**MINOR CONSENT**

**Statutory public health exceptions to parental consent for medical treatment**:

Physician immunity to test & treat without parental consent

1-**Minor infected with sexually transmitted infection** - LRS 40:1121.8

2- **Minor abusing drugs** - LRS 40:1079.2

3-**Blood donation** Minor ages 16 & 17 years. LRS 40:1079.3

4**-** In addition to these three laws there is **a parental consent bypass law for a pregnant minor who seeks abortion that requires parental consent or Court order (See OB clerkship online)**

5- Louisiana law also provides **for schools/ other some other facilities to provide preventive counseling or treatment to a child without parental consent** if certain other conditions are met @LRS 40:1079.13. We do not cover this topic…since schools not physicians are responsible to police this exception to minor consent exception.

**1-LRS 40§1121.8. Minor's consent for treatment of venereal diseases**

            A. Consent to the provision of medical or surgical care or services by a hospital or public clinic, or to the performance of medical or surgical care or services by a physician, licensed to practice medicine in this state, when executed by a minor who is or believes himself to be afflicted with a venereal disease, shall be valid and binding as if the minor had achieved his majority. Any such consent shall not be subject to a later disaffirmance by reason of his minority.

            B. The consent of a spouse, parent, guardian or any other person standing in a fiduciary capacity to the minor shall not be necessary in order to authorize such hospital care or services or medical or surgical care or services to be provided by a physician licensed to practice medicine to such a minor.

            C. Upon the advice and direction of a treating physician, or, in the case of a medical staff, any one of them, a physician or member of a medical staff may, but shall not be obligated to, inform the spouse, parent or guardian of any such minor as to the treatment given or needed, and such information may be given to, or withheld from the spouse, parent or guardian without the consent and over the express objection of the minor.

            D. No physician licensed to practice medicine in this state shall incur civil or criminal liability in connection with any examination, diagnosis and treatment authorized by this Section except for negligence.

**2-LRS40§1079.2. Treatment for drug abuse**

            A. Consent to the provision of medical or surgical care or services by a hospital or public clinic, or to the performance of medical or surgical care or services by a physician, licensed to practice medicine in this state, when executed by a minor who is or believes himself to be addicted to a narcotic or other drug, shall be valid and binding as if the minor had achieved his majority. Any such consent shall not be subject to a later disaffirmance by reason of his minority.

            B. The consent of a spouse, parent, guardian or any other person standing in a fiduciary capacity to the minor shall not be necessary in order to authorize such hospital care or services or medical or surgical care or services to be provided by a physician licensed to practice medicine to such a minor.

            C. Upon the advice and direction of a treating physician, or, in the case of a medical staff, any one of them, a physician or member of a medical staff may, but shall not be obligated to, inform the spouse, parent or guardian of any such minor as to the treatment given or needed, and such information may be given to, or withheld from the spouse, parent or guardian without the consent and over the express objection of the minor.

            D. No hospital and no physician licensed to practice medicine in this state shall incur civil or criminal liability in connection with any examination, diagnosis and treatment authorized by this Section except for negligence.

**3-LRS 40§1079.3. Donation of blood**

            A. Notwithstanding any other provision of the laws of the state of Louisiana, a minor may give consent to the donation of his blood and to the penetration of tissue necessary to accomplish such donation if either of the following criteria is satisfied:

            (1) The minor has reached the age of sixteen years and the written consent of the parents, legal guardian, or person who has legal authority to consent on behalf of the minor has been obtained.

            (2) The minor has reached the age of seventeen years. The consent of the parents or guardian of a minor who has reached the age of seventeen years shall not be required.

            B. No minor shall be compensated for the donation of his blood.

            C. Consent which is obtained pursuant to this Section shall not be subject to deferments because of minority.