

Health Care

Someone has probably told you, and if not then you are hearing it now, to be thankful for your health. What happens when you get sick or need to go to the doctor? Have you ever thought about going to the doctor on your own without your parent or guardian? Indiana laws state when Indiana youth are able to consent to their own health care.



1. Does a person less than eighteen years of age have the right to obtain health care without a parent or guardian knowing?

In general, a person under age eighteen cannot obtain health care without the consent of a parent or guardian. However, you can obtain health care before age eighteen if you are:

- Emancipated, as determined by a court or other legal authority;
- At least age fourteen and are not relying on a parent or guardian for support, are not living with a parent or guardian, and are taking care of your own affairs;
- Married or divorced;
- Enlisted in the United States military service; or
- Permitted by Indiana law to consent to your own health care in certain special circumstances.

2. Under what certain special circumstances do I not need my parent's or guardian's consent to obtain health care?

You do *not* need your parent's or guardian's consent to obtain health care in the following situations:

- **An emergency.** You may receive health care in an emergency without the consent of a parent or guardian.
- **Treatment for a sexually transmitted disease.** You may consent to medical care or treatment if you know or suspect that you have a venereal disease or have been exposed to a venereal disease.
- **To obtain contraceptive services.** Contraceptive services are forms of birth control, or ways to prevent pregnancy. Certain federally supported clinics, such as the Planned Parenthood Federation of America, Inc., provide

contraceptive services and other reproductive health care to youth on a confidential basis without the consent of a parent or guardian.

- **To obtain an abortion.** In general, you may not receive an abortion without the written consent of a parent or

guardian. However, if you object to the requirement of written parental consent or if your parent or guardian refuses to consent, you may petition the juvenile court for permission to have an abortion without your parent's or guardian's consent. A physician



may also petition the juvenile court for waiver of parental consent, within 24 hours of the abortion request, if he or she determines that requiring parental consent would endanger your health. The juvenile court will rule within 48 hours of the filing of the petition.

You may receive an abortion without the consent of a parent or guardian if there is an emergency that is causing an immediate threat to your life or health, and your physician certifies that fact in writing.

- **To obtain drug treatment.** You may seek treatment for alcoholism, alcohol abuse, or drug abuse without notification or consent of a parent or guardian.
- **To receive treatment as a sex crime victim.** If you are a victim of a sex crime and are in need of emergency hospital services, these services will be provided upon your consent.

3. When can I donate blood without my parent's or guardian's consent?

If you are at least age seventeen, you may donate blood without a parent or guardian's permission. However, your decision to donate blood must be voluntary, meaning no one is making you do it. In addition, you must not receive any money or gifts for donating.

4. Can I request copies of my medical records?

In general, you cannot request copies of your health records until age eight-

een, unless you are emancipated. (See Chapter 8 for information on emancipation.) Your parent or guardian may request your health records. However, in the special circumstances where you do not need parent or guardian consent, such as venereal disease testing or drug treatment, you are the only person who can consent to release of the records for that treatment.

Chapter 10 Sources

1. Does a person less than eighteen years of age have the right to obtain health care without a parent or guardian knowing?
I.C. 16-36-1-3(a)
2. Under what certain special circumstances do I not need my parent's or guardian's consent to obtain health care?
I.C. 16-36-1-12(e)(5); I.C. 16-36-1-3(c); 42 U.S.C. 300; I.C. 16-34-2-4; I.C. 12-23-12-1; I.C. 16-21-8-1
3. When can I donate blood without my parent's or guardian's consent?
I.C. 16-36-1-3(b)
4. Can I request copies of my medical records?
I.C. 16-39-1-3; I.C. 16-39-1-7; 45 C.F.R. 164.502(g)(3)(i)

