Many health care providers in Missouri are uncertain as to when an adolescent may consent for medical care. Normal adolescent development usually involves experimentation and testing the limits. Unfortunately, this sometimes involves risky behaviors that may have long-lasting outcomes. At the same time, communication between teens and parents/legal guardians may become difficult. For these reasons, state statutes permit adolescent minors to consent for certain types of medical care without parental consent. A minor is a person under the age of 18.

Minors Who May Consent to Any Medical Treatment

Certain minors may consent to any medical treatment (other than abortion) based on their status. A healthcare provider who acts in good faith may rely on the representations of a minor regarding his or her age or status. Minors who may consent include:

- Minors who are or have ever been married
- Minors who are parents (for both their own care and their children's care)
- Minors who are members of the armed forces
- Minors who are homeless, 16 years of age or older, and living without the physical or financial support of a parent or guardian, if a parent or guardian has previously given express or implied consent to their living independently*
- Minors who are victims of domestic violence, 16 years of age or older, and living without the physical or financial support of a parent or guardian, if a parent or guardian has previously given express or implied consent to their living independently*

* Implied consent includes barring the minor from the home, indicating that he or she is not welcome to stay, refusing to provide financial support, or subjecting the minor to physical, sexual, or emotional abuse.

According to Missouri statute, a minor may consent to treatment “in case of pregnancy, but excluding abortion; venereal disease, drug and substance abuse.” (RSMo 431.061)* Separate statutes define HIV testing and reporting. (RSMo 191.656)* Testing information from a minor-requested test may not be released without the minor's consent if the test result is negative. However, breech of confidentiality does not apply if the health care provider decides to inform a parent/legal guardian of positive test results. This decision is a difficult one and is up to the individual health care professional. When making such decisions, it is important to keep in mind that doctor-patient trust and rapport may be affected by this decision. The decision must be in the best interest of the minor.

When a minor receives medical treatment as allowed for pregnancy, VD or drug and substance abuse, “the parent, parents, or conservator shall not be liable for payment for such care unless the parent, parents, or conservator has expressly agreed to pay for such care.” (RSMo 431.062)*

Although an unemancipated minor patient may not provide legally required consent, the minor should be involved to the extent appropriate given the patient’s age, understanding and treatment contemplated. This is considered assent.

* Statutes of Missouri
Missouri Teens and Contraceptives

Missouri law does not specifically require healthcare professionals to obtain parental consent before a minor receives family planning services or contraceptives, so healthcare professionals can and do provide these services to minor patients without parental consent. Federally funded Title X (ten) family planning clinics must provide confidential services to minors and may not require parental consent for minors to receive the services. For a complete listing of Title X family planning clinics in Missouri, please visit the Missouri Family Health Council’s website at http://mfhc.org/agency_map.php.

In an emergency situation, consent to healthcare is implied, even if the minor objects or in the absence of consent of a parent or guardian. An emergency situation is one in which it is imminently necessary to provide medical care, and any delay caused by an attempt to obtain consent would jeopardize the life, health, or limb of the minor patient.

Under state law Missouri minors are able to consent without parental consent for:

- VD/STD/STI diagnosis and treatment
- Pregnancy diagnosis and treatment
- Substance abuse diagnosis and treatment
  (only outpatient unless emancipated)

Most Missouri minors are NOT able to consent for:

- Abortions
  (See more detailed summary on Missouri Minor Consent Card)
- Routine medical care

PLEASE NOTE: This publication is intended as a guide and does not provide individual legal assistance. Please check with your legal counsel for site-specific clarification.

Special thanks to the Adolescent Reproductive and Sexual Health Education Project and the Missouri Minors’ Access Card for selected content in this issue.

Resources

Statutes of Missouri.
431.061, 431.062, 431.063, 431.065

Internet Sites

Missouri Family Health Council
(Directory of Title X clinics in Missouri)
  http://mfhc.org/agency_map.php

Physicians for Responsible Choice and Health.
Adolescent Reproductive Health and Choice Project,
Minors’ Access Cards
  http://prch.org/missouri-st

Center for Adolescent Health & the Law

Missouri Teens and Contraceptives

Missouri law does not specifically require healthcare professionals to obtain parental consent before a minor receives family planning services or contraceptives, so healthcare professionals can and do provide these services to minor patients without parental consent. Federally funded Title X (ten) family planning clinics must provide confidential services to minors and may not require parental consent for minors to receive the services. For a complete listing of Title X family planning clinics in Missouri, please visit the Missouri Family Health Council’s website at http://mfhc.org/agency_map.php.

In an emergency situation, consent to healthcare is implied, even if the minor objects or in the absence of consent of a parent or guardian. An emergency situation is one in which it is imminently necessary to provide medical care, and any delay caused by an attempt to obtain consent would jeopardize the life, health, or limb of the minor patient.

Under state law Missouri minors are able to consent without parental consent for:

- VD/STD/STI diagnosis and treatment
- Pregnancy diagnosis and treatment
- Substance abuse diagnosis and treatment
  (only outpatient unless emancipated)

Most Missouri minors are NOT able to consent for:

- Abortions
  (See more detailed summary on Missouri Minor Consent Card)
- Routine medical care

PLEASE NOTE: This publication is intended as a guide and does not provide individual legal assistance. Please check with your legal counsel for site-specific clarification.

Special thanks to the Adolescent Reproductive and Sexual Health Education Project and the Missouri Minors’ Access Card for selected content in this issue.