

## Confidentiality/Minor Consent Laws

### PARENT/GUARDIAN CONSENT EXCEPTIONS

A parent or legal guardian must provide consent on behalf of a minor (under age 18) before health care services are provided, with **several important exceptions**.

- **Emergency care**
- **Care for independent minors**
  - Age 15 or older, living apart from parents *and* managing their own financial affairs; OR legally married; OR sentenced to the youthful offender system
  - Pregnant minors may consent to prenatal, delivery, and post-delivery medical care
  - Victims of a sexual offense may consent to exams and treatment related to the offense, but provider must first attempt to notify parent/guardian
- **Specific health care services related to:**
  - Sexual health
  - Mental health
  - Substance use treatment

### Patients under 18 have the right to the following WITHOUT parent/guardian consent:

- Pregnancy testing and prenatal care
- Birth control information and contraceptives
- Vaccines that prevent viruses transmitted sexually (including HPV, Hep A, and Hep B)
- Testing and treatment for sexually transmitted infections/STIs, including HIV
  - Provider must encourage minor to involve a parent/guardian. If the minor is thirteen years of age or younger, the health-care provider may override the minor's confidentiality and involve the minor's parent/guardian.
  - Colorado law does not expressly allow minors to consent to HIV pre-exposure prophylaxis (PrEP) without parental/guardian involvement, but it can be reasonably included under providers being able to "discuss prevention measures, where applicable; and include appropriate therapies and prescriptions" for STIs.
- Substance use treatment (except for opioid replacement)
- Abortion (notice to parent/guardian/relative is required 48 hours in advance unless exception applies)
- Outpatient mental health services (age 12 or older)
- Inpatient mental health services (age 15 or older)

### MINORS NEED A PARENT/GUARDIAN'S PERMISSION FOR:

- Vaccines (excluding HPV, Hep A, Hep B)
- Mental health medications

### HEALTH CARE PROVIDERS MUST OVERRIDE THE MINOR'S CONFIDENTIALITY AND REPORT IF:

- The minor is a risk to themselves or someone else
- There is suspicion of abuse and/or neglect by an adult