

Health care for minors

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If you're under age 18, and you need health care, sometimes you'll need an "authorized adult" to consent to medical decisions and sometimes you won't. Learn who the "authorized adult" is under state law, what a kinship caregiver is, any age limits on your ability to consent to health care on your own, and special protections for homeless youth.

1. Age of majority

18 years old is Washington state's general age of majority for health care (<http://app.leg.wa.gov/RCW/default.aspx?cite=26.28.010>). You can get healthcare services in Washington without an authorized adult's permission once you're 18.

2. Under 18

If you're under age 18, you can get healthcare services without an authorized adult's consent if:

- You're married to an adult (<http://app.leg.wa.gov/RCW/default.aspx?cite=26.28.020>)
- You've legally emancipated from your parents
- You've been determined by a health care provider to be a mature minor
- You're homeless (in certain situations)

Other situations could qualify you for healthcare without an authorized adult's consent depending on what type of services you want to get.

3. Authorized adult

When you're under age 18, an authorized adult is someone at least age 18 who has the legal power (the authority) to agree (to consent) to health care for you. This person may be:

- Your parent
- An adult who has court permission, like a court order, to make health care decisions for you (legal guardian or custodian, out-of-home placement order)
- An adult relative, also called a kinship caregiver
- In some situations, a school nurse, school counselor, or homeless student liaison could be an authorized adult for you

4. Kinship caregivers

Many relative caregivers of children and youth under age 18, called **kinship caregivers**, don't have a court order or power of attorney. But they can still consent to health care for you if one of these is true:

- The relative has a signed authorization from your parent that lets them make health care decisions for you

Or

- The relative has signed and dated a declaration that they are an adult relative responsible for your health care

Kinship caregivers can consent to any health care to diagnose, treat, or keep up your physical or mental condition. This includes dental care.

5. Kinship caregiver declaration

Form attached:

Kinship Caregiver's Declaration of Responsibility for a Minor's Health Care

(NJP Health 752)

This declaration only lets a relative consent to health care for you (the minor). It has no effect on legal custody or the parents' legal rights.

If your kinship caregiver doesn't have anything in writing, it could be hard for them to try to get health care for you. In this situation, state law allows the caregiver to make a written declaration (<https://app.leg.wa.gov/rcw/default.aspx?cite=7.70.065>) that they're an adult relative responsible for your health care.

A **declaration** is a written statement a person signs swearing the information in the statement is true. Declarations are dated and signed by the person "under the penalty of perjury under the laws of the state of Washington." Signing a declaration that has false statements is a felony.

A kinship caregiver's declaration is good for 6 months from the date that the relative signed it. After 6 months, if the relative is still caring for you, they should fill out another declaration.

Even if the kinship caregiver has signed a declaration, a medical provider can ask for additional proof that the caregiver is a relative responsible for your health care. Here's a list of some things you could give the provider. These are just examples. This isn't a complete list:

- A Will listing the kinship caregiver's relationship to you (the minor child)
- A letter from a social worker, school staff, lawyer, religious leader, or licensed medical, mental health, or behavioral professional showing the relationship between kinship caregiver and you
- Records from a school, hospital, clinic, or other public health or social service agency showing the relationship between kinship caregiver and you
- Proof that the kinship caregiver gets a public benefit **for you**, such as TANF (<https://www.dshs.wa.gov/esa/community-services-offices/temporary-assistance-needy-families>), SSI (<https://www.ssa.gov/ssi>), medical coupons, food stamps (<https://www.dshs.wa.gov/esa/community-services-offices/basic-food>), or free or reduced school meals
- Records from the Department of Social and Health Services (DSHS) (<https://www.dshs.wa.gov/>) showing the kinship caregiver is your contact
- Proof that you live in the kinship caregiver's home
- Proof that you're related to the kinship caregiver

- Insurance for you where the kinship caregiver states your relationship to each other, for example your kinship caregiver lists you on their health insurance policy as a dependent
- The kinship caregiver's Federal Income Tax return listing you as a dependent
- Any other paperwork showing your relationship with kinship caregiver and that they're acting as your caregiver

6. Services under age 18

If you want to get medical care not listed here, you might want to think about becoming emancipated, or filing a Mature Minor court petition. Both have downsides. Try to talk to a lawyer.

At any age:

You can get these services at any age without an authorized adult's consent:

- Emergency health care (<http://app.leg.wa.gov/RCW/default.aspx?cite=7.70.050>)
- Abortion services (<http://app.leg.wa.gov/RCW/default.aspx?cite=9.02.100>)
- Prenatal care (<https://law.justia.com/cases/washington/supreme-court/1975/42645-1.html>)
- Birth control (<http://app.leg.wa.gov/RCW/default.aspx?cite=9.02.100>)
- Puberty blockers and/or hormone treatment, as part of birth control services, depending on your provider
- While normally you must be at least 14 to consent to testing for sexually transmitted infections (STI's), including HIV, your county's health program might do testing at any age. For instance, Public Health—Seattle & King County (<https://kingcounty.gov/en/dept/dph>) will provide STI testing and treatment (<https://kingcounty.gov/en/dept/dph/health-safety/disease-illness/hiv-sti-hcv>) without authorized adult consent. To find out if your county offers STI testing without parental permission, contact your county's public health program
- If you're experiencing homelessness or the provider is willing to say that you're a Mature Minor, you can get immunizations and non-emergency medical care

Starting at age 13:

You can get these services starting at age 13 without an authorized adult's consent:

- Treatment for alcohol or drug use
- Mental health care

For both areas of care, starting at age 13 you can get both outpatient care (where you don't stay overnight) and inpatient care (where you must stay at the place where you're getting the treatment). If you go into inpatient substance use treatment or mental health care, the provider probably **must** let an authorized adult know.

Consultations related to gender identity can be considered mental health care. Depending on your relationship with your provider, you should be able to get mental health care for this reason without an authorized adult if you're at least 13 years old. The authorized adult will only be notified if you consent.

Starting at age 14:

Starting at age 14, you can get tested and treated for sexually transmitted infections (STI's), including HIV, without an authorized adult's consent.

The care available to you here includes prescriptions resulting from that care. You can pick up your prescriptions at any age as long as you have state ID.

7. Homeless youth

If you're homeless and on your own

(<https://app.leg.wa.gov/RCW/default.aspx?cite=7.70.065>) (not in the physical custody of a parent or guardian), you can ask a school nurse, school counselor, or

homeless student liaison to be an authorized adult for you. If asking one of these adults isn't an option for you, you can still consent to some non-emergency, basic health care for yourself. This includes:

- Physical exams
- Eye exams and eyeglasses
- Dental exams
- Hearing exams and hearing aids
- Vaccinations
- Treatment for illness and conditions
- Routine follow-up care in an outpatient setting

You may also be able to get gender affirming care while you're staying at a shelter or a host home. Normally, a youth homeless shelter or a host home must notify your parents within 72 hours of your arrival that you're there. If you're getting gender care, the shelter or home will contact the state child welfare agency (<https://www.dcyf.wa.gov/>) instead of your parents. The state will then contact your parents about the possibility of reunification.

8. Mature minor

In some situations, you can get health care without an authorized adult's consent if the medical provider determines that you're a Mature Minor. **Whether you meet the requirements to be considered a Mature Minor** (<https://law.justia.com/cases/washington/supreme-court/1967/38891-1.html>) **depends on the facts of your personal situation and what a health care provider thinks about these facts.** Not all health providers will do this, and in your situation it might make more sense to file a court case called a Mature Minor Petition, which can be hard to do on your own. Try to talk to a lawyer.

9. Get medical help

For most medical programs, including insurance and subsidies, you can apply online (<http://www.wahealthplanfinder.org/>), or by calling 1-855-923-4633 (1-855-WAFINDER), or by asking for a paper application from HealthPlanFinder or from your local DSHS office (<https://www.dshs.wa.gov/office-locations>).

WashingtonLawHelp.org gives general information. It is not legal advice. Find organizations that provide free legal help on our Get legal help page.

Kinship Caregiver's Declaration of Responsibility for a Minor's Health Care

I declare:

1. Minor

I consent to health care for the child (*name*): _____.

The child's date of birth is: _____.

2. Caregiver

I am age 18 or older. I am a relative responsible for the health care of the minor.

My name is: _____.

My date of birth is: _____.

My home address is: _____.

3. Caregiver's relationship to minor

I am the minor's (*grandparent, aunt/uncle, etc.*): _____.

4. Authorization

Use of this Declaration is authorized by Washington state law, RCW 7.70.065. This Declaration is valid for **6 months** from the date signed below.

I declare under penalty of perjury under the laws of the State of Washington that the facts I have provided on this form are true.

Signed at (*city and state*): _____ Date: _____



Caregiver signs here

Important!

- This Declaration does not affect the rights of the minor to consent to their own medical care where authorized by law.
- This Declaration does not affect the rights of the minor's parents or legal guardian and does not mean that the caregiver has legal custody of the minor.

To Health Care Providers and Health Care Facilities:

- You may rely on this Declaration unless you have actual notice that any statements by the person who signed the Declaration are false. RCW 7.70.065(2)(c).
- You may, but are not required to, request additional documentation that the person who signed the Declaration is a relative responsible for the health care of the minor. RCW 7.70.065(2)(d).
- State law says that health care providers and facilities are protected from lawsuits and disciplinary action when they rely on a Declaration like this one to provide care. RCW 7.70.065(2)(e).