



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**
 - Minors can be emancipated by: court order, marriage, military active duty.
- **Specific health care services related to:**
 - Sexual health
 - 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 assessment and treatment
- Outpatient mental health services
- Gender-affirming care

PATIENTS AGES 16 AND UP CAN ACCESS OUTPATIENT MENTAL HEALTH COUNSELING WITHOUT PARENTAL/GUARDIAN CONSENT OR KNOWLEDGE

MINORS NEED A PARENT/GUARDIAN'S PERMISSION FOR:

- Vaccines (including HPV; minors CAN consent to the Hepatitis B vaccine)
- Mental health medications (minors 16+ can self-consent to outpatient therapy and medications)
- Inpatient mental health treatment

MINOR ACCESS TO PREP (PRE-EXPOSURE PROPHYLAXIS)

- PrEP prescriptions (with or without a recent STI) do NOT require parental consent
 - Minors may consent to HIV prevention
- Parental consent is NOT required in any setting
 - Minnesota law lets minors independently consent to STI/HIV services, including PrEP)

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 age 13 and sexually active



- The provider may choose to tell the parents about any care provided to the minor patient, for a compelling medical reason

Reference: *Adolescent & Young Adult Health Care in Minnesota: A Guide to Understanding Consent & Confidentiality Laws*. National Center for Youth Law. April 2024. <https://youthlaw.org/sites/default/files/2024-10/NCYLMInorConsentCompendium2024-Minnesota.pdf>