

# Consent for Treatment by Minors



A minor is defined by law as a person under 18 years of age, who has never been married and never been declared an adult by a court. Generally, minors do not have legal rights to consent to medical treatment. However, some exceptions do apply.

When dealing with teens, confidentiality is essential. When teens want to make health care decisions on their own, physicians are encouraged to urge them to also talk with their parents or guardians.

Under the law, a minor can consent to medical treatment:

- If on active duty with the armed forces of the United States.
- For diagnosis and treatment of any reportable infectious, contagious, or communicable disease, including all sexually transmitted diseases. This also could include some vaccine-preventable illnesses, such as hepatitis B.
- If unmarried and pregnant to treat the pregnancy (other than abortion).
- If 16 years of age or older, living apart from his or her parents and managing his or her own financial affairs.
- For examination and treatment for addiction, dependency, or any other condition related to drug or chemical use.
- For counseling for suicide prevention; chemical addiction or dependency; or sexual, physical, or emotional abuse.

To properly treat adolescent patients, physicians and their staff are encouraged to receive ongoing training about state and federal consent and confidentiality laws related to adolescent health care.

## For More Information About Adolescent Health and the Law

- Center for Adolescent Health & the Law at [www.adolescenthealthlaw.org](http://www.adolescenthealthlaw.org);
- Legal and Ethical Issues Facing Adolescent Health Care Professionals, *The Mount Sinai Journal of Medicine*, at [www.mssm.edu/msjournal/71/71\\_3\\_pages\\_181\\_185.pdf](http://www.mssm.edu/msjournal/71/71_3_pages_181_185.pdf); and
- Texas Family Code at <http://tlo2.tlc.state.tx.us/statutes/fa.toc.htm>.

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### Source

Neavel C, Tyson E. Liability and Reporting Issues in Adolescent Medicine.