



LEGAL CONSENT REQUIREMENTS for the MEDICAL TREATMENT of MINORS

If the patient is:	Parental Consent Required?	Parents Responsible for Cost?	Minor's Consent Sufficient?	May Doctor Inform Parents of Treatment w/o Minor's Consent?
Under 18, unmarried, no special circumstances	Yes	Yes	No	Yes
Under 18, married or previously married (FC 7002, 7050)	No	No	Yes	No
Under 18, no special circumstances, emergency and parents not available	No	Yes	Yes	Yes
Emancipated Minor (declaration by court, identification card from DMV) (FC 7002, 7050)	No	No	Yes	No
Self-Sufficient Minor (over 15, not living at home, manages own financial affairs)(FC 6922)	No	No	Yes	Yes
Not married, pregnant, under 18 (care related to prevention or treatment of pregnancy, including consent to an abortion) (FC 6925)	No	Yes*	Yes	Probably Not
Not married, pregnant, under 18 (care not related to prevention or treatment of pregnancy and no other special circumstances) (FC 6925)	Yes	Yes	No	Yes
Under 18, on active duty with Armed Forces (FC 7002, 7050)	No	No	Yes	No
Under 18, over 12, care for contagious reportable disease or condition (FC 6926)	No	No	Yes	Probably Not
Under 18, over 12, care for rape (FC 6927)	No	Yes*	Yes	Probably
Under 18, care for sexual assault (FC 6928)	No	Yes*	Yes	Yes, unless doctor thinks parent/guardian committed assault
Under 18, over 12, care for alcohol or drug abuse (FC 6929)	No	Only if they participate in counseling	Yes	Yes, required involvement unless professional person decides notification inappropriate

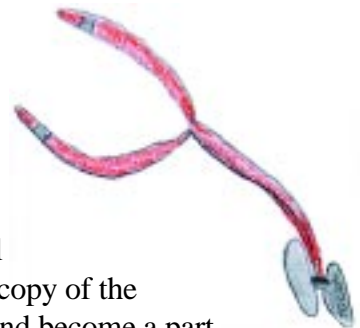
* Although usually a minor's parent or guardian remains legally responsible for payment even though the law allows the minor to give consent, in some instances other considerations, such as confidentiality of medical information, may prevent the hospital from seeking payment from the minor's parent or guardian.

If the patient is:	Parental Consent Required?	Parents Responsible for Cost?	Minor's Consent Sufficient?	May Doctor Inform Parents of Treatment w/o Minor's Consent?
Ages 15 to 17, and wishing to make a donation of blood (H&S 1607.5)	Yes	No	No	Yes, doctor as well as parents must authorize the donation in writing
Age 17 or older, and wishing to make a donation of blood (H&S 1607.5)	No	No	Yes	Probably Not
Under 18, over 12, care for mental health treatment, outpatient only (FC 6924) Minor must be mature enough to participate intelligently and minor is alleged victim of abuse/incest or minor would present danger to self/others without treatment.	No	Only if participate in counseling	Yes	Yes, required involvement unless a professional person decides notification is inappropriate

ADDITIONAL INFORMATION

1. Life-Sustaining Treatment. Although parents or guardians are the appropriate surrogate decisionmakers for minors, life-sustaining treatment should not be withheld from a competent minor unless the minor and the parent(s) or guardian agree.

2. Guardian Consent to Medical Treatment. If a guardian has been appointed for the minor, the capacity of the guardian to consent to medical treatment for the minor will depend upon the type of treatment. NOTE: A copy of the official certified letters of guardianship should be obtained and placed in and become a part of the minor's medical record prior to proceeding with treatment.



a. Nonsurgical Treatment. The guardian has the same rights as a parent who has legal custody of the child to consent to nonsurgical treatment for the ward. (Probate Code 2353(a))

b. Surgical Treatment. If the minor is 14 years of age or older, surgery may not be performed upon the minor without:

- consent of both minor and guardian;
- consent of guardian alone provided that the guardian determines in good faith based on medical advice that the case involves an emergency in which minor faces loss of life or serious bodily injury if surgery is not performed; or
- a court order is obtained by the guardian.

Fact Sheets for Teen Parents can be found on-line at: <http://www.teenparents.org>