

Beginning July 1, 2024, a new Idaho State Law relating to parental consent and medical records access became effective. As of July 1, parents **MUST** provide consent for any child under the age of 18 to receive any medical care. Here are a few things for parents to know.

Who does this law apply to?

This law applies to all minor children, which is any individual under the age of 18. It does not apply to emancipated minors.

What health services does this apply to?

This new law applies to ALL health care services. Health care services are defined as any service for diagnosis, screening, examination, prevention, treatment, cure, or relief of any physical or mental health condition, illness, injury, defect, or disease. This also includes calls to our triage line.

Who can give consent for my child to receive care?

Consent for a Minor's health care must be given by biological or adoptive parents or an individual who has been granted exclusive right and authority over the welfare of the child under state law. This does not include grandparents, stepparents, or other caregivers.

How does this affect the consent forms I have already filled out for my child?

A new consent form will need to be filled out prior to any health care services being provided by our office. You can fill out these forms at the time of your child's visit, or prior to the visit.

Our consent form was updated in these significant ways:

Parents will have the opportunity to opt **OUT** of allowing for private and independent care for their teenage children, age 14 and above. If this is done, children age 14 and above will not be able to seek care without parents consent for:

- Mental health related concerns
- Sexual health related concerns
- Substance abuse related concerns
- Gender related concerns
- Immunizations

Prior to the passing of I.C. § 32-101, minors, age 14 and above, were granted privacy and the ability to consent for treatment for the above conditions, per prior legislation passed by the Idaho Legislature. These laws have been repealed by the passing of I.C. § 32-101.

If parents choose **NOT** to opt-out, adolescents 14 years of age and older will be able to seek care independently of their parent(s). This includes sick visits, well child visits (yearly checkups), and immunizations.

Parents will be able to list specific people that can consent to treatment for their child. This includes anybody who may be bringing the child in for treatment, including, but not limited to:

- Stepparents
- Grandparents
- Other relatives
- Other caregivers, i.e. friends, nannies, babysitters, etc

How often must consent for treatment be completed?

Annually.

How does this law affect parent's access to their child's health records?

Parents have the right to access all health information held by their health care providers or governmental entities for their children under age 18. Previously, under prior Idaho State Laws, access could be limited after the age of 14. Exceptions to this rule can apply if:

- Access is prohibited by a court order
- The parent is the subject of a criminal investigation related to a crime committed against the child, and a law enforcement officer has requested the information not be released.