

MINORS' ACCESS TO HEALTH CARE IN THE UNITED STATES^a

STATE	GENERAL MEDICAL HEALTH ^b	MENTAL HEALTH	SUBSTANCE ABUSE ^c	COMMUNICABLE DISEASES ^d	CONTRA-CEPTIVES	PRENATAL CARE
ALABAMA	X(3), (8)	X	X	X(1), (7)		X
ALASKA	X(9)			X	X	X
ARIZONA			X(1)	X	X	
ARKANSAS	X(15)			X(7), (13)	X	X(12), (13)
CALIFORNIA		X(1), (7)	X(1), (7)	X(1)	X	X(12)

^a The age of majority in the 50 states and the District of Columbia is 18, with the exceptions of Alabama and Nevada, in which it is 19; Pennsylvania, in which it is 21; and Mississippi, in which it is 21, aside from consent for general health care, for which the age of majority is 18.

^b The Alan Guttmacher Institute did not define the term “general medical health care.” However, Minn. Stat. § 144.341 (LEXIS L. Publg. 2001), “Living apart from parents and managing financial affairs, consent for self,” provides that “Notwithstanding any other provision of law, any minor who is living separate and apart from parents or legal guardian, whether with or without the consent of a parent or guardian and regardless of the duration of such separate residence, and who is managing personal financial affairs, regardless of the source or extent of the minor’s income, may give effective consent to personal medical, dental, mental and other health services, and the consent of no other person is required,” while Ala. Code § 22-8-4 (LEXIS L. Publg. 2001), “Minors; consent for self,” provides that “Any minor who is 14 years of age or older, or has graduated from high school, or is married, or having been married is divorced or is pregnant may give effective consent to any legally authorized medical, dental, health or mental health services for himself or herself, and the consent of no other person shall be necessary.” Thus, this term suggests that statutes indicated provide broad language covering medical, dental, mental, and possibly other, health services.

^c Statutes typically encompass the broad terms “alcohol” and “drugs.”

^d Includes HIV testing and treatment, with the restriction of testing only in California, New Mexico, and Ohio.

COLORADO		X _{(4), (7)}	X	X	X _{(11), (19)}	
CONNECTICUT		X	X	X		
DELAWARE	X ₍₁₀₎		X ₍₁₎	X _{(1), (7), (13)}	X _{(1), (7)}	X _{(1), (7), (12), (13)}
DIST. OF COLUMBIA		X	X	X	X	X
FLORIDA		X ₍₂₎	X	X	X _{(11), (17)}	X ₍₁₃₎
GEORGIA			X ₍₇₎	X _{(7), (13)}	X	X ₍₁₂₎
HAWAII			X ₍₇₎	X _{(3), (7), (14)}	X _{(3), (7), (14)}	X _{(3), (7), (12), (14)}
IDAHO	X		X	X ₍₃₎	X	
ILLINOIS	X _{(11), (13)}	X _{(1), (7)}	X _{(1), (7)}	X _{(1), (7)}	X _{(9), (18)}	X _{(13), (18)}
INDIANA			X	X		
IOWA			X	X ₍₂₀₎		
KANSAS	X _{(13), (21)}		X	X ₍₇₎	X ₍₁₅₎	X _{(13), (22)}
KENTUCKY	X _{(7), (10)}	X _{(5), (7)}	X ₍₇₎	X ₍₇₎	X ₍₇₎	X _{(7), (12)}
LOUISIANA	X _{(7), (13)}		X ₍₇₎	X ₍₇₎		
MAINE			X ₍₇₎	X ₍₇₎	X _{(10), (17)}	
MARYLAND	X _{(7), (10)}	X _{(5), (7)}	X ₍₇₎	X ₍₇₎	X ₍₇₎	X ₍₇₎

MASSACHUSETTS	X ₍₁₁₎	X ₍₅₎	X _{(1), (23)}	X	X	X ₍₁₂₎
MICHIGAN		X ₍₃₎	X ₍₇₎	X ₍₇₎	X ₍₂₇₎	X ₍₇₎
MINNESOTA	X _{(7), (10)}	X	X ₍₇₎	X ₍₇₎	X ₍₇₎	X ₍₇₎
MISSISSIPPI			X _{(4), (7)}	X	X _{(10), (19)}	X ₍₁₃₎
MISSOURI	X _{(10), (13)}		X _{(7), (13)}	X _{(7), (13)}		X _{(7), (12), (13)}
MONTANA	X _{(7), (11), (13)}	X ₍₅₎	X _{(7), (13)}	X _{(7), (13)}	X ₍₇₎	X _{(7), (13)}
NEBRASKA			X	X		
NEVADA	X _{(10), (15), (17)}		X	X		
NEW HAMPSHIRE	X ₍₁₅₎		X ₍₁₎	X ₍₃₎		
NEW JERSEY	X ₍₁₁₎		X ₍₇₎	X _{(7), (13)}		X _{(7), (13)}
NEW MEXICO		X		X	X	X ₍₂₄₎
NEW YORK	X ₍₁₁₎	X ₍₇₎	X ₍₇₎	X	X	X
NORTH CAROLINA	X ₍₂₁₎	X	X	X	X	X ₍₁₂₎
NORTH DAKOTA			X ₍₃₎	X ₍₃₎		
OHIO		X ₍₃₎	X	X		
OKLAHOMA	X _{(7), (11)}		X ₍₇₎	X ₍₇₎	X _{(7), (25)}	X _{(7), (12)}

OREGON	X _{(4), (7), (13)}	X _{(3), (7)}	X _{(3), (7)}	X ₍₁₃₎	X ₍₇₎	
PENNSYLVANIA	X ₍₈₎		X ₍₇₎	X		X
RHODE ISLAND			X	X		
SOUTH CAROLINA	X _{(5), (26)}	X ₍₂₆₎	X ₍₂₆₎	X ₍₂₆₎	X ₍₂₆₎	X ₍₂₆₎
SOUTH DAKOTA	X ₍₂₁₎		X	X		
TENNESSEE		X ₍₅₎	X ₍₇₎	X	X	X
TEXAS		X	X ₍₇₎	X _{(7), (13)}	X	X _{(7), (12), (13)}
UTAH				X	X _{(7), (16)}	X
VERMONT			X ₍₁₎	X ₍₁₎		
VIRGINIA	X ₍₂₁₎	X	X	X	X	X
WASHINGTON		X ₍₂₎	X ₍₂₎	X _{(3), (13)}	X	X
WEST VIRGINIA			X	X		
WISCONSIN			X ₍₁₎	X		
WYOMING				X	X	
N=	25	23	46	51	33	31
%	49%	45%	90%	100%	65%	60%

EXCLUSIONS AND LIMITATIONS KEY

(1)	The minor must be at least 12 years old.
(2)	The minor must be at least 13 years old.
(3)	The minor must be at least 14 years old.
(4)	The minor must be at least 15 years old.
(5)	The minor must be at least 16 years old.
(6)	The minor must be at least 17 years old.
(7)	The health care provider may notify parents.
(8)	The minor must be a high school graduate, married, pregnant, or a parent.
(9)	Minor may consent if a parent.
(10)	Minor may consent if a parent or if married.
(11)	Minor may consent if a parent, married, or pregnant.
(12)	Excludes abortive services.
(13)	Includes surgical care.
(14)	Excludes surgical care.
(15)	Minor must be able to understand the nature and consequences of medical or surgical treatment proposed.
(16)	Utah Code Ann. § 76-7-325 (LEXIS L. Publg. 2001), "Notice to parent or guardian of minor requesting contraceptive -- Definition of contraceptives -- Penalty for violation," stating "(1) Any person before providing contraceptives to a minor shall notify, whenever possible, the minor's parents or guardian of the service requested to be provided to such minor. Contraceptives shall be defined as appliances (including but not limited to intrauterine devices), drugs, or medicinal preparations intended or having special utility for prevention of conception. (2) Any person in violation of this section shall be guilty of a class C misdemeanor," was ruled unconstitutional by <i>Planned Parenthood Ass'n v. Matheson</i> , 582 F. Supp. 1001 (D. Utah 1983) with respect to its failure to "provide a procedure whereby a mature minor or a minor who can demonstrate that his or her best interests are contrary to parental notification can obtain contraceptives confidentially." However, the court also noted that it "does not intend to imply by this decision that a law which provided a means for minors to demonstrate maturity or best interests contrary to parental involvement would be constitutional. All that the court has decided is that due to the failure to provide such a process, H.B. 343 goes beyond the constitutionally permissible point of regulating the right of minors to make independent decisions concerning whether to bear or to beget children."
(17)	If minor is a parent, or provider believes minor will suffer probable health hazard if services withheld.
(18)	If minor is a parent, or is referred by a doctor, clergy, or Planned Parenthood clinic.
(19)	If minor is a parent, or is referred by a doctor, clergy, family planning clinic, school of higher education, or state agency.
(20)	Parental notification required for positive outcome on HIV test.
(21)	If parent or guardian is not "immediately available."
(22)	If parent is not "available."
(23)	Requires diagnosis of two health care providers, and excludes methadone treatment.
(24)	Limited to pregnancy testing and diagnosis.
(25)	Females can consent if they have ever been pregnant.
(26)	Minors of any age when health care provider believes services are necessary; minors at least (16) years old may consent to all health services excluding operations.
(27)	Under Mich. Comp. Laws § 400.14b (LEXIS L. Publg. 2001), "Family planning services; notice; referrals; furnishing drugs and appliances," minors may obtain contraceptive services (<i>See Doe v. Irwin</i> , 441 F. Supp. 1247 (W.D. Mich. 1977), <i>rev'd on other grounds</i> , 615 F.2d 1162 (6th Cir. Mich. 1980), <i>cert. denied</i> , 449 U.S. 829 (1980) (the existence, if any, of a fundamental civil right among minors to obtain prescriptive contraceptives does not need to exist to the total exclusion of any rights of the minor child's parents); <i>Doe v. Irwin</i> , 615 F.2d 1162 (6th Cir. Mich. 1980), <i>cert. denied</i> , 449 U.S. 829 (1980) (a state-run clinic that distributed contraceptive devices and medication to unemancipated children without the knowledge and the consent of their parents did not infringe upon the parents' constitutional right to care, custody, and nurture of their children.).