

FORM INSTRUCTIONS: CONSENT TO TREATMENT OF A MINOR

Form Instructions

The GHT form "Consent to Treatment of a Minor":

- is required as a condition of service provision (except in the event of an emergency), and
- must be completed/signed by the appropriate authorized person, and
- reviewed for completeness by the treating provider or other appropriate staff, and
- reviewed by the treating provider or other appropriate staff to insure the consenter qualifies as an authorized person to consent on behalf of the minor, and
- the signed form must be retained in the minor's record.

In addition, the consenter who signs the form must be given a "Notice of Behavioral Health Treatment and Procedures for a Minor: General Consent" handout for their information, and provided the opportunity to have any questions answered.

Applicability - When Consent to Treatment of a Minor is Required

This Consent to Treatment of a Minor form must be completed when providing treatment for any patient who meets **all** of the following criteria:

- is under 18 years of age, and
- is not married and has not been married, and
- has not had the disabilities of minority removed by the court

Who Must Consent to Treatment of a Minor

A minor may consent to his/her own treatment if:

- if on active duty with the armed forces;
- if 16 years of age or older, resides separately and apart from their parents and manages their financial affairs regardless the source of support and with or without parental consent;
- when consenting to the diagnosis and treatment of an infectious, contagious or communicable disease that is required to be reported;
- if unmarried and pregnant, and consents to treatment related to her pregnancy other than abortion;
- consents to examination and treatment for drug and chemical addiction or dependency; or
- consents to counseling by a physician, psychologist, counselor or social worker for sexual, physical or emotional abuse, suicide prevention or chemical addiction or dependency.

Consent to Treatment of a Minor by a Parent

The following may consent to treatment on behalf of a minor:

- natural mother
- natural father
- an unemancipated minor parent who has actual custody of his/her biological child for medical, dental, psychological or surgical treatment for the biological child only
- adoptive mother or father
- parent who is appointed managing/joint managing conservator (even for invasive procedures)
- parent who is appointed possessory conservator (as long as not for invasive procedures)

Consent to Treatment of a Minor by a Non-Parent

If none of the above can be contacted and there is no actual notice to the contrary, the following persons may consent to medical, dental, psychological or surgical treatment of a minor:

- grandparent, adult brother or sister, or adult aunt or uncle of the minor.
- adult who has actual care, control, and possession of the minor and has written authorization to consent from a person having the right to consent.

Clinic Office:

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- adult responsible for the actual care, control, and possession of a minor under the jurisdiction of a juvenile court or committed by a juvenile court to the care of an agency of the State or County.
- court having jurisdiction over a suit affecting the parent-child relationship of which the minor is the subject.
- educational institution in which the child is enrolled that has received written authorization to consent from a person having the right to consent.
- peace officer in lawful custody of a minor if the peace officer has reasonable grounds to believe the minor is in need of immediate medical treatment.
- Texas Youth Commission (TYC) facility in which the minor is committed when the person having the right to consent has been contacted and that person has not given actual notice to the contrary.