SPARKLERS

Washington Confidentiality Laws





Briana, a 16-year-old girl who is covered by Medicaid, is requesting an IUD and does not have the consent of her parent. What do you do?

a. Tell the patient that she has to come back with a parent's consent.

b. Inform the patient that you can and will perform the procedure but must call a parent to notify them.

c. Talk to the patient about consent and confidentiality laws in Washington and explain that you can perform the procedure without parental consent.

Answer: (c.) Discussing minor consent and confidentiality laws for Washington at least annually, with every adolescent patient, is extremely important. Minors can consent to family planning and contraceptive care, including emergency contraception and without their parent/guardian's consent.

Michael is 12 and would benefit from mental health counseling based on the results of his PHQ-9. He is interested but doesn't want his dad to know. Does he need consent from his father to receive these services?

a. Yes

b. No

Answer: Yes. Only minors 13 and older can consent to outpatient mental health care without parent/guardian consent or knowledge.



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Jade is 16 years old and is interested in receiving the HPV vaccine but believes her parents will disapprove. Can she receive and HPV vaccine without her parents' consent?

- a. Yes
- b. No

Answer: No. Immunizations are one of the few health care services that do require consent from a parent/guardian in the state of Washington. Jade would have to receive permission from her parents to receive the HPV vaccine.

In Washington, some youth can consent for any health care service without a parent or guardian based on if they are considered a "mature minor" under the law. Mature minors have the capacity to understand and consent for health care services based on several factors. It is up to the provider to make this determination and provide a rationale in their chart. Which of the following factors does NOT contribute to a youth being considered a "mature minor"?

- a. The minor lives apart from their parents/guardian
- b. The minor is financially independent
- c. The minor seems to be having trouble at home
- d. The minor is generally acting as an adult in society

Answer: (c.) A "mature minor" determination is based on if the minor is generally existing apart from their parent/guardians as an adult in society. This includes being financially independent and exhibiting mature behavior for their age. It is not enough if the young person is just having difficulties at home. This could prompt you to act as a mandated report but would not necessarily fall under the Mature Minor Rule.

