Michigan 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 emancipated minors**
  - Minors can be emancipated by: court order, marriage, military active duty
- **Specific health care services related to:**
  - Sexual health
  - Substance use treatment
  - Mental health

Patients under 18 have the right to the following **WITHOUT** parental/guardian consent or knowledge:

- Pregnancy testing and prenatal care
- Birth control information and contraceptives
- Testing and treatment for sexually transmitted infections (STIs)
- Substance abuse treatment

Patients Ages 14 and Up Can Access Mental Health Counseling Without Parental/Guardian Consent or Knowledge

- Up to 12 visits, or 4 months

Minors Need a Parent/Guardian’s Permission for:

- Vaccines (including HPV)
- Mental health medications
- Inpatient mental health treatment
- An abortion (unless a court-approved waiver is obtained)

Health Care Providers Must Override the Minor’s Confidentiality and Report If:

- There is suspicion of abuse by an adult
- The minor is a risk to themselves or someone else
- The minor is under age 12 and has been sexually active
- The provider may choose (but is not obligated) to tell the parents about any care provided to the minor patient, for a compelling medical reason

Special Considerations for School Personnel

**Family Planning:**

- A person shall not dispense or otherwise distribute in a public school or on public school property a family planning drug or devise. 380.1507(7)

**Referral for Abortion:**

- A school official, member of a governing board, employee of the district or intermediate district, or other person shall not refer a pupil for an abortion or assist a pupil in obtaining an abortion. If they do, they are subject to a financial penalty (at least 4% of their salary) as detailed in school policy. 388.1766