



ALASKA

MINOR CONSENT AN CONFIDENTIALITY LAV

For educational purposes only
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ADOLESCENT HEALTH INITIATIVE

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CASE SCENARODEYENNES Y/O GIRL



PURPOSE OF VISIT Sore throat

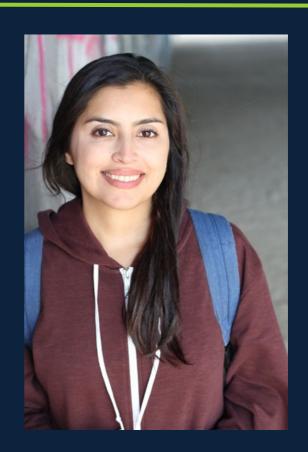
ISSUE THAT EMERGES FROM CLINICIAN INTERVIEW

Concernedabout having an STI

PARENT INFORMATION

Shay says she is worried her mother will kick her out of the house if she knows Shay is sexually active

How does the right to confidentiality help or hurt Cheyenne?



IMPORTANT DEFINITIONS



CONSENT

- Permission to act
- Parent/guardian must give consent before their minor child can receive services (except specific confidential services)

CONFIDENTIALITY

How providers and staff keep certain information confidential

Consent ≠ Confidentiality

AK LAWPARENTACONSENT EXCEPTIONS Sparks

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.

The exceptions are based on either:

- The minor's status (independence from parents/guardians), or
- The type of service requested (such as certain sexual and reproductive health services).

AKLAW: MINOR CONSENT BASSDATIUS



- A minor may consent to health care services without a parent/guardian's permission if:
 - o The minor is emancipated due to court order
 - The minor is living apart from the parent or guardian and is managing his or her own finances

Are there any questions?

AKLAW: MINOR CONSENT BASSERWICE Sparks



Minors may receive the following care without parental/guardian consent:

- Emergency care
- Prevention, diagnosis, and treatment of pregnancy
- Diagnosis and treatment of venereal disease and other sexually 3. transmitted infections (including HIV)
- Abortion
- 5. Any medical service if:
 - The parent or legal guardian cannot be reached
 - o The parent or legal guardian, when reached, refuses to provide or withhold consent

HPWACCINES & MENTAL HEALTH MEDS Sparks



REPORTING



Providers must override a minor's confidentiality and report if:

- If there is suspicion of child abuse or neglect, including
 - Physical injury or neglect;
 - Mental injury
 - o Sexualabuse
 - Sexual exploitation
 - o Maltreatment

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PARENT INFORMATION

Cheyennesays she is worried her mother will kick her out of the house if she knows Cheyenneis sexually active



- 1. Can Cheyenne receiveSTI testing without her parent's permission?
- Can she receive STI treatment?
- 3. Can she receive preventive care, such as a HPV vaccine? What about condoms or other contraception?

ACCESSING RECORDS



In general, a minor's parent/legal guardian is authorized to access the minor's medical records.

However, a minor's confidentiality must be protected if:

- 1. The parent/guardian's consent was not required for the service.
- 2. The parent/guardian consented to a confidential relationship between the minor and health care provider.

CASE SCENARIO: TOBI, 17 Y/O BOY





PURPOSE OF VISIT Well visit

ISSUE THAT EMERGES THROUGH CLINICIAN INTERVIEW

States to clinician that he's ready to get treatment for a substance use disorder

PARENT INFORMATION Doesn't want to disappoint parents

Is Tobi allowed to get outpatient counseling for substance use without a parent's consent?





THANK YOU!

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