Minors

In most states, 18 is the age where an individual has legal rights and responsibilities of an adult. Because of this, before treating a patient under the age of 18, consent must be obtained from the patient's parent or legal guardian. Exceptions to this is when a parent or guardian is not available to give consent and a delay in treatment would cause the patient serious harm, consent is assumed. Another exception is if the minor is under the age of 18 and lives independently (without the support of parents and makes their own day-to-day decisions) may petition the court for emancipation. If emancipation is granted, the minor will have the same legal rights as an adult, including the right to consent to (and refuse) medical treatment.



PLAY PICMONIC

MINOR PATIENTS

Legal Age: Under Age 18

Lady-justice with Miner Under Birthday-cake Under (18) ID

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Parent or Guardian Consent

Parents and Consent-signature

If a parent or legal guardian has custody of the minor, ask for proof of guardianship before treating. It is required for parent or guardian consent to treat the minor. If the minor must be brought to further appointments by a caregiver, the parent/guardian must sign an authorization for the healthcare provider to treat the minor without the parent/guardian being present.

CONSIDERATIONS

Emancipated Minor

Freed Minor

A minor under the age of 18 and lives independently (without the support of parents and makes their own day-to-day decisions) may petition the court for emancipation. If emancipation is granted, the minor will have the same legal rights as an adult, including the right to consent to (and refuse) medical treatment. If the minor is a patient and tells the healthcare provider that they are emancipated, the healthcare provider should obtain a copy of the emancipation order to place in the patient's record.

Emergency Situation

Emergency-lights

When a parent or guardian is not available to give consent and a delay in treatment would be life-threatening or cause the patient serious harm, consent is presumed. To the extent feasible, however, consent should be obtained for any ongoing treatment.

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