

# Minors' Consent for Health Care



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Minors may not receive health care services without their parents' or guardians' consent, unless specified otherwise in statute.

## ***Specific Services***

A minor may consent for medical, mental, or other health services for the following:

- to determine the presence or treatment of pregnancy and conditions associated with pregnancy
- for sexually transmitted infections
- for alcohol or other drug abuse ([Minn. Stat. § 144.343, subd. 1](#))

In addition, minors may consent for:

- hepatitis B vaccinations ([Minn. Stat. § 144.3441](#)) and blood donation (only those 17 and over) ([Minn. Stat. § 145.41](#)).

## ***Emergency Treatment***

Health services may be provided to minors without the consent of a parent if, in the health professional's judgment, treatment should be given without delay, and if obtaining consent would result in delay or denial of treatment ([Minn. Stat. § 144.344](#)).

## ***Abortion***

Minors seeking an abortion must notify both parents of the intended abortion and wait 48 hours, or seek judicial approval for the procedure. A court may authorize an abortion if it finds either:

- that the pregnant minor is mature and capable of giving informed consent, or
- that authorizing the abortion without notification would be in her best interests.

An expedited, confidential appeal is available to any minor for whom the court denies an order authorizing an abortion without notification. An order authorizing an abortion without parental notification is not subject to appeal ([Minn. Stat. § 144.343, subs. 2-7](#)).

## ***Marriage or Giving Birth***

Any minor who has been married or has given birth may consent for personal medical, mental, dental, or other health services or for services for the minor's child ([Minn. Stat. § 144.342](#)).

## ***Voluntary Institutional Treatment***

Any person 16 years or older may request informal admission to a treatment facility for observation or treatment of mental illness, chemical dependency, or mental retardation and may give valid consent for hospitalization, routine diagnostic evaluation, and emergency or short-term acute care ([Minn. Stat. §§ 253B.03, subd. 6\(d\); 253B.04, subd. 1](#)).

## ***Access to Health Records***

Parents and guardians have access to their minor children's medical records, unless the minor legally consents for services specifically listed under the Consent of Minors for Health Services statute ([Minn. Stat. §§ 144.341-144.347](#)). In that case, parents or guardians do not have access to the minor's health care records without the minor's authorization ([Minn. Stat. § 144.291, subd. 2, para. \(g\)](#)). However, if a health professional believes that it is in the best interest of the minor, the health professional may inform the minor's parents of the treatment ([Minn. Stat. § 144.346](#)).

***Living Apart from Parents and Managing Own Financial Affairs***

A minor living apart from his or her parents or legal guardian and who is managing his or her own financial affairs may consent for his or her own medical, mental, or dental care services. This exception applies to a minor regardless of whether the minor's parents have consented to the minor living apart, or regardless of the extent or source of the minor's income ([Minn. Stat. § 144.341](#)).

***Representation to Persons Rendering Service***

If a minor represents to a health professional that he or she is able to give effective consent for medical, mental, dental, or other health services, but is in fact not able to do so, his or her consent is effective if relied upon in good faith by the person rendering the health service ([Minn. Stat. § 144.345](#)).

***Financial Responsibility***

A minor who consents for health services is financially responsible for the cost of the services ([Minn. Stat. § 144.347](#)).

**For more information:** Also see the House Research publication [Youth and the Law](#), December 2006.

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