

CAROLINA WOMEN'S HEALTH, PA  
CONSENT TO TREATMENT OF MINORS - GUIDELINES

*We have minor patients who come to our office for medical treatment without their parents. Can we treat them?*

- Except for certain medical conditions (listed below), patients under 18 years old may not unless legally emancipated, consent to treatment for themselves.
- Consent for treatment for minors must therefore be obtained from a parent or legal guardian.

**Consent by adults other than the parent**

- Custodial parents of minors may authorize another adult to consent to treatment for their children.
- The North Carolina General Statute contains a non-exclusive form that may be used for this purpose at 32A-34.
- A form of this kind is typically used by parents whose children are routinely kept by another adult (such as a grandparent or babysitter), or parents who are planning to be out-of-town or otherwise unavailable for a defined period.
- The standard form may be altered to limit the agent's authority to a certain period or to exclude certain procedures or situations from the agent's authority.
- In an emergency situation, treatment should not be delayed because of a lack of this authorization.

**Consent for treatment of unaccompanied minors**

- Some practices typically see minor patients who are old enough to come to the office alone.
- Minors will occasionally be dropped off at a practice for treatment while the parent is otherwise occupied.
- If either of these situations is anticipated, the parent or guardian may sign a form in advance of the appointment authorizing the physicians or practice to treat the minor in the parent's absence.
- In an emergency situation, treatment should not be delayed because of a lack of this authorization.

**Minors' consent to treatment in certain situations**

The North Carolina Statute(N.C.G.S. 90-21.5) identifies four areas in which patients under 18 may give consent for treatment for themselves:

- Prevention, diagnosis, and treatment of venereal disease
- Prevention, diagnosis and treatment of pregnancy (not including termination of pregnancy)
- Prevention, diagnosis and treatment of substance abuse
- Prevention, diagnosis and treatment of emotional disturbance (not including admission to an inpatient facility)

Since minor patients may consent for these treatments themselves, the physician should neither see consent from nor notify the patient's parents when the patient seeks these services. Therefore, the physician or staff will want to be clear with the minor patient whether he wants to pay for the treatment himself, or wants the office to bill his/her parents (which would have the effect of notifying them); the physician or staff would document this preference in the record.