes |
| On active duty with Armed Forces [Family Code § 7002] | No | No | Yes | No |
| 12 or older, care related to diagnosis or treatment of a communicable reportable disease or to prevention of an STD [Family Code § 6926] | No | No | Yes | No |
| 12 or older, care for rape ¹ [Family Code § 6927] | No | No | Yes | Yes, usually ¹ |
| Care for sexual assault or intimate partner violence ¹ [Family Code §§ 6928 and 6930] | No | No | Yes | Yes, usually ¹ |
| 12 or older, care for alcohol or drug abuse ¹ [Family Code § 6929] | No ² | Only if parents are participating in counseling | Yes | Yes, usually ¹ |
| 12 or older, care for mental health treatment, outpatient only ¹ [Family Code § 6924; Health and Safety Code § 124260] | No | Only if parents are participating in counseling | Yes | Yes, usually ¹ |
| 17 or older, blood donation only [Health and Safety Code § 1607.5] | No | No | Yes | Probably not |

¹ Special requirements or exceptions may apply. See *Chapter 4 of the Consent Manual* or *Chapter 3 of Minors & Health Care Law*.

² Parental consent *is* required for a minor's participation in replacement narcotic abuse treatment (such as methadone, LAAM or buprenorphine products) in a licensed narcotic treatment program [Family Code § 6929(e)]

Note: Notwithstanding the above information, a psychotherapist may not disclose mental health information to a parent who has lost physical custody of a child in a juvenile court dependency hearing unless the parent has obtained a court order granting access to the information.

† Reference: Welfare and Institutions Code § 14010

Minors are defined as all persons under 18 years of age.

