



Consent by Minors to Medical Treatment

Under Illinois law, a minor is a person who has not attained the age of 18 years.¹ In general, a minor cannot consent to medical treatment, and a parent, guardian, or person *in loco parentis* must consent to the treatment of a minor. However, there are several exceptions that permit a minor to consent for him or herself, and these exceptions depend upon either the minor’s legal status or the medical condition or treatment sought by the minor. Please see the [Consent by Minors to Medical Treatment](#) article for more details.

Legal Status	Medical Condition or Treatment (Typically Age-Based)
<p style="text-align: center;">Minors may consent to any medical treatment if</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">Married (including birth control services)</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">Emancipated</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">a Parent (including birth control services and medical treatment for his/her child)</p> <p style="text-align: center;">↓</p> <p style="text-align: center;">Pregnant (including birth control services and abortion; an abortion require 48 hours notice to an adult family member unless an exception applies)</p>	<div style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p style="text-align: center; background-color: #0070C0; color: white; padding: 5px;">17+ years of age may consent</p> <ul style="list-style-type: none"> To outpatient counseling or psychotherapy, no limitations. To donate blood without written permission or authorization from a parent or guardian. </div> <div style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p style="text-align: center; background-color: #0070C0; color: white; padding: 5px;">16+ years of age may consent</p> <ul style="list-style-type: none"> To voluntary inpatient admission to a mental health facility, but a parent or guardian must be notified. To donate blood with written permission or authorization from a parent or guardian. </div> <div style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p style="text-align: center; background-color: #0070C0; color: white; padding: 5px;">14+ years of age may consent</p> <ul style="list-style-type: none"> To primary care under certain circumstances if a) living separate from his/her parents or legal guardian, b) unable or unwilling to return to parent's residence, c) and managing his/her own personal affairs. </div> <div style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px; margin-bottom: 10px;"> <p style="text-align: center; background-color: #0070C0; color: white; padding: 5px;">12+ years of age may consent</p> <ul style="list-style-type: none"> To healthcare services or counseling related to drug abuse or alcohol consumption. To outpatient counseling or psychotherapy; until age 17, limited to eight, 90 minute sessions unless subject to an exception. To STD and HIV testing, including anonymous HIV testing. <i>Note that when a minor 12+ years of age objects to involuntary inpatient admission to a mental health facility, the minor must be discharged.</i> </div> <div style="border: 1px solid #0070C0; border-radius: 15px; padding: 10px;"> <p style="text-align: center; background-color: #0070C0; color: white; padding: 5px;">Minors of any age may consent</p> <ul style="list-style-type: none"> To healthcare services for his/her child. To sexual assault or abuse diagnosis, treatment, and counseling, including emergency hospital services, forensic services, and follow up treatment. To birth control services, if failure to provide such services creates a serious health hazard, or if referred for such services. </div>

¹ Probate Act of 1975, 755 ILCS 5/11-1.

This document is intended to be a guide for IHA members and does not constitute legal advice. For questions, please contact the IHA Legal Department at legal@team-ih.org or 630-276-5506.

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