



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**.

- **Care for emancipated minors**
 - Minors can be emancipated by: court order, marriage, military active duty.
- **Specific health care services related to:**
 - Sexual health
 - Outpatient 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)
- Substance use assessment and treatment
- Outpatient mental health services

PATIENTS AGES 12 AND UP CAN ACCESS OUTPATIENT MENTAL HEALTH COUNSELING WITHOUT PARENTAL/GUARDIAN CONSENT OR KNOWLEDGE

MINORS NEED A PARENT/GUARDIAN'S PERMISSION FOR:

- Vaccines (minors CAN consent to the Hepatitis B and HPV vaccines)
- Mental health medications
- Inpatient mental health treatment

MINOR ACCESS TO PREP (PRE-EXPOSURE PROPHYLAXIS)

- California law lets minors independently consent to STI services (not including HIV prevention, testing, or treatment)

HEALTH CARE PROVIDERS MUST OVERRIDE THE MINOR'S CONFIDENTIALITY AND REPORT IF:

- The minor is 15 or older and living apart from their parent/guardian
- The medical service is related to drug or alcohol usage
- The medical service is related to sexual assault (unless the parent/guardian is believed to have committed the assault)
- The provider **shall** tell the parents about any care provided if they believe it is in the minor's best interest.

Reference: *Adolescent & Young Adult Health Care in California: A Guide to Understanding Consent & Confidentiality Laws*. National Center for Youth Law. April 2024 <https://youthlaw.org/sites/default/files/2024-10/NCYLMinorConsentCompendium2024-California.pdf>