

Chart: Legal Consent Requirements for Medical Treatment of Minors – State of Michigan

This chart updated January 12, 2007

Our recommendations are provided to assist you in strengthening your risk management program. They are not rules or standards and should not be considered authoritative or all-inclusive, but rather generalized statements for your consideration. Finally, they should not be considered legal or medical advice. For a legal opinion, and information specific to your state and/or type of facility, please contact your attorney.

| If patient is under 18, unmarried (widowed or divorced), and: | | Parental consent required? | Are parents responsible for cost? | Minor's consent required? | May physician inform parents of treatment? |
|--|-------------------------|----------------------------|-----------------------------------|---------------------------|--|
| No special circumstances | | Yes | Yes | No | Yes |
| Requests a pregnancy test | | No | N/A ¹ | Yes | Yes ² |
| Has emergency and parents not available | | No | Yes | No | Yes |
| Minor is the parent of child, care is related to: | Minor's child | No | N/A ¹ | Yes | Yes ² |
| | Minor (self) | Yes | Yes | No | Yes |
| Is pregnant, care related to pregnancy | | No | N/A ¹ | Yes | Yes ² |
| Is pregnant, care <u>not</u> related to pregnancy | | Yes | Yes | No | Yes |
| Requires care for venereal disease or HIV | | No | No | Yes | Yes ² |
| Requests an abortion | | Yes ³ | N/A ¹ | Yes | N/A ³ |
| Requests substance abuse treatment | | No | No | Yes | Yes ² |
| Requires mental health treatment (age 14 through 17) ^{***} | Outpatient ⁴ | No | No | Yes | No ⁵ |
| | Inpatient | Yes ⁶ | Yes | Yes ⁶ | Yes |
| General consent guidelines if patient is under 18 and emancipated by: | | | | | |
| Marriage | | No | No | Yes | No |
| On active duty with Armed Services | | No | No | Yes | No |
| Court petition | | No | No | Yes | No |

1 Not addressed by current Michigan Law.

2 But only for medical reasons.

3 Written consent is required of the minor and one parent/legal guardian prior to the performance of an abortion, unless the minor petitions the court.

4 A minor 14 years or older may receive up to 12 outpatient mental health service visits in a 4-month period without parental consent, excluding treatment regarding pregnancy termination referral services or involving psychotropic medications.

5 Unless compelling need for disclosure based on a substantial probability of harm to minor or to another individual.

6 A minor 14 years or older may be hospitalized without initial parental/guardian consent if a) the minor requests hospitalization and b) the minor is suitable for hospitalization, but that the parent or guardian must be notified immediately of the admission.

If my doctor's test indicates I am pregnant, does he/she have to tell anyone?

Your doctor is not required to tell anyone. However, the doctor may tell the baby's father, your parents, or legal guardian. The doctor can do this to explain the medical care he/she has provided or explain the need for future care. The doctor does not need your permission to talk to these people for this reason.

What if I don't want my doctor to tell my parents I am pregnant?

If your doctor thinks there is a "medical reason" to tell your parents or the baby's father, he/she may do so even though you object.