



## **Minor's Right to Consent**

In accordance with North Carolina Statutes (outlined below) Durham Public Schools high school students can consent for mental health treatment. All services are insurance based. However, in some circumstances when resources permit students may be eligible for Pro Bono. The guidelines and processes for Co-Located Mental Health apply to student consents.

### **§ 90-21.5. Minor's consent sufficient for certain medical health services.**

- (a) Any minor may give effective consent to a physician licensed to practice medicine in North Carolina for medical health services for the prevention, diagnosis and treatment of (i) venereal disease and other diseases reportable under G.S. 130A-135, (ii) pregnancy, (iii) abuse of controlled substances or alcohol, and (iv) emotional disturbance. This section does not authorize the inducing of an abortion, performance of a sterilization operation, or admission to a 24-hour facility licensed under Article 2 of Chapter 122C of the General Statutes except as provided in G.S. 122C-223. This section does not prohibit the admission of a minor to a treatment facility upon his own written application in an emergency situation as authorized by G.S. 122C-223.
- (b) Any minor who is emancipated may consent to any medical treatment, dental and health services for himself or for his child. (1971, c. 35; 1977, c. 582, s. 2; 1983, c. 302, s. 2; 1985, c. 589, s. 31; 1985 (Reg. Sess., 1986), c. 863, s. 4; 2009-570, s. 10.)

<https://www.ncleg.gov/Laws/GeneralStatuteSections/Chapter90>

**HB613** - This bill would allow unaccompanied homeless minors to consent to certain essential health services.

- This includes a physical examination that is required for youth's participation in a school activity by a licensed physician, physician assistant, or nurse practitioner.
- This includes any dental service performed by a licensed dentist.
- This includes any service that constitutes the practice of optometry by an optometrist.
- This includes a health screening, outpatient treatment or a combination for the prevention, diagnosis and treatment of mental illness or substance abused by a qualified health professional.

<https://www.ncleg.gov/Legislation/Bills/Summaries/2019/H613>