

SECTION	Approval date:	
Office Management	Approved by:	
POLICY AND PROCEDURE	Effective date:	
Minor's Rights and Sensitive Services	Revision date:	

POLICY:

Site personnel receive training and/or information on member rights that include minors' rights to sensitive services.

PROCEDURE:

- I. Written Member Rights shall be available at the office site. Staff shall be able to locate the written Member Rights list and explain how to use the information.
- II. Staff trainings regarding member rights shall be part of office staff education documented in:
 - Informal or formal in-services
 - New staff orientation
 - External training courses
- III. Minors' Rights and Sensitive Services
 - A. A minor may consent to the minors' medical care or dental care if all of the following conditions are satisfied:
 1. The minor is 15 years of age or older
 2. The minor is living separately and apart from the minor's parents or guardian whether with or without the consent of a parent or guardian and regardless of the duration of the separate residence
 3. The minor is managing the minor's own financial affairs, regardless of the source of the minor's income
 - B. A physician, surgeon, or dentist may, with or without the consent of the minor patient, advise the minor's parent or guardian of the treatment given or needed if the physician and surgeon or dentist has reason to know, on the basis of the information given by the minor, the whereabouts of the parent or guardian.
 - C. A minor who is 12 years of age or older and who may have come into contact with an infectious, contagious, or communicable disease may consent to medical care related to the diagnosis or treatment of the disease, if the disease or condition is one that is required by law or regulation adopted pursuant to law to be reported to the local health officer, or is a related sexually transmitted disease, as may be determined by the State Public Health Officer. A minor who is 12 years of age or older may consent to medical care related to the prevention of a sexually transmitted disease.
 - D. A minor who is 12 years of age or older and who is alleged to have been raped may consent to medical care related to the diagnosis or treatment of the condition and the collection of medical evidence with regard to the alleged rape.
 - E. A minor who is alleged to have been sexually assaulted may consent to medical care related to the diagnosis and treatment of the condition, and the collection of medical evidence with regard to the alleged sexual assault. The professional person providing medical treatment shall attempt to contact the minor's parent or guardian and shall note in the minor's treatment record the date and time the professional person attempted to contact the parent or guardian and whether the attempt was successful or unsuccessful. This does not apply if the professional person reasonably believes that the minor's parent or guardian committed the sexual assault on the minor.
 - F. A minor who is 12 years of age or older may consent to medical care and counseling relating to the diagnosis and treatment of a drug- or alcohol-related problem.

- G. A minor who is 12 years of age or older and who states that the minor is injured as a result of intimate partner violence may consent to medical care related to the diagnosis or treatment of the injury and the collection of medical evidence with regard to the alleged intimate partner violence.
- H. Special precautions must be taken to ensure that communications (written, verbal or electronic communications) regarding the medical information of a minor related to sensitive services is protected and shall NOT be directed to the home without the minor's authorization.
1. Communications are directly to minor's designated alternative mailing address, email address, or telephone number; OR,
 2. In the absence of a designated alternative mailing address, email address, or telephone number: to the address or telephone number on file in the name of the minor.
 3. Communications regarding a protected minor's receipt of sensitive services shall include:
 - Bills and attempts to collect payment.
 - A notice of adverse benefits determinations.
 - An explanation of benefits notice.
 - A plan's request for additional information regarding a claim.
 - A notice of a contested claim.
 - The name and address of a provider, description of services provided, and other information related to a visit.
 - Any written, oral, or electronic communication from a plan that contains protected health information.
- I. The minors' parents or guardian are not liable for payment for medical care provided pursuant to this section.

RESOURCES: [California Law Family Code Section 6920-6930](#)
[Civil Code Section 56 et seq.](#)

ATTACHMENT: [California Minor Consent and Confidentiality Laws](#)