

**STATE LAW SURVEY FOR USE IN APPLYING THE PERSONAL
REPRESENTATIVE FOR MINOR SECTION OF THE HIPAA
PRIVACY RULE, 45 CFR § 164.502(g)(3)**

Version 3.0, October 2006

Revision history – Version 2.0 issued in April 2003; modified version issued in August 2003 to reflect changes in FL and IL; fully updated Version 3.0 issued in October 2006.

DISCLAIMER: This survey was developed for discussion purposes only, and it is not intended to provide legal advice. Each covered entity must consult with its own attorney. The content of the chart is not guaranteed and obviously it is subject to change. Please direct any suggested revisions to David Ermer, dermer@gordon-ermer.com.

Instructions for use.

(1) **What is the general rule?:** The HIPAA Privacy Rule generally requires covered entities to safeguard an individual's protected health information ("PHI"). The individual is either the person who is the subject of the PHI or that person's personal representative. According to the Privacy Rule, 45 C.F.R § 164.502(g)(3), a parent, guardian, or other person in loco parentis with authority under local law to make health care decisions about an unemancipated minor shall be treated as the minor's personal representative, except in three circumstances identified under heading (4) below. Furthermore, parents, guardians, and other persons in loco parentis generally hold the authority to make health care decisions about their unemancipated minor children. "In loco parentis" is a Latin phrase meaning "in the position or place of a parent."

(2) **Who is an Unemancipated Minor?:** A minor is a person who is under the age of majority, and an unemancipated minor is a minor who has not exercised his or her right to independence from parental authority, if any, under applicable state law. (Please note that by exercising the right of emancipation, a minor likely will lose dependent coverage status under the FEHB Program, subject to TCC continuation of coverage rights.) The second column of this chart provides the age of majority and identifies the circumstances under which a minor can become emancipated in U.S. jurisdictions.

(3) **Which State's rules do I use?:** The chart organizes the U.S. States and D.C. in alphabetical order followed by the outlying U.S. jurisdictions. Apply the law of the place of treatment. See 15A C.J.S. § 58 "Conflicts of Law in Infancy" (2002): "As to a right acquired by law or a legal remedy given, the general rule is that the law of the jurisdiction in which the right is acquired or the remedy is given governs."

(4) **What are the Three Exceptions to the General Rule.** The Privacy Rule recognizes the following three circumstances in which an unemancipated minor must be treated as the individual: (A) when the parent, guardian, or other person in loco parentis consents to such independence, (B) when the applicable

state/local law permits the minor to exercise independent consent (and the minor exercises such authority), and (C) when applicable law permits a third party such as a court to grant consent on the minor's behalf and does so.

(5) How do I find these Exceptions Using the Survey?: Columns three through ten of the chart identify the circumstances in which a minor or a third party acting for a minor (usually found under the "Abortion Services" heading) can exercise independent consent in a particular U.S. state or other U.S. jurisdiction. If a parent, guardian or other person in loco parentis inquires about an unemancipated minor's PHI in one of these exceptional circumstances, the plan should confirm the parent's personal representative status before providing the PHI. Obtain confirmation by asking the child's health care provider whether or not the parents are making the child's health care decisions. If the provider responds affirmatively, the parents are the child's personal representatives. Document such discussions.

(6) What are the Special Disclosure Rules?: The HIPAA Privacy Rule permits a covered entity when authorized by applicable law to disclose an unemancipated minor's PHI to the parent, guardian, or other person in loco parentis who is not acting as a personal representative. The chart uses the leading phrase "Disclosure Advisory" to inform the reader of the circumstances under which a certain covered entity may make such a disclosure. In all the jurisdictions that we have identified, only the treating doctor (MD) has the express authority to make such disclosures to the parent. Where the law is ambiguous, a covered entity only may make the disclosure upon a licensed health care professional's advice. The HIPAA Privacy Rule requires covered entities to defer to state/local laws that prohibit the covered entity from disclosing a minor's protected health information to his/her parents or guardian when they are not acting as personal representative. These circumstances are identified in the chart with the leading phrase "Warning." Plans must comply with these prohibitions.

(7) When in Doubt – Use your professional judgment in difficult situations. The HIPAA Privacy Rule provides that regardless of State law or the other HIPAA Privacy Rule requirements outlined above, a covered entity may elect not to treat a person as a personal representative if (1) the covered entity has a reasonable belief that : either (a) the individual has been subjected to domestic violence, abuse, or neglect by such person, or (b) or treating such person as the personal representative could endanger the individual, and (2) the covered entity, in the exercise of professional judgment, decides that it is not in the individual's best interest to treat such person as the individual's personal representative.

The covered entity may require any disclosure request to be made in accordance with its policies and procedures for the individual to examine his or her PHI under 45 C.F.R. § 164.524. In other words, you may ask a caller to place the request in writing, provided that request is consistent with the covered entity's privacy policies and procedures and notice of privacy practices.

Jurisdiction	Age of Majority/ Emancipation Methods (if any)	Contraceptive Services	Prenatal Services	STD/HIV Services	Alcohol/Drug Abuse Treatment	Mental Health Services	General Medical Health Services	Abortion Services	Miscellaneous
Alabama	19 [Ala. Code § 26-1-1 (2005)]/ Leave of court. Ala. Code § 26-13-1, 2, 4 – 6. ¹	No law but see General Medical Health Services section.	Minor may consent independently. Ala Code § 22-8- 6.	Minor may consent independently. Ala. Code § 22-8-6.	Minor may consent independently. Ala. Code § 22-8-6.	Minor may consent independently. Ala Code § 22-8-6.	Minor (14 or older) who is: a high school graduate, married, divorced, or pregnant may consent to medical care. Ala. Code § 22-8-4.	Parental consent required – Court may waive requirement upon motion by minor. Ala. Code § 26-21-3. DISCLOSURE ADVISORY: MDs immune for disclosing abortion info to parent(s). Id> § 26-21-7. ²	Emergency treatment – minor may consent independently. Ala. Code § 22-8-3.
Alaska	18 [Alaska Stat. § 25.20.010 (Michie 2006)]/ Marriage or Leave of Court. Alaska Stat. § 25.20.020. ³	Minor may consent independently. Alaska Stat. § 25.20.025.	Minor may consent independently. Alaska Stat. § 25.20.025.	Minor may consent independently. Alaska Stat. § 25.20.025.	No law – but see General Medical Health Services section.	No law -- but see General Medical Health Services section	Minor may consent if living apart from parents/guardian and managing own financial affairs; minor may consent after MD counseling if parent/guardian is unable/unwilling to consent. Alaska Stat. § 25.20.025. ⁴	Parental consent or court order required where woman seeking abortion is under age 17. Court may waive requirement upon motion by minor. Alaska Stat. §§ 18.16.010 – 030.(NOT CURRENTLY ENFORCED (Planned Parenthood v. State, S-11365 (Alaska Feb. 17, 2004))	
Arizona	18 [Ariz. Rev. Stat. Ann. § 1-215 (2006)]/ Marriage. Ariz. Rev. Stat. Ann. § 36-2152. ⁵	No law	No law	Minor may consent independently. Ariz. Rev. Stat. Ann. § 44-132.01.	Minor (12 or older) "may consent independently to alcoholism treatment. Ariz. Rev. Stat. Ann. § 36-2024. DISCLOSURE ADVISORY: Minor over 12 may consent independently to emergency treatment when under the influence of a dangerous or narcotic drug Id. . § 44-133.01.	No law	No law	Written parental consent or court order required. Ariz. Rev. Stat. Ann. § 36- 2152.	Written parental consent required for surgical procedures (unless emergency or minor is already emancipated). Ariz. Rev. Stat. Ann. §§ 36-2271 and 44- 132.
Arkansas	18 [Ark. Code Ann. § 9- 25-101 (Michie 2006)]/ Leave of court. Ark. Code Ann. § 9-26- 104. ^{6, 7}	Minor may consent independently. Ark. Code Ann. § 20-9-602.	Minor may consent independently. Ark. Code Ann. § 20-9-602.	Minor may consent independently. DISCLOSURE ADVISORY: MD may disclose information about treatment to parent over the express objection of the minor. Ark. Code Ann. § 20-16-508.	No law – but see General Medical Health Services section.	No law – but see General Medical Health Services section.	Any minor of sufficient intelligence to understand and appreciate the proposed medical treatment may consent independently. Ark. Code Ann. § 20-9-602.	Written parental consent or court order required. Ark. Code Ann. § 20-16- 801, 804 – 805, 808	

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California	18 [Cal. Fam. Code §§ 6501 and 6502 (2006)] / Marriage; Military service; Leave of court. Cal. Fam. Code § 7002 (2006). ⁹	Minor may consent independently. Cal. Fam. Code § 6925 ¹⁰	Minor may consent independently. Cal. Fam. Code § 6925.	AIDS: Minor (12 or older) may consent independently. DISCLOSURE ADVISORY: Test results may be disclosed to specified classes of individuals. ¹¹ Cal. Health & Safety Code § 121010. ¹² STDs: Minor (12 or older) may consent independently. Cal. Fam. Code § 6926(a)	Minor (12 or older) may consent independently – but DISCLOSURE ADVISORY: Treatment plan shall involve parent unless MD determines parental involvement to be inappropriate. Cal. Fam. Code § 6929.	Minor (12 or older) may consent independently – with certain conditions. DISCLOSURE ADVISORY: Parents must be notified <u>unless</u> MD feels it would be detrimental. Cal. Fam. Code § 6924(b) (2006). ¹³	Minor (15 or older) may independently consent if he/she is living separate and apart from the minor's parents or guardian and he/she is managing own financial affairs. Also by Leave of Court. Cal. Fam. Code §§ 6911 & 6922. DISCLOSURE ADVISORY: MD may inform parent about treatment without minor's consent. Id. § 6922	Written parental consent or court order required. Cal. Health & Safety Code § 123450 THIS LAW IS NOT ENFORCED. American Academy of Pediatrics v. Lungren, 940 P.2d 797 (Cal. 1997).	
Colorado	18 [Colo. Rev. Stat. § 13-22-101 (2005)] / None	Minor may consent independently. Colo. Rev. Stat. § 13-22-105.	Minor may consent independently. Colo. Rev. Stat. § 13-22-105.	Minor may consent independently. Colo. Rev. Stat. § 25-4-402(4).	Minor may consent independently. Colo. Rev. Stat. § 25-1-308 (Alcohol Treatment); Id. § 25-1-1104 (Drug Treatment).	Minor (15 or older) may consent independently DISCLOSURE ADVISORY: MD may advise parents. Colo. Rev. Stat. § 27-10-103.	No law	No abortion until 48 hours after parental notification. Colo. Rev. Stat. § 12-37.5-104. Judicial bypass. Colo. Rev. Stat. § 12-37.5-107.	
Connecticut	18 [Conn. Gen. Stat. § 1-1d (2005)] / Leave of court, Conn. Gen. Stat. § 46b-150.	No law	No law	Only with consent of parents – unless MD believes obtaining parental consent would result in treatment being denied or if minor requests they not be informed. Conn. Gen. Stat. §19a-592.	Minor may consent independently to treatment at a state facility. Conn. Gen. Stat. § 17a-682.	Minor may consent independently; however, after six visits, the provider must notify parents unless seriously detrimental to child. Conn. Gen. Stat. § 19a-14c.	No law	Minor over 16 may consent independently; Minor (15 or younger) may consent but MD required to provide "information and counseling" Conn. Gen. Stat. § 19a-600 et. seq.	
Delaware	18 [Del. Code Tit. 1, § 701 (2005)] / None.	No law	No law	Minor may consent independently. WARNING: MD MAY NOT DISCLOSE TREATMENT TO PARENTS. Del. Code Tit. 16, § 710.	Minor (14 or older) may consent independently. Del. Code Tit. 16, § 2210.	No law	No law	Parental notification required. Del. Code Tit. 24, §§ 1780 – 1789B. Judicial waiver. Del. Code Tit. 24, § 1784.	Minor may consent to treatment if (i) minor is married, or (ii) it is an emergency, etc. Del. Code Tit. 13, § 707.
District of Columbia	18 [D.C. Code § 46-101. (2005)] / None.	Minor may consent independently (except for sterilization. 22 D.C. Mun. Regs. §§ 600.7, 603.1.	Minor may consent independently. 22 D.C. Mun. Regs. § 600.7.	Minor may consent to AIDS and STD testing. 22 D.C. Mun. Regs. § 600.7, D.C. Code § 7-1605.	Minor may consent independently. 22 D.C. Mun. Reg. § 600.7.	Minor may consent independently. 22 D.C. Mun. Reg. § 600.7.	No law	Minor may consent independently. 22 D.C. Mun. Reg. § 600.7.	
Florida	18 [Fla. Stat. Ann. § 743.07 (2005)] / None.	Minor may consent to non-surgical services independently if married, parent, pregnant, or otherwise would suffer hazards. Id. § 381.0051.	Minor may consent independently. Fla. Stat. Ann. § 743.065.	Minor may consent independently. Fla. Stat. Ann. § 384.30.	Minor may consent independently. Fla. Stat. Ann. §§ 394.499 & 394.4995.	Minor may consent independently. Fla. Stat. Ann. § 394.459.	Minor may not consent independently for general medical care. Fla. Stat. Ann. §§ 743.064 & 743.065.	Parental notification required. MD gives 48 hours written notice. Fla. Stat. Ann. §§ 390.01114 & 390.01116. Judicial waiver. Id. § 390.01114(4)	Minor may consent in emergency. Fla. Stat. Ann. §§ 743.064 & 743.065.

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Georgia	18 [Ga. Code Ann. § 39-1-1 (2006)]/ Marriage. See <i>McGregor v. McGregor</i> , ¹⁴ see also, Ga. Code Ann. §31-9-2	See Pre-natal services	Any female, regardless of age or marital status, may consent for herself when given in connection with pregnancy, or the prevention thereof, or childbirth Ga. Code. Ann. § 31-9-2(a)(5)	Minor may consent independently. Ga. Code Ann. § 31-17-7(a)(2006) DISCLOSURE ADVISORY: At Physician's discretion, results may be disclosed to parent. <i>Id</i> § 31-17-7(b). ¹⁵ Where a minor is at risk of HIV infection, such risk may be disclosed to parent/guardian at physician's discretion. Ga. Code Ann. § 24-9-47(k) .	Minor may consent independently. Ga. Code Ann. § 37-7-8 DISCLOSURE ADVISORY: At Physician's discretion, results may be disclosed to parent. <i>Id</i> .	Minor over age 12 may self-admit for observation and diagnosis. Written parental consent required for treatment. Ga. Code Ann. § 37-3-20(a) .	No law	No abortions for unemancipated minors, unless: 1. Parent/guardian accompanies the minor and signs statement of their notification; 2. MD gives 24 actual notice in person or by telephone; or 3. MD gives 48 written notice in accordance with statute. Ga. Code Ann. § 15-11-112. ¹⁶	
Hawaii	18 [Haw. Rev. Stat. Ann. § 577-1 (Michie 2006)]/ Marriage. Haw. Rev. Stat. Ann. § 577-25 (Michie 2006).	Minor (14 or older) may consent independently. Haw. Rev. Stat. Ann. § 577A-2 DISCLOSURE ADVISORY: MD may disclose results after consultation with the minor. Haw. Rev. Stat. Ann. § 577A-3	Minor (14 or older) may consent independently. Haw. Rev. Stat. Ann. § 577A-2 DISCLOSURE ADVISORY: MD may disclose results after consultation with the minor. Haw. Rev. Stat. Ann. § 577A-3	Minor (14 or older) may consent independently. Haw. Rev. Stat. Ann. § 577A-2. DISCLOSURE ADVISORY: MD may disclose results after consultation with the minor. Haw. Rev. Stat. Ann. § 577A-3	Minor may consent independently. Haw. Rev. Stat. Ann. § 577-26 DISCLOSURE ADVISORY: MD may disclose results after consultation with the minor. Haw. Rev. Stat. Ann. § 577-26(a)	No law	No law	No law	
Idaho	18 [Idaho Code § 32-101 (Michie 2005)]/ Marriage. <i>Id.</i> ¹⁷	Minor (12 or older) may consent independently. Idaho Code §§ 39-4502.	Minor (12 or older) may consent independently. Idaho Code § 39-4502.	Minor (14 or older) may consent independently. Idaho Code §§ 39-3801 DISCLOSURE ADVISORY: MD must report case to the Dep't of Health and Welfare. Idaho Code § 39.602	Minor (aged 16 to 17) may consent independently. Idaho Code § 37-3102. WARNING: Information about such treatment may NOT be disclosed except with consent of the minor patient. <i>Id.</i>	Minor (12 or older) may consent independently. Idaho Code § 39-4502.	Minor of ordinary intelligence and awareness may consent to medical services ("any person of ordinary intelligence and awareness"). Idaho Code §§ 39-4502. ¹⁸ .	Parental consent or court order. §§ 18-609A. THIS LAW CANNOT BE ENFORCED. <i>Wasden v. Planned Parenthood of Idaho</i> , 376 F.3d 908 (9th Cir. 2004)	Infectious, contagious, or communicable disease – Minor (14 or older) may consent independently to treatment. Idaho Code 39-3801
Illinois	18 [750 Ill. Comp. Stat. Ann. 30/3-1 (West 2005)]/ Leave of Court. 750 Ill. Comp. Stat. Ann. 30/3-7. ¹⁸	Minor may consent independently in certain circumstances. 325 Ill. Comp. Stat. Ann. 10/1 ¹⁹	Minor may consent independently 325 Ill. Comp. Stat. Ann. 10/1	Minor (12 or older) may consent independently. 410 Ill. Comp. Stat. Ann. 210/4 (West 2005). DISCLOSURE ADVISORY: Such must be disclosed to the Dept. of Public Health. WARNING: Information about such treatment may NOT be disclosed except with consent of the minor patient. <i>Id.</i> and 410 Ill. Comp. Stat. Ann. 210/5	Minor (12 or older) may consent independently. 410 Ill. Comp. Stat. Ann. 210/4 (West 2005). WARNING: Information about such treatment may NOT be disclosed except with consent of the minor patient. <i>Id.</i> and 410 Ill. Comp. Stat. Ann. 210/5	Minor (12 or older) may consent independently for outpatient treatment and (15 or older) may self-admit to a facility.. WARNING: Information about such treatment may NOT be disclosed except with consent of the minor patient. 405 Ill. Comp. Stat. Ann. 5/3-501	Minor may consent independently, if they are: married, a parent themselves, pregnant, or has parental consent. 410 Ill. Comp. Stat. Ann. 210/1	Advance notice to parents required (or court order) 750 Ill. Comp. Stat. 70/15). THIS LAW CANNOT BE ENFORCED. <i>Zbaraz v. Ryan</i> , 1996 WL 33293423 (N.D. Ill. Feb. 8, 1996)	Minor may consent independently in emergencies and in cases of sexual assault. 410 Ill. Comp. Stat. Ann. 210/3

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Indiana	18 [Ind. Code Ann. § 1-4-5 (Michie 2005)]/ Leave of Court. Ind. Code Ann. § 31-34-20-6. ²¹	No law but see General Medical Health Services section.	No law but see General Medical Health Services section.	Minor may consent independently. Ind. Code Ann. § 16-36-1-3	No law but see General Medical Health Services section.	No law but see General Medical Health Services section.	Minor may consent if emancipated, married, divorced, in the military, authorized by statute, or age 14 and living apart from parents. Ind. Code Ann. § 16-36-1-3(a)	Parental consent or court order required. Ind. Code Ann. § 16-34-2-4	DISCLOSURE ADVISORY: A party authorized to make health care decisions for another is authorized to receive information relevant to the treatment and to consent to the disclosure of health care records. Ind. Code Ann. § 16-36-1-11
Iowa	18 [Iowa Code. § 135L.1 (2005)] / Marriage OR Criminal Conviction as an adult. Iowa Code § 599.1.	No law	No law	Minor may consent independently. Iowa Code § 139A.35. DISCLOSURE ADVISORY: Positive HIV test results must be disclosed to parents. Iowa Code Ann. § 141A.7(3).	Minor may consent independently, and WARNING: Information about such treatment may not be disclosed to parents w/out minor's consent. Iowa Code. § 125.33.	No law	No law	Parental notification required (notice = 48 hours in writing) or court order. Iowa Code § 135L.3. ²²	DISCLOSURE ADVISORY FOR HIV TESTING: Information shall be made available for release to the following individuals: 1. To the subject of a test or the subject's legal guardian; or 2. To any person who secures a written release. Iowa Code § 141A.9(1)(a)-(b).
Kansas	18 [Kan. Stat. Ann. § 38-101 (2005)] / Marriage (if also age 16). Kan. Stat. Ann. § 38-101.	No law but see General Medical Health Services section.	Minor may consent independently when no parent or guardian is available. Kan. Stat. Ann. § 38-123.	Minor may consent independently. Kan. Stat. Ann. § 65-2892.	Minor may consent independently. Kan. Stat. Ann. § 65-2892a.	No law but see General Medical Health Services section.	Minor may consent if over age 16 where parent or guardian is not immediately available. Kan. Stat. Ann. § 38-123b.	Parental notification or court order required. Kan. Stat. Ann. § 65-6705.	Minor may consent to emergency care. Kan. Stat. Ann. § 65-2891. Minor (age 16 or older) may consent to donate blood. Kan. Stat. Ann. § 38-123a.
Kentucky	18 [Ky. R.S. § 2.015 (2005)] / None.	Minor may consent independently. Ky .R.S. § 214.185.	Minor may consent independently. Ky .R.S. § 214.185.	Minor may consent independently. Ky .R.S. § 214.185.	Minor may consent independently. Ky R.S. § 214.185.	Minor (16 or older) may consent independently to outpatient care. Ky. R.S. § 214.185.	Minor who is married, divorced, or has a child may give consent; medical professional may render treatment without parental/guardian consent if delay caused by obtaining consent would harm minor's health. Ky R.S. § 214.185.	Parental consent or court order. Ky .R.S. § 311.732.	
Louisiana	18 [La. Civ. Code art. 29 (2005)] / Marriage. La. Civ. Code art. 379; or Court order at (16 years old). La. Civ. Code art. 385.	No law	No law	Minor may consent independently. La. Rev. Stat. § 40:1095	Minor may consent independently. La. Rev. Stat. § 40:1096	No law	Minor may consent independently. La. Civ. Code § 40:1095	Parental consent or court order. La. Rev. Stat. § 40:1299.35.5.	Non-parental consent situations: La. Rev. Stat. § 40:1299.53 lists persons who may consent to treatment for minors where no person in prior class is reasonably available.

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Maine	18 [1 Me. Rev. Stat. Ann. §§ 72, 73 (2005)] / None.	Minor may consent independently if married, a parent, or otherwise may suffer health hazards. . 22 Me. Rev. Stat. Ann. §1908	No law	Minor may consent independently. 22 Me. Rev. Stat. Ann. § 1502, 1823.	Minor may consent independently. 22 Me. Rev. Stat. Ann. § 1502.	Minor may consent independently. 22 Me. Rev. Stat. Ann. § 1502.	No law	Family member consent or court order. 22 Me. Rev. Stat. Ann. § 1597-A.	Minor may consent to forensic exam after sexual assault. 22 Me. Rev. Stat. Ann. § 1507.
Maryland	18 [Md Code, Article 1, § 24 (2005)]/ None.	Minor may consent independently. Md Code, Health General, § 20-102.	Minor may consent independently. Md Code, Health General, § 20-102.	Minor may consent independently. Md Code, Health General, § 20-102.	Minor may consent independently. Md Code, Health General, § 20-102.	Minor may consent independently. If, in the judgment of the attending physician or a psychologist, the life or health of the minor would be affected adversely by delaying treatment to obtain the consent of another individual. Md Code, Health General, § 20-102.	Minor may consent if married (or divorced - "has contracted a lawful marriage") or has a child. Md Code, Health General, § 20-102.	Parental notification required. (Exceptions: 1. Where notice might lead to physical or emotional abuse of the minor; 2. where minor is mature and able to give informed consent; 3. where notice is not in minor's best interest. Md Code, Health General, § 20-103.	Minor may also consent to: emergency treatment or treatment of injuries (collection of evidence) in sexual assault case or initial exam following admission to a detention center. Md Code, Health General, § 20-102. DISCLOSURE ADVISORY: MD may inform parents of treatment provided with minor consent (except abortion) Md Code, Health General § 20-102(f).
Massachusetts	18 [Mass. Gen. Laws Ann., Ch. 231 § 85P/ (2006)]/ None.	No law	Minor may consent independently. Mass. Gen. Laws Ann., Ch. 112, § 12F.	Minor may consent independently. Mass. Gen. Law Ann., Ch. 111 § 117, Ch. 112, § 12F	Minor (12 or older) may consent independently. Mass. Gen. Laws Ann., Ch. 112, § 12E.	No law	Minor may consent if married or divorced, in the military, living apart. Right does not extend to sterilization or abortion unless married or divorced. Gen. Laws Ann., Ch. 112, § 12F.	Parental consent or court order required. Mass. Gen. Laws Ann., Ch. 112, § 12S.	
Michigan	18 [Mich. Comp. Laws § 722.4 (2005)]/ Marriage: service in armed forces; court order. Mich. Comp. Laws § 722.4.	No law	Minor may consent independently. Mich. Comp. Laws § 333.9132(1). DISCLOSURE ADVISORY: For medical reasons, treating MD may disclose care to putative father, spouse, or parent id.	Minor may consent independently. Mich. Comp. Laws § 333.5127.	Minor may consent independently. Mich. Comp. Laws § 333.6121.	Minor (14 or older) may consent to outpatient care independently. Mich. Comp. Laws § 330.1707(1). See also Miscellaneous. WARNING: Such treatment may not be disclosed to parent unless there is a compelling need for disclosure. Mich. Comp. Laws §§ 330.1707(2) and 330.1707(3).	No law	Parental consent or court order required. Mich. Comp. Laws § 722.903-904.	Minor (14 or above) may consent to hospitalization for mental health care if s/he is found to be "suitable for hospitalization." Mich. Comp. Laws §§ 330.1498 c(b) ²⁴ and 330.1498 d(4).

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Minnesota	18 [Minn. Stat. Ann § 645.451(3)]/ Marriage Id. § 144.342 Living independently. Id. § 144.341.	No law	Minor may consent independently. Minn. Stat. Ann § 144.343.	Minor may consent independently. Minn. Stat. Ann § 144.343.	Minor may consent independently. Minn. Stat. Ann § 144.343.	No law	No law	48 hrs advance notice to parents or court order required except (1) when such notice may endanger minor's health or (2) minor alleges parental abuse. Minn. Stat. Ann § 144.343.	Minor may consent independently to hepatitis B vaccination. Minn. Stat. Ann § 144.343. Emergencies. Minn. Stat. Ann § 144.344.1.
Mississippi	18 For medical consent purposes and 21 for other purposes [Miss. Code §§ 1-3- 27, 41-41-3, 41-41- 51 (2005)]/ Marriage: Court order or on referral of MD, clergy, family planning clinic, educational institution, or state agency. Id. § 41- 41-51..	No law	Minor may consent independently. Miss. Code § 41- 41-3.	Minor may consent independently. Miss. Code § 41-41-13.	Minor (15 or older) may consent independently. Miss. Code § 41-41- 14. DISCLOSURE ADVISORY: For medical reasons, treating MD may disclose care to spouse or parent Id.	No law	Minor may not give consent for general medical treatment. Miss. Code § 41- 41-3.	Parental consent or court order required. Miss. Code § 41-41- 53, 55.	Minor may consent to emergency care. Miss. Code § 41-41- 7.
Missouri	18 [Mo. Rev. Stats. § 431.055 (2005)]/ Marriage. Mo. Rev. Stat. §§ 431.061(3) & 431.061(5).	No law	Minor may consent independently. Mo. Rev. Stats. § 431.061(4)(a).	Minor may consent independently. Mo. Rev. Stats. § 431.061(4)(b).	Minor may consent independently. Mo. Rev. Stats. § 431.061(4)(c).	No law	No law	Parental consent or court order required. Mo. Rev. Stats. § 188.028.	
Montana	18 [Mont. Code Ann. § 41-1-101(2005)]/ Court Order (if 16 or older) Mont. Code Ann. § 41-1-501.	No law but see General Medical Health Services section	Minor may consent independently. Mont. Code Ann. § 41-1-402. DISCLOSURE ADVISORY: MD may inform parents. Id. § 41-1-403.	Minor may consent independently. Mont. Code Ann. § 41-1-402. DISCLOSURE ADVISORY: MD may inform parents. Mont. Code Ann. § 41-1- 403.	Minor may consent independently. Mont. Code Ann. § 41-1-402. DISCLOSURE ADVISORY: MD may inform parents. Mont. Code Ann. § 41-1-403.	No law – but see General Medical Health Care services section	Minor may consent to medical or surgical care in several situations, i.e., married; has had a child; graduated from high school. ²⁵ Mont. Code Ann § 41-1-402. DISCLOSURE ADVISORY: MD may inform parents. Id. § 41-1- 403.	Parental notification required. Mont. Code Ann. §§ 41-1- 405(4), 50-20-204. THIS LAW IS NOT ENFORCED. Wicklund v. State, ADV-97-671 (Mon. Dist. Ct Feb 25, 1999)	Emergency care - Minor may consent independently. Mont. Code Ann. § 41-1- 402. DISCLOSURE ADVISORY: MD may inform parents. Mont. Code Ann. § 41-1-403.
Nebraska	19 [Neb. Stat. § 43- 2101 (2005)]/ Marriage. Neb. Stat. § 43-2101.	No law	No law	Minor may consent independently. Neb. Stat. § 71-504.	No law.	No law	No law	Parental consent or court order required. Neb. Stat. § 71- 6902. Exception -- when a grave risk to the life or health of the mother exists and insufficient time is available to contact the parents.	

Jurisdiction	Age of Majority/ Emancipation Methods (if any)	Contraceptive Services	Prenatal Services	STD/HIV Services	Alcohol/Drug Abuse Treatment	Mental Health Services	General Medical Health Services	Abortion Services	Miscellaneous
Nevada	18 Nev. Rev. Stat. § 129.010/ Court order. Nev. Rev. Stat. § 129.080. ²⁶	No law but see General Medical Health Services section	No law but see General Medical Health Services section	Minor may consent independently. Nev. Rev. Stat. § 129.060.	Minor may consent independently. Nev. Rev. Stat. § 129.050. DISCLOSURE ADVISORY: MD must make every reasonable effort to report the treatment to parents. <i>Id</i> § 129.050(3).	Minor may not consent to sterilization. Nev. Rev. Stat. § 129.030(4)	Minor may consent to treatment if living apart from parent/guardian for at least 4 months; is married or divorced; has borne a child; and understands the nature and purpose of the proposed examination and its probable outcome. ²⁷ Nev. Rev. Stat. § 129.030.	Parental notification required. Nev. Rev. Stat. § 442.255.	Minors may consent in emergencies if reasonable efforts have been made to contact parents. In addition, anyone in loco parentis may give consent in emergencies. Nev. Rev. Stat. § 129.040.
New Hampshire	18 [N.H. Rev. Stat. Ann. § 21:44 (2005)] If emancipated in another state. N.H. Rev. Stat. Ann. Title 1, Chapter 21-B:2. ²⁸	No law	No law	Minor (14 or older) may consent independently. R.S.A. § 141-C:18.II (2005). DISCLOSURE ADVISORY: MD may disclose positive results of AIDS test minor's parents. N.H. Rev. Stat. Ann. § 141-F:7-III.	Minor (12 or older) may consent independently. N.H. Rev. Stat. Ann. § 318-B:12-a	Application must be made by parent or guardian. Minor may consent independently at a state facility. N.H. Rev. Stat. Ann. § 135-C:12 (2005). DISCLOSURE ADVISORY: Treatment info may be disclosed. N.H. Rev. Stat. Ann. § 135-C:19-a (2002).	No law	48 hour advance parental notification or court order required unless life-threatening condition exists and insufficient time exists to notify parents. N.H. Rev. Stat. Ann. § 132.25, .26 THIS LAW CANNOT BE ENFORCED <i>Planned Parenthood of Northern New England v. Heed</i> , 390 F.3d 53 (1 st Cir. 2004), rev'd and remanded, 546 U.S. ____ (Jan. 18, 2006)	Minor may consent to emergency care. N.H. Rev. Stat. Ann. § 135:21-b (2002).
New Jersey	18 [Title 9:17B-3]/ Marriage; Military Service; Pregnancy/Children; Court Order; not financially dependent.	No law but see General Medical Health Services section	Minor may consent independently. NJ Rev. Stat 9:17A-1.	Minor (13 or older) may consent independently. NJ Rev. Statutes 9:17A-4.1 DISCLOSURE ADVISORY: MD may inform parents. NJ Rev. Stat 9:17A-5.	Minor may consent independently. NJ Rev. Statutes 9:17A-4.2. DISCLOSURE ADVISORY: , MD may inform parents. NJ Rev. Stat 9:17A-5.	No law but see General Medical Health Services section	Minor may consent independently. NJ Rev. Statutes 9:17A-4. DISCLOSURE ADVISORY: MD may inform parents. NJ Rev. Stat 9:17A-5.	Parental consent or court order required. N.J. Rev. Stat. § 9:17A-1. THIS LAW IS NOT ENFORCED. <i>Planned Parenthood v. Farmer</i> , 762 A.2d 620 (N.J. 2000)	Minor may consent to treatment in case of sexual assault – MD must notify parents. NJ Rev. Stats. 9:17A-4. DISCLOSURE ADVISORY: Parents are statutorily entitled to have access to unemancipated minor's medical records. NJ Rev. Stats. 9:2-4.2.

Jurisdiction	Age of Majority/ Emancipation Methods (if any)	Contraceptive Services	Prenatal Services	STD/HIV Services	Alcohol/Drug Abuse Treatment	Mental Health Services	General Medical Health Services	Abortion Services	Miscellaneous
New Mexico	18 [N.M. Stat. Ann. § 28-6-1 (2006)]/ If 16, then emancipation by: Marriage, active duty in armed forces, or court order. N.M. Stat. 32A-21-3.	No law	Minor may consent independently. N.M. Stat. Ann. §§ 24-1-13 & 4-1-13.1.	Minor may consent independently. N.M. Stat. Ann. § 24-1-9.	No law	Minor (14 or older) may consent independently. N.M. Admin. Code § 7.20.11.7.	No law	Parental consent required. N.M. Stat. Ann. § 30-5-1. THIS LAW IS NOT ENFORCED. Op. Att'y Ge'l No. 90-19 (1990).	
New York	18 [N.Y. Gen. Oblig. § 3-101 (2005)], N.Y. Pub He. § 2504/ Parent, Marriage. N.Y. Pub. He. § 2504.	No law	Minor may consent independently. N.Y. Pub. He. § 2504.	Minor may consent independently. N.Y. Pub. He. § 2305.	Minor may consent independently. N.Y. Ment. Hy. § 22.11.	Minor may consent independently in certain circumstances ³⁷ . N.Y. Ment Hyg § 33.21(c). Minor (16 or older) may consent to psychotropic medication under certain circumstances ³⁸ . N.Y. Ment Hyg § 33.21(e). DISCLOSURE ADVISORY: MD must notify parent of this decision.	No law	No law	Minor may consent independently in emergencies. N.Y. Pub. He. § 2504.
North Carolina	18 [N.C. Gen. Stat. § 90-21.6. (2005)]/ Marriage. Id. Minor aged 16 or older may petition a court for emancipation. Id. § 7B-3500	No law	Minor may consent independently. N.C. Gen. Stat. § 90-21.5.	Minor may consent independently. N.C. Gen. Stat. § 90-21.5.	Minor may consent independently. N.C. Gen. Stat. § 90-21.5.	Minor may consent independently. N.C. Gen. Stat. § 32A-32.	No law	Parental consent required. N.C. Gen. Stat. §§ 90-21.5 to 90-21.10.	
North Dakota	18 [N.D. Cent. Code § 14-10-01 (2005)]/ None.	No law	No law	Minor (14 or older) may consent independently. N.D. Cent. Code § 14-10-17.	Minor (14 or older) may consent independently. N.D. Cent. Code § 14-10-17.	No law	No law	Parental consent required (unless married or court order). N.D. Cent. Code § 14-02.1-03.1	Minor may consent independently in emergencies. N.D. Cent. Code § 14-10-17.1.

Jurisdiction	Age of Majority/ Emancipation Methods (if any)	Contraceptive Services	Prenatal Services	STD/HIV Services	Alcohol/Drug Abuse Treatment	Mental Health Services	General Medical Health Services	Abortion Services	Miscellaneous
Ohio	18 [Oh. Rev. Code § 2151.01.1 (2005)]/ Marriage or entry into military service.	No law	No law	Minor may consent independently. Oh. Rev. Code § 3701.24.2.	Minor may consent independently. Oh. Rev. Code § 3719.01.2.	Minor (14 or older) may consent independently for limited services. Oh. Rev. Code § 5122.04. ³⁶ WARNING: MD may not inform parents w/o minor's consent. Id.	No law	Parental notification or court order required. Oh. Rev. Code §§ 2151.85, 2505.07.3, & 2919.12.	
Oklahoma	18 [Okla. Stat. Ann. Tit. 63, § 2601(2002)]/ Armed forces, court order. Okla. Stat. Ann. Tit. 63, § 2602 & Tit. 10, § 91. Married, parent, or separated from parents. Okla. Stat. Ann. Tit. 63, § 2602.	No law	Minor may consent independently; DISCLOSURE ADVISORY: MD may inform parents. Okla. Stat. Ann. Tit. 63, § 2602.	Minor may consent independently; DISCLOSURE ADVISORY: MD may inform parents, unless the minor is not pregnant. Okla. Stat. Ann. Tit. 63, § 2602.	Minor may consent independently; DISCLOSURE ADVISORY: MD may inform parents, unless the minor is disease free. Okla. Stat. Ann. Tit. 63, § 2602.	No law	No law	No law	Emergency care – Minor may consent independently; MD may inform parents. Okla. Stat. Ann. Tit. 63, § 2602.
Oregon	18 [Or. Rev. Stat. § 109.510 (2005)]/ Court Order. Or. Rev. Stat. § 419B.558(1)(a) – (c). ²⁹	Minor may consent independently. Or. Rev. Stat. § 109.640. MD shall involve the parents. Or. Rev. Stat. § 109.650 (2001).	No law but see General Medical Health Services section	Minor may consent independently. Or. Rev. Stat. § 109.610.	Minor (14 or older) may consent independently. MD shall involve the parents. Or. Rev. Stat. § 109.675(1) & (2).	Minor (14 or older) may consent to such treatment, but parents should be involved. Or. Rev. Stat. §§ 109.675 (2)(a) & (b) & 109.680.	Minor (15 or older) may consent independently. Or. Rev. Stat. § 109.640 (2001). DISCLOSURE ADVISORY MD shall involve the parents.	No law	Parent may delegate authority to consent on behalf of minor for 6 months or less. Or. Rev. Stat. § 109.056(1).
Pennsylvania	21 [1 Pa. Cons. Stat. § 1991 (2005)]/ Court order, 428 A.2d 615 (1993).	No law but see General Medical Health Services section	Minor may consent independently. 35 Pa. Stat. §§ 10102 & 10103.	Minor may consent independently. 35 Pa. Stat. § 521.14a; Pa. Code § 27.97.	Minor may consent independently; DISCLOSURE ADVISORY: MD may notify parents. 71 Pa. Stat. § 1690.112 (2002).	Minor (14 or older) may consent. 50 Pa. Stat. § 7201 (2002); DISCLOSURE ADVISORY: MD must notify parents if the minor is under 18 years old. 50 Pa. Stat. § 7204.	Minor over 18 years old, or who has graduated from high school, has married or has been pregnant may consent independently. 35 Stat. § 10101.	Parental consent or court order required. 18 Pa. Cons. Stat. § 3206 (A) & (C) .	A physician may render medical, dental and health services to a minor without parental consent if withholding such treatment until consent is obtained would increase the risk to the minor's life or health. 35 Pa. Stat. § 10104.

	Age of Majority / Emancipation Methods (if any)	Contraceptive Services	Pre-Natal Services	STD?HIV Services	Alcohol / Drug Abuse Treatment	Mental Health Services	General Medical Health Services	Abortion Services	Miscellaneous
Rhode Island	18 [R.I. Gen. Laws § 15-12-1 (2005)]/ Leave of court. R.I. Gen. Laws § 14-1-59.1.	No law but see General Medical Health Services section	No law but see General Medical Health Services section	Minor may consent independently. R.I. Gen. Laws § 23-8-1.1.	Parental consent required, unless MD determines it to be deleterious to treatment. R.I. Gen. Laws §§ 14-5-3, 14-5-4 WARNING: MD may not disclose to parents without minor's consent. Id. § 14-5-4.	No law but see General Medical Health Services section	Minor (16 or older, married, or parent) may consent. R.I. Gen. Laws § 23-4.6-1.	Parental consent or court order required. R.I. Gen. Laws § 23-4.7-6.	
South Carolina	18 [S.C. Code Ann. § 20-7-30 (2005)]/ If married, may consent to health care. S.C. Code Ann. § 20-7-270.	Minor (16 or older) may consent independently. S.C. Code Ann. § 20-7-280 & 290.	No law but see General Medical Health Services section	Minor (16 or older) may consent independently. S.C. Code Ann. § 20-7-280 & 290	Minor (16 or older) may consent independently. S.C. Code Ann. §§ 20-7-280, 20-7-290.	No law – but see General Medical Services section.	Minor (16 or older) may consent independently to general medical treatment (other than operations); Medical professional may render treatment to minor of any age without parental or guardian consent when physician deems treatment necessary. S.C. Code Ann. §§ 20-7-280, 20-7-290.	Where minor is under 17 – Parental consent or court order required. S.C. Code Ann. § 44-41-10(m), 44-41-30(C), 44-41-31(A), & 44-41-32.	
South Dakota	18 [S.D. Cod. Laws Ann. § 26-1-1 (2005)]/ Marriage, Armed Forces, Court order. S.D. Codified Laws Ann. § 25-5-24.	No law	No law	Minor may consent independently. S.D. Cod. Laws Ann. § 34-23-17.	Minor may consent independently. S.D. Cod. Laws Ann. § 34-20A-50.	No law	No law	Parental notification (or court order) required. S.D. Cod. Laws Ann. § 34-23A-7.	Emergency medical or surgical treatment (does not apply to elective abortion, sterilization or birth control). S.D. Cod. Laws Ann. § 20-9-4.2. ³⁰
Tennessee	18 [Tenn. Code § 37-1-102 (2005)]/ None.	Minor (who is pregnant, married, or is referred by clergy/counselor) may consent independently. Tenn. Code Ann. § 68-34-107 (2001).	No law	Minor may consent independently. Tenn. Code § 63-6-223.	Minor may consent independently. Tenn. Code § 63-6-220.	No law.	Minor may not consent to general medical treatment. Tenn. Code § 63-6-229.	Parental consent required. Tenn. Code § 37-10-303. Does not apply in emergencies. Tenn. Code § 37-10-305.	MD may perform emergency services on a minor without parents consent where delay to obtain consent would harm minor. Tenn. Code. § 63-6-222
Texas	18 [Tex. Family Code § 101.003 (2005)]/ Armed Services, Marriage, Parent, 16 or older and living apart from parents. Tex. Fam. Code § 32.003.	No law	Minor may consent independently. Tex. Fam. Code § 32.003.	Minor may consent independently. Tex. Fam. Code § 32.003(4).	Minor may consent independently. Tex. Fam. Code §§ 32.003(3) & 32.004	Minor may consent independently. Tex. Fam. Code §§ 32.003(5) & 32.004.	No law	Parental notification required. Tex. Fam. Code § 33.001, et. seq.	

	Age of Majority / Emancipation Methods (if any)	Contraceptive Services	Pre-Natal Services	STD?HIV Services	Alcohol / Drug Abuse Treatment	Mental Health Services	General Medical Health Services	Abortion Services	Miscellaneous
Utah	18 [Utah Code § 78-3a-103 (2005)] None	DISCLOSURE ADVISORY: Parental notification required whenever possible. Utah Code § 76-7-325.	No law	Minor may consent independently. Utah Code § 26-6-18.	No law	No law	No law.	Parental notification required. Utah Code § 76-7-304.	
Vermont	18 [33 Vt. Stat. Ann. § 1101 (2005)] Pregnant. <i>Id.</i> Married, active duty in military, or court order. Vt. Code R. § 7151.	No law	Minor may consent independently (pregnant woman is NOT a minor). 33 Vt. Stat. Ann. § 1101	Minor may consent independently. 18 Vt. Stat. Ann. § 4226. DISCLOSURE ADVISORY: MD shall notify parent if such treatment requires immediate hospitalization. <i>Id.</i>	Minor may consent independently. 18 Vt. Stat. Ann. § 4226. DISCLOSURE ADVISORY: MD shall notify parent if such treatment requires immediate hospitalization. <i>Id.</i>	No law	No law	No law	
Virginia	18 [Va. Code Ann. § 1-207 (2005)] Leave of Court. Va. Code Ann. §§ 16.1-331 & 16.1-333 ³¹	Minor may consent independently (except sterilization). Va. Code Ann. § 54.1-2969(E)(2) .	Minor may consent independently (except sterilization). Va. Code Ann. § 54.1-2969(E)(2) .	Minor may consent independently. § 54.1-2969(E)(1). DISCLOSURE ADVISORY: MD may release test results to parents/guardian. Va. Code Ann. § 32.1-36.1(10)	Minor may consent independently. Va. Code Ann. § 54.1-2969(E)(3) – “substance abuse” defined: Va. Code Ann. § 37.1-203.	Minor may consent independently. Va. Code Ann. § 54.1-2969(E)(4)	Minor may not consent independently; however, a court may authorize treatment without parent or guardian consent. Va. Code Ann. § 54-1-2969A(1)-(6), (B).	Parental notification required or Court order. Va. Code Ann. § 16.1-241(V) ³²	
Washington	18 [Wash. Rev. Code § 26.28.010 (2005)] Leave of court (must be age 16). § 13.64.010 Marriage to an adult. § 26.28.020.	No law	No law	Minor (14 or older) may consent independently. Wash. Rev. Code. § 70.24.110.	Minor (13 or older) may consent independently. Wash. Rev. Code. § 70.96A.095; See also, Wash. Rev. Code. §§ 70.96A.235 and 13.32A.030.	Minor (13 or older) may consent independently to outpatient treatment. Wash. Rev. Code. § 71.34.500. See also Miscellaneous	No law	No law	Minor (13 or older) may consent to inpatient mental health treatment without parental consent. Wash. Rev. Code. § 71.34.042. Parents must be notified within 24 hours of admission to facility. Wash. Rev. Code. § 71.34.044.
West Virginia	18 [W. Va. Code § 2-3-1 (2006)]/ Leave of court (minor must be 16). ³³ W. Va. Code § 49-7-27.	No law	No law	Minor may consent independently. W. Va. Code § 16-4-10 and W. Va. Code § 16-3C-2.	Minor may consent independently. W. Va. Code § 60A-5-504	No law	No law	Parental notification required. W. Va. Code § 16-2F-1, et. seq.	
Wisconsin	18 [Wis. Stat. § 48.02 (2006)] Marriage. Wis. Stat. §§ 54.46, 765.02.	No law	No law	Minor may consent independently. Wis. Stat. § 252.11.	Minor (14 or older) may consent independently – parental consent required in 4 situations. Wis. Stat. § 51.47(1) & (2).	Minor (14 or older) consent to inpatient treatment with a court order or in an emergency. Wis. Stat. § 51.13	No law	Parental consent (or court order) required. Wis. Stat. § 48.375.	

	Age of Majority / Emancipation Methods (if any)	Contraceptive Services	Pre-Natal Services	STD?HIV Services	Alcohol / Drug Abuse Treatment	Mental Health Services	General Medical Health Services	Abortion Services	Miscellaneous
Wyoming	18 [Wyo. Stat. § 14-1-101(a) (2006)]/ Court order; marriage; military service. Wyo. Stat. §§ 14-1-201 and 14-1-202.	Dept of Health may provide birth control info/services to "any person who may benefit." Wyo. Stat. § 42- 5-101.	No law	Minor may consent independently. Wyo. Stat. § 35-4-131.	No law	No law	Minor may consent independently in several situations. ³⁵ Wyo. Stat. § 14-1-101(b).	Parental consent required. Wyo. Stat. § 35-6-118.	
Guam	18 [19 GCA § 1101 (2006)]/ None.	No law	Minor may consent independently. 19 GCA § 1111(b) WARNING: MD shall not inform parent of treatment w/out specific consent from patient. Id. § 1111(c).	Minor may consent independently. 19 GCA § 1111(b) WARNING: MD shall not inform parent of treatment w/out specific consent from minor patient. 19 GCA § 1111(c).	Minor may consent independently. 19 GCA § 1111(b) WARNING: MD shall not inform parent of treatment w/out specific consent from minor patient. 19 GCA § 1111(c).	No law	No law	No law	
Puerto Rico	21 [T.1 § 412 (2006)]/ None.	No law	No law	No law	No law	No law	No law	No law	Bill of Rights for Children: T.1 § 412(20) – children have the right to "adequate medical care." T.1 § 412(17) – child is entitled to "confidentiality of [child's] name and circumstances that identify it in situations where its honor or reputation could be tarnished."
Virgin Islands	18 [T.16 § 261 (2006)]/ Marriage and court order. See T.16 §§ 241, 251, and 253.	Minor may consent independently. T. 19 § 291. DISCLOSURE ADVISORY: MD may disclose treatment info to parents without consent from minor. T.19 § 292(c).	Minor may consent independently. T. 19 § 291. DISCLOSURE ADVISORY: MD may disclose treatment info to parents without consent from minor. T.19 § 292(c).	Minor may consent independently. T. 19 § 291. DISCLOSURE ADVISORY MD may disclose treatment info to parents without consent from minor. T.19 § 292(c).	Minor may consent independently. T. 19 § 291. DISCLOSURE ADVISORY MD may disclose treatment info to parents without consent from minor. T.19 § 292(c).	No law	No law	Minor may consent independently. T. 19 § 291. DISCLOSURE ADVISORY MD may disclose treatment info to parents without consent from minor. T.19 § 292(c).	Minor may consent to care in emergency. T. 19 § 291. DISCLOSURE ADVISORY MD may disclose treatment info to parents without consent from minor. T.19 § 292(c).

Note: We could not locate any relevant laws from the Commonwealth of the Northern Marianas.

¹ Juvenile Courts are permitted to emancipate minors over age 18 if: 1) a parent petitions the court to emancipate the minor and the court finds that such emancipation is in the best interest of the minor; 2) a minor petitions, provided that the minor either has no parents, the parent(s) are legally insane, or the parent(s) have abandoned the minor for one year; or 3) a guardian petitions the court, where parent(s) are dead, insane, or have abandoned for one year and the court is satisfied that emancipation is in the best interest of a minor.

² Where MD complies with the consent requirements, s/he is not liable for disclosing information regarding the minor's condition to parents, provided that such disclosure has not previously been prohibited by a court order.

³ Emancipation may be obtained through: 1) marriage, or 2) petition of a minor who is living separately from his/her parents and has reached age 16. Alaska Stat § 09.55.590.

⁴ Except as prohibited under Alaska Stat. § 18.16.010(a)(3), a minor who is living apart from the minor's parents/guardians and who manages his own financial affairs may consent to medical services; also may consent where parent is unavailable or unwilling to consent; a minor parent may consent to treatment of that minor's child.

⁵ The following individuals who have NOT reached the age of 18 are emancipated: 1) veterans entitled to health benefits under the serviceman's readjustment act of 1944; 2) spouses of such veterans; or 3) one who is married to an adult.

⁶ A person who has reached age 16 may petition the circuit court for emancipation in the jurisdiction where they reside.

⁷ Under Ark. Code. Ann. § 20-9-602, "any unemancipated minor of sufficient intelligence to understand the proposed surgical or medical treatment or procedures" may consent to such treatment.

⁸ No abortion may be performed until 48 hours after notice of such abortion has been given to the parents of the minor seeking the abortion. Notice may be addressed and made by certified mail. Exceptions: leave of court, to prevent pregnant minor's death, written authorization from parents, minor declares she is a victim of child abuse or neglect, parent out of contact for 1 year, or minor swears by affidavit that the parent has committed incest, rape or sexual abuse of the minor.

⁹ A person under the age of 18 is an emancipated minor if any one of the following conditions is met: 1) The person entered into a valid marriage, whether or not it has been dissolved; 2) the person is on active duty with the armed forces of the United States; or 3) the person has received a declaration of emancipation pursuant to Cal. Fam. Code §§ 7120 and 7122.

¹⁰ Exceptions (where parental consent is required): 1) sterilization of a minor; or 2) abortion.

¹¹ Notwithstanding Section 120975 or 120980 of the California Health and Safety Code, the results of a blood test to detect antibodies to the probable causative agent of AIDS may be disclosed to any of the following persons without written authorization of the subject of the test: (a) To the subject of the test or the subject's legal representative, conservator, or to any person authorized to consent to the test pursuant to subdivision (b) of Section 120990 (b) To a test subject's provider of health care, as defined in subdivision (d) of Section 56.05 of the Civil Code, except that for purposes of this section, "provider of health care" does not include a health care service plan regulated pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2. (c) To an agent or employee of the test subject's provider of health care who provides direct patient care and treatment. (d) To a provider of health care who procures, processes, distributes, or uses a human body part donated pursuant to the Uniform Anatomical Gift Act (Chapter 3.5 (commencing with Section 7150) of Part 1 of Division 7). (e) (1) To the designated officer of an emergency response employee, and from that designated officer to an emergency response employee regarding possible exposure to HIV or AIDS, but only to the extent necessary to comply with provisions of the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (P.L. 101-381; 42 U.S.C. § 201). (2) For purposes of this subdivision, "designated officer" and "emergency response employee" has the same meaning as these terms are used in the Ryan White Comprehensive AIDS Resources Emergency Act of 1990 (P.L. 101-381; 42 U.S.C. § 201). (3) The designated officer shall be subject to the confidentiality requirements specified in Section 120980, and may be personally liable for unauthorized release of any identifying information about the HIV results. Further, the designated officer shall inform the exposed emergency response employee that the employee is also subject to the confidentiality requirements specified in Section 120980, and may be personally liable for unauthorized release of any identifying information about the HIV test results.

¹² AIDS tests for minors dependent upon the state are governed by Los Angeles Superior Court Rules, Rule 17.5.

¹³ A minor (12 years or older) may consent to outpatient psychiatric treatment, if: 1) the attending professional believes that the minor is intelligent and mature enough to participate; or 2) the minor would present a danger of serious physical or mental harm to self or others; or 3) is the alleged victim of incest or child abuse.

¹⁴ 226 S.E.2d 591 (Ga. 1976).

¹⁵ Such disclosure will result only at the direction and advice of the treating physician, and may be given over the express objection of the minor patient.

¹⁶ Where the abortion is to be performed after notice to parent, the child must sign a consent form. Also, abortions may be performed in cases of emergency. Ga. Code Ann. § 15-11-116. In 2005, Georgia enacted the Women's Right to Know Act¹⁶ (codified at Ga. Code § 31-9A-1 et seq.) No abortion can be performed, absent an emergency, unless the pregnant female is informed 24 hours before the abortion procedure of medical risks, gestational age of fetus, state medical assistance benefits for prenatal care, and that the father is liable for child support payments. The female must sign a statement that she received this information.

¹⁷ Any individual who has been married is deemed competent to: enter a contract, grant a mortgage interest, deed of trust, bill of sale, conveyance, and to sue or be sued.

¹⁸ A person between the ages of 16 and 18 may become emancipated upon petitioning the court where he/she resides; the breadth of the emancipation is set out in the court order.

¹⁹ Birth control services and information may be rendered by doctors to any minor who is married, is a parent, is pregnant, who has the consent of his parent or legal guardian, is in danger of serious health hazard with out medical care, or who is referred for such services by a physician, clergyman or planned parenthood agency.

²⁰ Deleted..

²¹ Juvenile court has power to emancipate minor upon finding of specific statutory grounds – among the powers, for which an emancipated minor may petition the court, are those concerning medical care.

²² Such notice is not required where: 1) the minor provides written authorization by parent, or 2) minor provides a written statement containing reasons for not notifying a parent but instead of notifying one of the minor's grandparents.

²³ At age 15 – a minor may become emancipated by notarial act of father (or mother if there is no father acting as guardian); at age 16 – a minor may become emancipated through marriage.

²⁴ (b) "Suitable for hospitalization" means a determination concerning a minor that all of the following criteria are met: (i) the minor is a minor requiring treatment. (ii) The minor is in need of hospitalization and is expected to benefit from hospitalization and (iii) an appropriate, less restrictive alternative to hospitalization is not available.

²⁵ Married, pregnant, graduated from high school, emancipated, separate from parents and self-supporting, or if the health care if for the minor's child.

²⁶ Court order for emancipation may be issued if the minor is: at least 16 years old, married or living apart from parents/guardians, and resident of the county.

²⁷ Minor must be: living apart from parents for at least 4 months; married or been married; a mother; in danger of suffering serious health hazard; or able to understand the nature and purpose of treatment and probable outcome and voluntarily requests it.

²⁸ A person who is under the age of 18 but who has documentation which supports a claim that he/she has been emancipated in accordance with the laws of the state in which he previously had been residing shall be considered to be emancipated in the state of New Hampshire.

²⁹ Upon filing of written application by minor, a juvenile court may enter an emancipation decree provided that: 1) the minor is 16 years old; and 2) the court find that emancipation serves the minor's best interests. Factors to be considered by the court: 1) whether the parent/guardian consent to the proposed emancipation; 2) whether the minor has been living away from a family home for a substantial amount of time and is able to support him/herself without parental supervision; and 3) whether the minor can demonstrate to the court's satisfaction that s/he can appropriately manage his/her own affairs.

³⁰ An emergency situation exists if parent is not "immediately available" and delay in treatment would threaten minor's life or health

³¹ Any child, parent, or guardian may petition the court in the county in which they reside for emancipation; petition for emancipation may be granted if the court finds that: 1) the minor entered into a valid marriage; 2) the minor is on active duty in the US Armed Services, or 3) the minor willingly lives separate and apart from parents, with their consent, and minor is capable of supporting himself and managing his own financial affairs.

³² Exceptions (where notice is not required): abuse or neglect of pregnant minor, abortion is medically necessary to avert minor's death, insufficient time to provide notice or receive court order because delay would create a serious risk of substantial impairment of a major bodily function or substantial physical injury.

³³ See also The Health Care Decisions Act (W. Va. Code § 16-30-3 et. seq.) which includes "mature minors" in its definition of "adults."

³⁴ Parental consent required where: 1. Non-emergency surgical procedures; 2. Administering controlled substance (unless for detoxification); 3. Admitting to inpatient treatment facility (unless for detoxification); and 4. Inpatient detoxification extends beyond 72 hours.

³⁵ Legally married, active duty in military, parents or guardian cannot be located and minor's need for treatment is urgent, or minor is living apart from parents and is managing affairs.

³⁶ Services may not include the use of medication and they must be limited to not more than six sessions or thirty days of services whichever occurs sooner. After the sixth session or thirty days of services the mental health professional shall terminate the services or, with the consent of the minor, notify the parent, or guardian, to obtain consent to provide further outpatient services. The minor's parent or guardian shall not be informed of the services without the minor's consent unless the mental health professional treating the minor determines that there is a compelling need for disclosure based on a substantial probability of harm to the minor or to other persons, and if the minor is notified of the mental health professional's intent to inform the minor's parent, or guardian. The minor's parent or guardian shall not be liable for the costs of services which the minor receives without his or her consent.

³⁷ A mental health practitioner may provide outpatient mental health services, other than those treatments and procedures for which consent is specifically required by § 33.03 of the Mental Hygiene article, to a minor without parental or guardian consent if the practitioner determines that: (1) the minor is knowingly and voluntarily seeking such services; and (2) provision of such services is clinically indicated and necessary to the minor's well-being; and (3)(i) a parent or guardian is not reasonably available; or (ii) requiring parental or guardian consent or involvement would have a detrimental effect on the course of outpatient treatment; or (iii) a parent or guardian has refused to give such consent and a physician determines that treatment is necessary and in the best interests of the minor.

³⁸ A minor (16 or older) may consent independently to the administration of psychotropic medications where: (i) a parent or guardian is not reasonably available, provided the treating physician determines that (A) the minor has capacity; and (B) such medications are in the minor's best interests; or (ii) requiring consent of a parent or guardian would have a detrimental effect on the minor, provided the treating physician and a second physician who specializes in psychiatry and is not an employee of the hospital determine that (A) such detrimental effect would occur; (B) the minor has capacity; and (C) such medications are in the minor's best interests; or (iii) the parent or guardian has refused to give such consent, provided the treating physician and a second physician who specializes in psychiatry and is not an employee of the hospital determine that (A) the minor has capacity; and (B) such medications are in the minor's best interests. Notice of the decision to administer psychotropic medications pursuant to this subparagraph shall be provided to the parent or guardian.

¹⁸ The broad language of Idaho Code § 39-4302 suggests that minors do not need to obtain parental consent prior to undergoing medical procedures. 98 Op. Att'y Gen. 1 (1998).