

## Minors' Consent for Health Care

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 of or to treat 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; a 16-year-old can donate with written consent from a parent or guardian) ([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 parental 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 parental notification. An order authorizing an abortion without parental notification is not subject to appeal ([Minn. Stat. § 144.343](#), subds. 2 to 7).

### *Anatomical Gifts*

An emancipated minor or a minor who is at least 16 years old may make an anatomical gift during the life of the minor. However, upon the death of an unemancipated minor, the minor's parent may revoke or amend an anatomical gift, or may revoke the minor's refusal to make an anatomical gift ([Minn. Stat. §§ 525A.04](#) and [525A.08](#)).

<b><i>Minor Who Has Been Married or Has Given Birth</i></b>	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 ( <a href="#">Minn. Stat. § 144.342</a> ).
<b><i>Inpatient Treatment; Mental Illness, Chemical Dependency, Developmental Disability</i></b>	Any person 16 years or older may request admission to a treatment facility for observation or treatment of mental illness, chemical dependency, or developmental disability and may give valid consent for hospitalization, routine diagnostic evaluation, and emergency or short-term acute care. If a minor who is 16 or 17 refuses to consent to admission to a treatment facility, the minor's parent or guardian may consent to the minor's admission for mental illness or chemical dependency treatment, if an independent examination confirms the minor has a mental illness or is chemically dependent, and is suitable for treatment ( <a href="#">Minn. Stat. §§ 253B.03</a> , subd. 6, para. (d); <a href="#">253B.04</a> , subd. 1).
<b><i>Parent or Guardian Access to Health Records of Minor Children</i></b>	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 statutes ( <a href="#">Minn. Stat. §§ 144.341</a> to <a href="#">144.347</a> ). In that case, parents or guardians do not have access to the minor's health care records without the minor's authorization ( <a href="#">Minn. Stat. § 144.291</a> , subd. 2, para. (g)). However, a health professional may inform a minor's parent or guardian of treatment if, in the professional's judgement, failure to inform the parent or guardian would seriously jeopardize the minor's health ( <a href="#">Minn. Stat. § 144.346</a> ).
<b><i>Minors Living Apart from Parents and Managing Own Financial Affairs</i></b>	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, regardless of the extent or source of the minor's income, and regardless of the duration of the separate residence ( <a href="#">Minn. Stat. § 144.341</a> ).
<b><i>Effect of Minor's Consent to Persons Rendering Service</i></b>	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 ( <a href="#">Minn. Stat. § 144.345</a> ).
<b><i>Financial Responsibility</i></b>	A minor who consents for health services is financially responsible for the cost of the services ( <a href="#">Minn. Stat. § 144.347</a> ).

**For more information:** Also see the House Research publication [Youth and the Law](#), December 2016.

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