

Minors' Rights: Boston

Minors 12+ have the right to the following WITHOUT parent/guardian consent¹:

- Mental health counseling*
- Screening and treatment for sexually transmitted infections (STIs)
- Substance use treatment (except for methadone maintenance therapy)
- Birth control (including emergency contraception, excluding sterilization)
- Pregnancy testing and prenatal care

**A minor aged 16+ may consent to admission at a mental health treatment facility. In light of Massachusetts' mature minor rule (a minor who is mature enough to understand the consequences of a given medical procedure), a provider may choose to provide mental health treatment without notifying a minor's parents.*

GENDER-AFFIRMING TREATMENTS & PROCEDURES

- There are also medical treatments to affirm someone's gender identity, including hormone replacement therapy; however, consent can vary based on type of treatment for someone under 18.
- For more information on where and how to access these services, contact your community clinic.

PARENT/GUARDIAN CONSENT REQUIRED

- Abortion (a minor can petition a judge in a process known as judicial bypass)^{2,3}
- Inpatient mental health treatment (if under age 16; after age 16, consent is not needed, but parents may receive notification)

EXCEPTIONS TO PARENT/GUARDIAN CONSENT

A parent or legal guardian must provide consent on behalf of a minor before healthcare services are provided, with **several important exceptions**:


- **Sexual assault services**—sexual assault care at any clinic does not require parent/guardian consent, including making a police report and follow-up care
- **Emergency contraception**—no age restriction, prescription, or parent/guardian consent necessary to obtain Plan B One-Step and similar over-the-counter emergency contraception
- **Substance use treatment**—a minor 12+ may consent to treatment for substance use without parent/guardian consent (excluding methadone treatment)
- **HPV vaccine**—mature minors are assessed by providers and can receive the HPV vaccine without parent/guardian consent

¹Juvenile Rights Advocacy Project, https://www.mass.gov/files/documents/2017/10/17/jrap_medical_consent.pdf, 6/18/2019.

²Guttmacher Institute, <https://www.guttmacher.org/print/state-policy/explore/overview-minors-consent-law>, 6/18/2019.

³Planned Parenthood, <https://www.plannedparenthood.org/planned-parenthood-massachusetts/online-health-center/judicial-bypass>, 6/18/2019.

Minors' Rights: At a Glance

	Minors age 12+ can consent without parent/guardian	
Abortion	✘	A minor can petition parent/guardian consent in a process known as judicial bypass; to learn more about this process, visit: https://www.plannedparenthood.org/planned-parenthood-south-texas/patients/abortion-care-services/minors-and-abortion-care
Birth Control & Emergency Contraception	✔	Minors cannot consent to sterilization without parent/guardian consent
HPV Vaccine	✔	
Mental Health Counseling	✔	Under age 16: mature minors are assessed by providers and can access counseling without parent/guardian consent; 16+: parent/guardian consent is not needed, but they may receive notification To access inpatient mental health treatment under the age of 16 parent/guardian consent is required ; 16+ parent/guardian consent is not needed, but they may receive notification
Pregnancy Testing & Prenatal Care	✔	
STI Screening & Treatment	✔	
Sexual Assault Services	✔	
Substance Use Treatment	✔	Minors cannot access replacement narcotic abuse treatment (i.e., methadone treatment) without parent/guardian consent

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 others