



CALIFORNIA LAW REGARDING CONSENT FOR TREATMENT OF A MINOR

In order to obtain proper informed consent, all children under 18 years old should be accompanied by a parent to each visit for health care. The physician, the child (especially adolescents), or the parent may wish to have the child seen alone in the examining room, but the parent should still be present in the waiting room. California law does provide for some exceptions for minors under 18 if the minor:

- 1) has ever been married,
- 2) is on active duty in the armed forces,
- 3) has been declared emancipated by the courts or is 15 years or older, living alone and managing his own financial affairs,
- 4) is over 12 years old and is seeking treatment for pregnancy, rape or sexual assault, reportable infectious diseases (e.g. sexually transmitted diseases), contraception, abortion, drug or alcohol abuse, or mental health problems.

In the above instances, the minor may consent to treatment and a parent is not required.

If a parent does not accompany their child to a visit, the physician may be unable to examine or treat the child. To prevent this, we have a form available that you can sign allowing another specific adult to give consent in your absence. Please ask for one of these forms if you think that you may need it. A handwritten and signed note from a parent giving permission to examine and treat a minor is also usually acceptable.

In an emergency, treatment will be provided without a parent present if it is felt by the physician that non-treatment could cause death or disability.

Aside from legal reasons, the physician is better able to arrive at a proper diagnosis and treatment plan when a full history of the patient's problem as well as past medical history, drug allergies, etc. is available. We find that most children, grandparents, babysitters, etc. do not have as much of this information as the parents. Therefore, we appreciate parents' efforts to accompany their children to all of their health care visits.

Pediatric Department