



Minor Consent and Confidentiality Laws for HIV Treatment and PrEP: Alabama

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, states' minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines minor consent and confidentiality laws in the state of Alabama.

Relevant Statute Summary: Alabama

Alabama state laws allow for minors (defined by statute as someone twelve years of age or older) to consent to a range of services related to diagnosis and treatment of sexually transmitted diseases (STDs). Although HIV is not specifically named in the statute, the chart below shows that this statute is interpreted to provide for HIV and STI testing and treatment measures. This interpretation is consistent with Alabama's designation of HIV as an STD by the Alabama State Board of Health. Alabama's statutes do not mention PrEP or biomedical prevention specifically, so it is arguable whether the statute applies to PrEP.

Under Alabama law, providers may, but are not required to, inform parents or guardians if a minor seeks diagnoses or treatment for sexually transmitted infections or HIV. Alabama does not have a statute indicating whether a minor's parent or guardian may receive an Explanation of Benefits (EOBs) without the minor's authorization. Alabama has strict laws governing EOBs and requires EOBs to be sent to the policyholder rather than the person receiving services. See the chart below for a more detailed analysis of Alabama's statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: Alabama

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOBs Confidentiality Protections?</i>	<i>Statute/citation</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Does not address confidentiality protections	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of age 12 and older	No	Provider may, but is not required to, notify parents	Does not address confidentiality protections	<ul style="list-style-type: none"> Ala. Code § 22-11A-19
HIV treatment	Yes, for minors of any age	No	Provider may, but is not required to, notify parents	Does not address confidentiality protections	<ul style="list-style-type: none"> Ala. Code § 22-11A-19
STD/STI testing	Yes, for minors of any age	No	Provider may, but is not required to, notify parents	Does not address confidentiality protections	<ul style="list-style-type: none"> Ala. Code § 22-11A-19
STD/STI treatment	Yes, for minors of any age	No	Provider may, but is not required to, notify parents	Does not address confidentiality protections	<ul style="list-style-type: none"> Ala. Code § 22-11A-19

General Resources:

- <https://www.cdc.gov/hiv/policies/law/states/index.html>
- <https://www.cdc.gov/hiv/policies/law/states/minors.html>
- <https://www.guttmacher.org/state-policy/explore/minors-access-sti-services>

Alabama-specific Resources:

- <https://www.alabamapublichealth.gov/legal/assets/publichealthlawsofalabama.pdf>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Arizona

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for adolescents and adults weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of Arizona.

Relevant Statutory Summary: Arizona

Arizona has two separate statutes related to STI and HIV testing and treatment. Ariz. Rev. Stat. § 44-132.01 permits minors of any age to access STI testing and treatment without parental consent, while Ariz. Rev. Stat. § 36-663 permits HIV testing without parental consent. There is no statutory authority for HIV treatment for minors without consent. It is ambiguous as to whether the statutes are applicable to PrEP or other biomedical prevention measures. Arizona does not explicitly allow or restrict providers from notifying a minor's parents or guardians about STI or HIV testing and treatment. Arizona does not have a statute indicating whether a minor's parent or guardian may not receive an Explanation of Benefits (EOBs) without the minor's authorization. See the chart below for a more detailed analysis of Arizona's statutes related to minor consent, disclosure, and confidentiality.

Minor Consent and Confidentiality Laws: Arizona

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Not specified	No confidentiality protections	<ul style="list-style-type: none"> Ariz. Rev. Stat. § 36-663
HIV treatment	No	N/A	N/A	No confidentiality protections	N/A
STD/STI testing	Yes, for minors of any age	No	Not specified	No confidentiality protections	<ul style="list-style-type: none"> Ariz. Rev. Stat. § 44-132.01
STD/STI treatment	Yes, for minors of any age	No	Not specified	No confidentiality protections	<ul style="list-style-type: none"> Ariz. Rev. Stat. § 44-132.01

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

Arizona-specific Resources:

<https://www.azleg.gov/ars/44/00132.htm>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Arkansas

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of Arkansas.

Relevant Statutory Summary: Arkansas

Arkansas's laws allow for minors (defined as someone under the age of 18) to consent to a range of services related to the diagnosis and treatment of sexually transmitted diseases (STDs) and HIV. Although HIV is not specifically named in the statute, the chart below indicates that the statute provides for HIV and STD testing and treatment measures. This interpretation is consistent with Arkansas's inclusion of HIV as a sexually transmitted disease (STD) under its regulatory guidance. It is ambiguous as to whether the statutes are applicable to PrEP or other biomedical prevention measures. Under Arkansas law, providers may, but are not required to, inform parents or guardians if a minor seeks diagnoses or treatment for STIs or HIV. Arkansas does not have a statute indicating whether a minor's parent or guardian may not receive an Explanation of Benefits (EOB) without the minor's authorization. See the chart below for a more detailed analysis of Arkansas's statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: Arkansas

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Provider may, but is not required to, notify parents	No confidentiality protections	<ul style="list-style-type: none"> Ark. Code § 20-16-508
HIV treatment	Yes, for minors of any age	No	Provider may, but is not required to, notify parents	No confidentiality protections	<ul style="list-style-type: none"> Ark. Code § 20-16-508
STD/STI testing	Yes, for minors of any age	No	Provider may, but is not required to, notify parents	No confidentiality protections	<ul style="list-style-type: none"> Ark. Code § 20-16-508
STD/STI treatment	Yes, for minors of any age	No	Provider may, but is not required to, notify parents	No confidentiality protections	<ul style="list-style-type: none"> Ark. Code § 20-16-508

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD's TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: California

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of California.

Relevant Statutory Summary: California

California state laws allow for minors (defined as someone age 12 and older) to consent to a range of services related to prevention, diagnosis, and treatment of sexually transmitted diseases (labeled venereal diseases under statute). California also allows minors to obtain PrEP without parental or guardian consent. California does not have a statute indicating whether a provider may or may not disclose to the minor's parent or guardian if they underwent testing, treatment, or preventative measures for STIs or HIV. However, given California's protections, it is interpreted that this disaffirmance of disclosure operates to mean that providers cannot disclose testing or treatment. In 2013, California lawmakers enacted the Confidential Health Information Act to address privacy concerns of individuals insured as dependents on a parent's or partner's health plan. The law allows individuals to submit a "confidential communications request" to their health plan when seeking sensitive services such as PrEP under another person's policy. Confidential communications requests can be found at <https://myhealthmyinfo.org/>. See the chart below for a more detailed analysis of California's statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: California

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Yes, for minors age 12 and older	No	Not specified under statute, interpreted to not allow notification	Prohibits release of information if included as confidential communications request	Cal. Civil Code § 56.107
HIV testing	Yes, for minors age 12 and older	No	Not specified under statute, interpreted to not allow notification	Prohibits release of information if included as confidential communications request	Cal. Fam. Code § 6926 Cal. Health & Safety Code Ann. § 121020
HIV treatment	Yes, for minors age 12 and older	No	Not specified under statute, interpreted to not allow notification	Prohibits release of information if included as confidential communications request	Cal. Fam. Code § 6926
STD/STI testing	Yes, for minors age 12 and older	No	Not specified under statute, interpreted to not allow notification	Prohibits release of information if included as confidential communications request	Cal. Fam. Code § 6926
STD/STI treatment	Yes, for minors age 12 and older	No	Not specified under statute, interpreted to not allow notification	Prohibits release of information if included as confidential communications request	Cal. Fam. Code § 6926

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.guttmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089. For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Florida

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of Florida.

Summary of Relevant Statutes: Florida

Florida's laws allow for minors (defined as someone under the age of 18 years) to consent to a range of services related to diagnosis and treatment of STIs and HIV. Florida's statutes do not mention PrEP or biomedical prevention specifically. As such, it is ambiguous as to whether the statutes are applicable to PrEP or other biomedical prevention measures. Florida does not have a statute indicating whether a minor's parent or guardian may not receive an Explanation of Benefits (EOB) without the minor's authorization or whether a provider may or may not disclose to the minor's parent if the minor underwent testing, treatment, or preventative measures for STIs or HIV. See the chart below for a more detailed analysis of Florida's statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: Florida

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Notification not permitted	No confidentiality protections	Fla. Stat. § 384.30
HIV treatment	Yes, for minors of any age	No	Notification not permitted	No confidentiality protections	Fla. Stat. § 384.30
STD/STI testing	Yes, for minors of any age	No	Notification not permitted	No confidentiality protections	Fla. Stat. § 384.30
STD/STI treatment	Yes, for minors of any age	No	Notification not permitted	No confidentiality protections	Fla. Stat. § 384.30

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Georgia

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of Georgia.

Relevant Statutory Summary: Georgia

A minor (defined as someone under the age of 18 years) may consent to STI or HIV treatment without parental or guardian consent. Georgia's statute explicitly provides for testing and treatment of both STIs and HIV. However, a minor's ability to access PrEP without a parent or guardian's consent is not specified by statute. Under Georgia statute, providers may, but are not obligated to, disclose STI and/HIV diagnoses and treatment to a minor's parents or guardians without the minor's consent. Georgia does not have a statute indicating whether a minor's parent or guardian may not receive an Explanation of Benefits (EOBs) without the minor's authorization. See the below chart for a more detailed analysis of Georgia's statutes related to minor consent, disclosure, and confidentiality.

Minor Consent and Confidentiality Laws: Georgia

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • Ga. Code § 31-17-7 (a) • Ga. Code § 31-17-7 (b).
HIV treatment	Yes, for minors of any age	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • Ga. Code § 31-17-7 (a) • Ga. Code § 31-17-7 (b).
STD/STI testing	Yes, for minors of any age	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • Ga. Code § 31-17-7 (a) • Ga. Code § 31-17-7 (b).
STD/STI treatment	Yes, for minors of any age	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • Ga. Code § 31-17-7 (a) • Ga. Code § 31-17-7 (b).

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Illinois

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, a state's minor consent laws may impact PrEP access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of Illinois.

Relevant Statutory Summary: Illinois

A minor (defined as someone under the age of 18) may consent to sexually transmitted infections (STIs) or HIV treatment without parental or guardian consent. While the relevant statute does not mention HIV specifically, the language of the statute may be interpreted to include HIV. Since the statute specifies that minors can access preventive services, minors in IL can access PrEP without parental or guardian consent. Providers may, but are not obligated to, disclose STI and HIV diagnoses and treatment to a minor's parents or guardians without the minor's consent (410 Ill. Comp. Stat. §210, Section 5). Illinois does not have a statute indicating whether a minor's parent or guardian may not receive an Explanation of Benefits (EOBs) without the minor's authorization. However, EOBs are suppressed under Medicaid in "specified sensitive cases." It is unclear whether a minor seeking STI or HIV prevention, testing, or treatment qualifies as a specified sensitive case. See the below chart for a more detailed analysis of Illinois's statutes related to minor consent, disclosure, and confidentiality.

Minor Consent and Confidentiality Laws: Illinois

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Yes, for minors aged 12 years and older	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections (potential exception under Medicaid for specified sensitive cases)	<ul style="list-style-type: none"> • 410 Ill. Comp. Stat. §210 Section 4 • 410 Ill. Comp. Stat. §210 Section 5 •
HIV testing	Yes, for minors aged 12 years and older	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections (potential exception under Medicaid for specified sensitive cases)	<ul style="list-style-type: none"> • 410 Ill. Comp. Stat. §210 Section 4 • 410 Ill. Comp. Stat. §210 Section 5 • 77 Ill. Adm. Code 693.130 • 77 Ill. Adm. Code 697.420
HIV treatment	Yes, for minors aged 12 years and older	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections (potential exception under Medicaid for specified sensitive cases)	<ul style="list-style-type: none"> • 410 Ill. Comp. Stat. §210 Section 4 • 410 Ill. Comp. Stat. §210 Section 5 • 77 Ill. Adm. Code 693.130 • 77 Ill. Adm. Code 697.420
STD/STI testing	Yes, for minors aged 12 years and older	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections (potential exception under Medicaid for specified sensitive cases)	<ul style="list-style-type: none"> • 410 Ill. Comp. Stat. §210 Section 4 • 410 Ill. Comp. Stat. §210 Section 5 • 77 Ill. Adm. Code 693.130 • 77 Ill. Adm. Code 697.420

STD/STI treatment	Yes, for minors aged 12 years and older	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections (potential exception under Medicaid for specified sensitive cases)	<ul style="list-style-type: none"> • 410 Ill. Comp. Stat. §210 Section 4 • 410 Ill. Comp. Stat. §210 Section 5 • 77 Ill. Adm. Code 693.130 • 77 Ill. Adm. Code 697.420
-------------------	---	----	---	---	--

General Resources:

- <https://www.cdc.gov/hiv/policies/law/states/index.html>
- <https://www.cdc.gov/hiv/policies/law/states/minors.html>
- <https://www.guttmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Louisiana

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, a state's minor consent laws may impact PrEP access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of Louisiana.

Relevant Statutory Summary: Louisiana

Under Louisiana law, a minor (defined as someone under the age of 18) may consent to sexually transmitted diseases (STDs) or HIV treatment without parental or guardian consent. While the relevant statute does not mention HIV specifically, Louisiana's statute provides that "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..." Louisiana's statute defines venereal disease to include "syphilis, gonorrhea, chancroid, or any other infectious disease primarily transmitted from one person to another by means of a sexual act." This may be reasonably interpreted to include HIV. PrEP is not included in the below chart because no source or interpretation indicates that the statute is intended to apply to a minor's ability to access PrEP without parental or guardian consent. Under Louisiana statute, providers may, but are not obligated to, disclose STI and/or HIV diagnoses and treatment to a minor's parents or guardian without the minor's consent. Louisiana also does not have a statute indicating whether a minor's parent or guardian may not receive an Explanation of Benefits (EOBs) without the minor's authorization. See the chart below for a more detailed analysis of

Louisiana’s statutes related to minor consent, confidentiality, and disclosures around testing and treatment for HIV and STIs.

Minor Consent and Confidentiality Laws: Louisiana					
<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • La. Stat. § 40:1121:8 • LSA-R.S. 40:1079.1 • La. Admin Code. tit. 48, Pt I, § 13503
HIV treatment	Yes, for minors of any age	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • La. Stat. § 40:1121:8 • LSA-R.S. 40:1079.1 • La. Admin Code. tit. 48, Pt V, § 8703 •
STD/STI testing	Yes, for minors of any age	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • La. Stat. § 40:1121:8 • LSA-R.S. 40:1079.1 • La. Admin Code. tit. 48, Pt V, § 8703 •
STD/STI treatment	Yes, for minors of any age	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • La. Stat. § 40:1121:8 • LSA-R.S. 40:1079.1 • La. Admin Code. tit. 48, Pt V, § 8703 •

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD's TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP: Maryland

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of Maryland.

Relevant Statutory Summary: Maryland

The relevant statute permits minors (defined as anyone under the age of 18) to receive testing and treatment for STIs and HIV without parental or guardian consent. Maryland also recently passed legislation permitting minors to access PrEP without parental or guardian consent. Under Maryland's general health statutes, a provider may, but is not required to, disclose a minor's testing and treatment for HIV or STIs to a parent or guardian. In Maryland, insurers are not allowed to provide confidential information without the written request of the minor dependent. This extends to Explanation of Benefits (EOBs). See the chart below for a more detailed analysis of Maryland's statutes as it related to minor confidentiality, consent, and disclosure with respect to testing and treatment for HIV and STIs.

Minor Consent and Confidentiality Laws: Maryland

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Yes, for minors of any age	No	Provider may, but not required to, notify parents or guardian	Insurers not permitted to send confidential information without minor consent	Senate Bill 251 (2019), see https://wtop.com/maryland/2019/03/md-lawmakers-pass-bill-giving-youth-access-to-hiv-prevention-drug-without-parental-consent/ .
HIV testing	Yes, for minors of any age	No	Provider may, but not required to, notify parents or guardian	Insurers not permitted to send confidential information without minor consent	<ul style="list-style-type: none"> • Md. Code, Health – Gen., § 20-102
HIV treatment	Yes, for minors of any age	No	Provider may, but not required to, notify parents or guardian	Insurers not permitted to send confidential information without minor consent	<ul style="list-style-type: none"> • Md. Code, Health – Gen., § 20-102
STD/STI testing	Yes, for minors of any age	No	Provider may, but not required to, notify parents or guardian	Insurers not permitted to send confidential information without minor consent	<ul style="list-style-type: none"> • Md. Code, Health – Gen., § 20-102
STD/STI treatment	Yes, for minors of any age	No	Provider may, but not required to, notify parents or guardian	Insurers not permitted to send confidential information without minor consent	<ul style="list-style-type: none"> • Md. Code, Health – Gen., § 20-102

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD's TelePrEP Learning Collaborative, funded by PS19-1906 Component A.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Massachusetts

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact PrEP access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of Massachusetts.

Relevant Statutory Summary: Massachusetts

The relevant statute permits minors (defined as anyone under the age of 18) to receive testing and treatment for "any disease defined as dangerous to the public health." Although the definition is broad, other sources interpreted the definition to include sexually transmitted diseases (STDs) but exclude HIV specifically. See <https://www.guttmacher.org/state-policy/explore/minors-access-sti-services>. It is ambiguous as to whether the statutes are applicable to PrEP or other biomedical prevention measures. Under Massachusetts law, the insurers are required to provide confidential information only at the request of the insured dependent. However, providers are required to inform parents or guardians when the life of the minor is in jeopardy. Massachusetts does not require insurers to send Explanation of Benefits (EOBs) for services when no payment is due. See the chart below for a more detailed analysis of Massachusetts's statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: Massachusetts					
<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	No	N/A	N/A	N/A	N/A
HIV treatment	No	N/A	N/A	N/A	N/A
STD/STI testing	Yes, for minors of any age	No	Required to notify parents or guardians when provider believes minor's life is in jeopardy	Insurers not required to send EOBs when no payment is due M.G.L.A. 1760 § 27	<ul style="list-style-type: none"> • Mass. Gen. Laws, ch. 111 § 6 • Mass. Gen. Laws, ch. 112, §12F
STD/STI treatment	Yes, for minors of any age	No	Required to notify parents or guardians when provider believes minor's life is in jeopardy	Insurers not required to send EOBs when no payment is due M.G.L.A. 1760 § 27	<ul style="list-style-type: none"> • Mass. Gen. Laws, ch. 111 § 6 • Mass. Gen. Laws, ch. 112, §12F

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.guttmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD's TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Mississippi

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact PrEP access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of Mississippi.

Relevant Statutory Summary: Mississippi

A minor (defined as someone under the age of 21) may receive STI testing and treatment without parental or guardian consent. However, Mississippi statute does not specify whether minors are permitted to undergo HIV treatment without parental consent. Mississippi's statutes also do not specify whether minors can assess PrEP or other biomedical preventive measures without parental consent. Mississippi' law also states that a provider is under no obligation to disclose to a minor's parent or guardian if a minor underwent STI or HIV testing and treatment, and the state does not have a statute indicating whether a minor's parent or guardian may not receive an Explanation of Benefits (EOBs) without the minor's authorization. However, under Medicaid, there is a provider requirement to provide copies of claims or medical records to the minor's parent or guardian if the provider receives a written authorization for the release. See the chart below for a more detailed analysis of Mississippi's statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: Mississippi

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	<i>See link under Mississippi-specific resources</i>
HIV treatment	Not specified under statute	N/A	N/A	N/A	N/A
STD/STI testing	Yes, for minors of any age	No	No obligation to disclose	No confidentiality protections	<ul style="list-style-type: none"> Miss. Code § 41-41-13
STD/STI treatment	Yes, for minors of any age	No	No obligation to disclose	No confidentiality protections	<ul style="list-style-type: none"> Miss. Code § 41-41-13

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

Mississippi-Specific Resources:

<https://www.kff.org/hiv/aids/state-indicator/minors-right-to-consent/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D>

<https://www.kff.org/hiv/aids/state-indicator/minors-right-to-consent/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Location%22,%22sort%22:%22asc%22%7D>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Nevada

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact PrEP access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of Nevada.

Relevant Statutory Summary: Nevada

The relevant statute permits minors (defined as anyone under the age of 18) to receive testing and treatment for STIs and HIV without parental consent. Nevada's statutory language includes HIV under its designation of sexually transmitted diseases. However, the statute does not specify whether a minor can receive PrEP or other biomedical preventative measures without parental or guardian consent. Nevada's statutes do not specify whether providers are allowed or restricted from disclosing STI testing and treatment to a minor's parent or guardian, and the state does not offer any confidentiality protections for minors related to disclosures from Explanation of Benefits (EOBs). See the chart below for a more detailed analysis of Nevada's statutes as it relates to minors' consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: Nevada

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	<ul style="list-style-type: none"> • Nev. Rev. Stat. § 441A.310 • Nev. Rev. Stat. § 129.060
HIV treatment	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	<ul style="list-style-type: none"> • Nev. Rev. Stat. § 441A.310 • Nev. Rev. Stat. § 129.060
STD/STI testing	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	<ul style="list-style-type: none"> • Nev. Rev. Stat. § 441A.310 • Nev. Rev. Stat. § 129.060
STD/STI treatment	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	<ul style="list-style-type: none"> • Nev. Rev. Stat. § 441A.310 • Nev. Rev. Stat. § 129.060

General Resources:

- <https://www.cdc.gov/hiv/policies/law/states/index.html>
- <https://www.cdc.gov/hiv/policies/law/states/minors.html>
- <https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: New Jersey

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact PrEP access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines state's minor consent and confidentiality laws in the state of New Jersey.

Relevant Statutory Summary: New Jersey

The relevant statute permits minors (defined as anyone under the age of 18) to receive testing and treatment for STIs without parental or guardian consent. Further, the statute allows minors aged 13 years and older to receive HIV testing and treatment without a parent or guardian's consent. However, the statute does not specify whether a minor can receive PrEP or other biomedical preventative measures without parental or guardian consent. Under New Jersey's statute, a provider may, but is not required to, disclose a minor's HIV or STI testing and treatment. New Jersey law does not offer any confidentiality protections for minors related to disclosures from Explanation of Benefits (EOBs). See the chart below for a more detailed analysis of New Jersey's statutes as it relates to minors' consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: New Jersey

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors aged 13 years and older	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • N.J. Stat. § 9:17A-4 • N.J. Stat. § 9:17A-5
HIV treatment	Yes, for minors aged 13 years and older	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • N.J. Stat. § 9:17A-4 • N.J. Stat. § 9:17A-5
STD/STI testing	Yes, for minors of any age	No	Providers may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • N.J. Stat. § 9:17A-4 • N.J. Stat. § 9:17A-5
STD/STI treatment	Yes, for minors of any age	No	Parents may, but are not required to, notify parents or guardians	No confidentiality protections	<ul style="list-style-type: none"> • N.J. Stat. § 9:17A-4 • N.J. Stat. § 9:17A-5

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: New York

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines minor consent and confidentiality laws in the state of New York.

Relevant Statutory Summary: New York

The relevant statute permits minors (defined as anyone under the age of 18) to receive testing and treatment for STIs without parental or guardian consent. However, the statute only allows minors to undergo HIV testing, and not treatment, without a parent or guardian's consent. Additionally, the statute does not specify whether a minor can receive PrEP or other biomedical preventative measures without parental or guardian consent.

Under New York's public health regulations, medical records are not allowed to be released to a parent or guardian if the minor is tested for an STI or HIV or undergoes treatment for an STI unless the minor consents to the release. New York does not require insurers to send Explanation of Benefits (EOBs) for services when no balance is due. This affords some protection and confidentiality if the insurer chooses to not send the EOB. See the chart below for a more detailed analysis of New York's statutes as it relates to minors' consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: New York

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Providers need minor consent to notify parents	Insurers are not required to send EOBs to policyholders if no balance is due	<ul style="list-style-type: none"> • N.Y. Pub. Health Law § 2305 • 10 N.Y. C.C.R. §23.4
HIV treatment	No	N/A	N/A	N/A	<ul style="list-style-type: none"> • N/A
STD/STI testing	Yes, for minors of any age	No	Providers need minor consent to notify parents	Insurers are not required to send EOBs to policyholders if no balance is due	<ul style="list-style-type: none"> • N.Y. Pub. Health Law § 2305 • 10 N.Y. C.C.R. §23.4
STD/STI treatment	Yes, for minors of any age	No	Providers need minor consent to notify parents	Insurers are not required to send EOBs to policyholders if no balance is due	<ul style="list-style-type: none"> • N.Y. Pub. Health Law § 2305 • 10 N.Y. C.C.R. §23.4

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: North Carolina

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines minor consent and confidentiality laws in the state of North Carolina.

Summary of Relevant Statutes: North Carolina

North Carolina's laws allow for minors (defined as someone under the age of 18) to consent to a range of services related to prevention, diagnosis, and treatment of sexually transmitted diseases (named venereal diseases per state statute). Further, while the statutes state that minors can consent to preventative measures, it does not mention PrEP specifically. As such, it is ambiguous as to whether the statutes are applicable to PrEP or other biomedical prevention measures. North Carolina does not have a statute indicating whether a minor's parent or guardian may receive an Explanation of Benefits (EOB) without the minor's authorization. See the chart below for a more detailed analysis of North Carolina's statutes as it relates to minors' consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: North Carolina					
<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Notification is not explicitly required	No confidentiality protections	<ul style="list-style-type: none"> • N.C. Gen. Stat. §90-21.5. • N.C. Gen. Stat. §90-21.4(b)
HIV treatment	Yes, for minors of any age	No	Notification is not explicitly required	No confidentiality protections	<ul style="list-style-type: none"> • N.C. Gen. Stat. §90-21.5. • N.C. Gen. Stat. §90-21.4(b)
STD/STI testing	Yes, for minors of any age	No	Notification is not explicitly required	No confidentiality protections	<ul style="list-style-type: none"> • N.C. Gen. Stat. §90-21.5. • N.C. Gen. Stat. §90-21.4(b)
STD/STI treatment	Yes, for minors of any age	No	Notification is not explicitly required	No confidentiality protections	<ul style="list-style-type: none"> • N.C. Gen. Stat. §90-21.5. • N.C. Gen. Stat. §90-21.4(b)

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

North Carolina-specific Resources:

https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_90/GS_90-21.5.pdf

This document was created for participants of NASTAD's TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Ohio

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines minor consent and confidentiality laws in the state of Ohio.

Relevant Statutory Summary: Ohio

A minor (defined as someone under the age of 18) may receive STI testing and treatment without parental or guardian consent. However, Ohio only permits minors to access HIV testing without parental consent. Ohio does not allow minors to undergo HIV treatment without parental consent. Ohio also does not specify whether a minor can receive PrEP or other biomedical preventative measures without parental or guardian consent.

Ohio's statute does not specify whether providers may or may not disclose to a minor's parent or guardian if a minor underwent STI or HIV testing and treatment. Also, Ohio does not have a statute indicating whether a minor's parent or guardian may receive an Explanation of Benefits (EOBs) without the minor's authorization. See the chart below for a more detailed analysis of Ohio's statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: Ohio

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	<ul style="list-style-type: none"> Ohio Rev. Code. Ann. § 3701.242
HIV treatment	No, minors may not undergo HIV treatment without consent	N/A	N/A	N/A	N/A
STD/STI testing	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	<ul style="list-style-type: none"> Ohio Rev. Code Ann. § 3709.241
STD/STI treatment	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	<ul style="list-style-type: none"> Ohio Rev. Code Ann. § 3709.241

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Puerto Rico

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines minor consent and confidentiality laws in Puerto Rico.

Summary of Relevant Statutes: Puerto Rico

A minor (defined as anyone under the age of 21) may receive STI and HIV testing and treatment without parental or guardian consent. However, the statute does not specify whether a minor can access PrEP without a parent or guardian's consent. Searches could not identify a relevant statute for Puerto Rico indicating whether a provider may or may not disclose to the minor's parent or guardian if they underwent testing, treatment, or preventative measures for STIs or HIV. Under the insurance statutes, if an individual makes a written request to an insurer, the insurer may not release information related to their STIs in an EOB. This protection is extended to minors in the statute.

Minor Consent and Confidentiality Laws: Puerto Rico					
<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Not specified under statute	Not specified under statute	Not specified under statute	Not specified under statute	P.R. Laws. Ann. Tit. 24, §577
HIV treatment	Not specified under statute	Not specified under statute	Not specified under statute	Not specified under statute	P.R. Laws. Ann. Tit. 24, §577
STD/STI testing	Yes, for minors of any age	No	Not specified under statute	Cannot disclose without minor consent under P.R. Stat. Tit. 26, § 9244	P.R. Laws. Ann. Tit. 24, §577
STD/STI treatment	Yes, for minors of any age	No	Not specified under statute	Cannot disclose without minor consent under P.R. Stat. Tit. 26, § 9244	P.R. Laws. Ann. Tit. 24, §577

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.guttmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: South Carolina

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines minor consent and confidentiality laws in the state of South Carolina.

Relevant Statutory Summary: South Carolina

A minor aged 16 and older may receive STI and HIV testing and treatment without parental or guardian consent. Although the relevant statute does not mention HIV or STIs specifically, this document interprets the statutory language "may consent to any health services from a person authorized by law to render the particular health service" to include STIs and HIV. However, the statute does not specify whether a minor can access PrEP or other biomedical preventative measures without a parent or guardian's consent. South Carolina does not have a statute indicating whether a provider may or may not disclose to the minor's parent or guardian if they underwent testing, treatment, or preventative measures for STIs or HIV. South Carolina also does not have a statute indicating whether a minor's parent or guardian may not receive an Explanation of Benefits (EOBs) without the minor's authorization. See the chart below for a more detailed analysis of South Carolina's statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: South Carolina					
<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors aged 16 and older	No	Allowed under some circumstances	No confidentiality protections	<ul style="list-style-type: none"> • S.C. Code § 63-5-350 • S.C. Code of Regulations R. 61-21
HIV treatment	Yes, for minors aged 16 and older	No	Allowed under some circumstances	No confidentiality protections	<ul style="list-style-type: none"> • S.C. Code § 63-5-350 • S.C. Code of Regulations R. 61-21
STD/STI testing	Yes, for minors aged 16 and older	No	Allowed under some circumstances	No confidentiality protections	<ul style="list-style-type: none"> • S.C. Code § 63-5-350 • S.C. Code of Regulations R. 61-21
STD/STI treatment	Yes, for minors aged 16 and older	No	Not specified under statute	No confidentiality protections	<ul style="list-style-type: none"> • S.C. Code § 63-5-350 • S.C. Code of Regulations R. 61-21

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Tennessee

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines minor consent and confidentiality laws in the state of Tennessee.

Relevant Statutory Summary: Tennessee

A minor (defined as someone under the age of 18) may receive STI and/or HIV testing and treatment without parental or guardian consent. Although the relevant statute does not mention HIV specifically, the use of STIs in the statute is applicable to and inclusive of HIV. However, the statute does not specify whether a minor can access PrEP or other biomedical preventative measures without a parent or guardian's consent. Tennessee does not have a statute indicating whether a provider may or may not disclose to the minor's parent or guardian if they underwent testing, treatment or preventative measures for STIs or HIV. Further, Tennessee does not have a statute indicating whether a minor's parent or guardian may not receive an Explanation of Benefits (EOBs) without the minor's authorization. See the chart below for a more detailed analysis of Tennessee's statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: Tennessee

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	Tenn. Code Ann. § 68-10-104
HIV treatment	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	Tenn. Code Ann. § 68-10-104
STD/STI testing	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	Tenn. Code Ann. § 68-10-104
STD/STI treatment	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	Tenn. Code Ann. § 68-10-104

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.gutmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD’s TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Washington, D.C.

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines minor consent and confidentiality laws in Washington, D.C.

Relevant Statutory Summary: Washington, D.C.

The relevant statute permits minors (defined as anyone under the age of 18) to receive testing and treatment for STIs without parental or guardian consent. However, since there is ambiguity as to whether this statute applies to HIV testing and treatment, this document will interpret the statute to not permit minors to undergo HIV testing and treatment without parental or guardian consent in Washington, D.C. Further, the statute does not specify whether minors can receive PrEP or other biomedical preventative measures without parental or guardian consent. Washington, D.C.'s statutes do not explicitly permit or restrict provider disclosure of HIV or STI testing and treatment to a minor's parents or guardian. Further, Washington, D.C. does not have a statute indicating whether a minor's parent or guardian may not receive an Explanation of Benefits (EOBs) without the minor's authorization. See the chart below for a more detailed analysis of Washington D.C.'s statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: Washington, D.C.

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	No	N/A	N/A	N/A	N/A
HIV treatment	No	N/A	N/A	N/A	N/A
STD/STI testing	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	• D.C. Mun. Regs. tit. 22, §B600.7
STD/STI treatment	Yes, for minors of any age	No	Not specified under statute	No confidentiality protections	• D.C. Mun. Regs. tit. 22, §B600.7

General Resources:

<https://www.cdc.gov/hiv/policies/law/states/index.html>

<https://www.cdc.gov/hiv/policies/law/states/minors.html>

<https://www.guttmacher.org/state-policy/explore/minors-access-sti-services>

This document was created for participants of NASTAD's TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).



Minor Consent and Confidentiality Laws for PrEP and HIV Treatment: Washington

In 2018, FDA approved expanded labeling for TDF/FTC (Brand-name: Truvada) for use as pre-exposure prophylaxis (PrEP) to reduce the risk for sexually acquired HIV among persons weighing at least 77 pounds. In 2019, FDA approved the combination product tenofovir alafenamide (TAF)/FTC (Brand-name: Descovy) as PrEP for persons weighing at least 77 pounds, excluding those at risk for acquiring HIV through receptive vaginal sex due to the lack of clinical data regarding the efficacy of TAF/FTC in cisgender women. While these biomedical interventions have been approved for adolescents, state's minor consent laws may impact access for adolescents.

A minor is a person who does not have the legal rights and responsibilities of an adult. Minors' ability to access PrEP independently, i.e., without parental or guardian consent, varies throughout the United States. States allowing minors to autonomously consent to PrEP does not mean that access to the health care service will remain confidential. The following document examines minor consent and confidentiality laws in the state of Washington.

Relevant Statutory Summary: Washington State

Washington state's laws allow for minors (defined as someone fourteen years of age or older) to consent to a range of services related to diagnosis and treatment of sexually transmitted diseases. The laws also largely protect the confidentiality of this information through strict disclosure prohibitions and insurance explanation of benefit protections. Washington's statutory language is unique from other states in that it mentions HIV specifically. While the statutes state that minors do not have to seek parental consent for "treatment to avoid HIV infection," the statute does not mention PrEP or biomedical prevention specifically. The chart will be updated if Washington provides guidance on whether the statutes are applicable to PrEP. See the chart below for a more detailed analysis of Washington's statutes as it relates to minor consent and confidentiality around HIV and STI diagnoses, treatment, preventative measures, and PrEP.

Minor Consent and Confidentiality Laws: Washington State

<i>Service</i>	<i>Minor Consent Allowed for Confidential Care?</i>	<i>Parent/Guardian Consent Required?</i>	<i>Parent/Guardian Notification Required/Allowed?</i>	<i>Insurance EOB Confidentiality Protections?</i>	<i>Statute/cite</i>
PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP	Statutory language does not explicitly address PrEP
HIV testing	Yes for minors age 14 and older	No	No, notification is prohibited without minor's consent	Disclosure through EOB not permitted without minor's authorization	<ul style="list-style-type: none"> • Wash. Rev. Code Ann. §70.24.110 • Wash. Rev. Code Ann. §70.02.220 • Wash. Admin. Code §284-04-510
HIV treatment	Yes for minors age 14 and older	No	No, notification is prohibited without minor's consent	Disclosure through EOB not permitted without minor's authorization	<ul style="list-style-type: none"> • Wash. Rev. Code Ann. §70.24.110 • Wash. Rev. Code Ann. §70.02.220 • Wash. Admin. Code §284-04-510
STD/STI testing	Yes for minors age 14 and older	No	No, notification is prohibited without minor's consent	Disclosure through EOB not permitted without minor's authorization	<ul style="list-style-type: none"> • Wash. Rev. Code Ann. §70.24.110 • Wash. Rev. Code Ann. §70.02.220 • Wash. Admin. Code §284-04-510
STD/STI treatment	Yes for minors age 14 and older	No	No, notification is prohibited without minor's consent	Disclosure through EOB not permitted without minor's authorization	<ul style="list-style-type: none"> • Wash. Rev. Code Ann. §70.24.110 • Wash. Rev. Code Ann. §70.02.220 • Wash. Admin. Code §284-04-510

General Resources:

- <https://www.cdc.gov/hiv/policies/law/states/index.html>
- <https://www.cdc.gov/hiv/policies/law/states/minors.html>
- <https://www.guttmacher.org/state-policy/explore/minors-access-sti-services>

Washington-specific Resources:

<https://app.leg.wa.gov/RCW/default.aspx?cite=70.24.110>
<https://apps.leg.wa.gov/wac/default.aspx?cite=284-30-380>
<https://apps.leg.wa.gov/wac/default.aspx?cite=284-30-360>

This document was created for participants of NASTAD's TelePrEP Learning Collaborative, funded by PS19-1906 Component A, and funded as part of HRSA-20-089.

For questions about this document, please contact [William Lee](#).