

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 program licensed pursuant to Health and Safety Code § 11875 (now codified at § 11839 *et. seq.* [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.

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