

LOUISIANA

Minor Consent and Confidentiality

A Compendium of State and Federal Laws

National Center
for Youth Law

teenhealthlaw.org/compendium

Authors

Abigail English, JD, Consultant, National Center for Youth Law
Rebecca Gudeman, JD, MPA, Senior Director, Health, National Center for Youth Law

National Center for Youth Law

The National Center for Youth Law (NCYL) is a national, non-profit advocacy organization that has fought to protect the rights of children and youth for more than fifty years. Headquartered in Oakland, California, NCYL leads high impact campaigns that weave together litigation, research, policy development, and technical assistance.

What this compendium is:

This is a compendium of laws that may be relevant when minors wish to access certain types of sensitive health care and/or wish to access care on their own consent. Each state compendium begins with a chart entitled “quick guide.” The topics listed in the quick guide represent the categories of laws most frequently identified across all states. A circle next to a particular category signifies that a relevant state or federal law was found. Where a law was found, those laws are described in the “summary” section. Each state’s compendium ends with a list of resources, including links to a series of Appendices that delve deeper into key topics.

What this compendium is not:

This is not a comprehensive guide to all consent, confidentiality, and disclosure laws in any state. For example, the compendium does not include all laws that allow or require parents or persons acting *in loco parentis* to consent to care. Nor does it summarize disclosure laws that may allow or require disclosure of health information for mandated child abuse or public health reporting.

Recommended Citation

For the entire compendium of state laws,

English A, Gudeman R. Minor Consent and Confidentiality: A Compendium of State and Federal Laws. National Center for Youth Law (August 2024).

For a particular state,

English A, Gudeman R. Minor Consent and Confidentiality: A Compendium of State and Federal Laws (State name). National Center for Youth Law (August 2024).

Disclaimer

Minor Consent and Confidentiality: A Compendium of State and Federal Laws is made available for informational purposes only and does not constitute legal advice or representation. Laws can be interpreted in different ways. For legal advice, a practicing attorney who has comprehensive knowledge of all relevant laws – federal, state, and local – and who has been informed of all relevant details of the situation should be consulted. The authors have attempted to assure that the information presented is accurate as of May 2024. However, laws change frequently, new regulations are promulgated, and cases decided. The National Center for Youth Law and the authors specifically disclaim any liability for loss or risk incurred as a consequence of the use and the application, either directly or indirectly, of any material in this publication.

Acknowledgements

This work was made possible through the generous support of the Collaborative for Gender and Reproductive Equity, a sponsored project of Rockefeller Philanthropy Advisors. The authors sincerely thank National Center for Youth Law attorneys Pallavi Bugga, Nina Monfredo, and Rachel Smith for their contributions to this work. The authors also gratefully acknowledge the extensive resources of the many organizations and individuals whose work provided essential information for this publication.

Copyright ©2024 National Center for Youth Law

This document may be reproduced and distributed for non-commercial purposes with acknowledgment of its source. All other rights reserved.

Help Us Keep This Up to Date! If you see anything that needs correcting or updating, please contact the National Center for Youth Law at info@teenhealthlaw.org.

LOUISIANA

Table of Contents

Quick Guide	1
General	2
Consent to Health Care	2
Confidentiality & Disclosure	4
Other	6
Resources	7
Appendices	8

Quick Guide

See glossary for explanation of categories and definitions of terms.

General

- S** Age of Majority
- S** Emancipation
- S** Minor Marriage

Minor Consent to Health Care—Services

- S** Abortion³
- Emergency Care
- F** Family Planning/Contraceptives
- S** Outpatient Mental Health Care
- S** **F** Pregnancy-Related Care
- Reportable, Communicable, Infectious Disease Care
- Sexual Assault Care
- S** **F** Sexually Transmitted Infection/Disease/HIV Care
- S** Substance Use Care

Confidentiality and Disclosure

- S** **F** Confidentiality/Access to Records
- S** **F** Disclosure to Parents/Guardians
- F** Insurance Claims/Billing

Minor Consent to Health Care—Minor's Status

- S** Emancipated Minor
- High School Graduate
- Married Minor
- Minor, Age or Maturity
- S** Minor in Armed Forces
- Minor Living Apart from Parent/Guardian
- Minor Parent
- Minor in State Custody
- Pregnant Minor

Other

- S** Emergency Care
- S** Gender Affirming Care, Restriction
- S** Good Faith Reliance/Immunity from Liability
- S** Minor Afflicted with Illness or Disease
- S** Minor Parent, Consent for Child's Care
- S** Right to Refuse

Key

S State law found⁴ **F** Federal/other law may apply

¹ The information in this chapter represents the state of the law as of May 2024 after a diligent search of statutes, regulations, case law, and guidance.

² This chapter does not address all the consent and confidentiality rules that may apply when minors are in special care situations such as living with a relative, in federal or state custody, or under court jurisdiction (including dependency, delinquency, or immigration custody).

³ This category includes parental involvement laws.

⁴ Symbol indicates law found that either allows providers to offer services without parental consent or explicitly gives minors authority to consent.

General

Age of Majority

La. Civ. Code Ann. Art. 29 provides that the age of majority is 18.

Emancipation

La. Civ. Code Ann. Art. 365 provides that there are three kinds of emancipation: judicial emancipation, emancipation by marriage, and emancipation by authentic act. *La. Civ. Code Ann. Art. 366* provides that a court may order for good cause the full or limited emancipation of a minor age 16 or older; and that a minor who has received a judgment of full emancipation enjoys full effects of majority unless otherwise specified by law. For the procedures related to a

petition for emancipation, see *La. Code Civ. Proc. Art. 3991 – 3998*. According to *La. Civ. Code Ann. Art. 367*, a minor is emancipated by marriage, and a married minor who is divorced or widowed continues to maintain emancipated status. *La. Civ. Code Ann. Art. 368* provides that limited “emancipation by authentic act” may occur by a writing agreement between a minor and the minor’s parents notarized in accordance with *La. Civ. Code Ann. Art. 1833*.

Minor Marriage

La. Civ. Code Ann. Art. 2333 provides that minors under age 16 cannot marry. Minors who are 16 or 17 only may marry with judicial authorization and the consent of the minor’s parents, parent with legal custody, or tutor.

Consent to Health Care

Consent for healthcare refers to granting permission for a healthcare service. A healthcare provider generally must obtain consent before providing care. Adults typically consent to their own healthcare, except in cases of legal incapacity. State and federal laws and court decisions help establish who has the legal authority to provide consent on behalf of minors. Typically, federal and state law require parent or guardian consent for a minor’s care. However, the laws in every state include exceptions that allow or require others to consent, in addition to or instead of a parent or guardian. These exceptions include exceptions that allow minors to consent to some or all health care based on the minor’s “status” (situation in life) and exceptions that allow minors to consent to certain types of care based on the services sought. Sometimes, these laws are written in a way that allows providers to offer services without parental consent; sometimes, they are written in a way that explicitly gives minors the authority to consent. Federal law also allows minors to consent to specific care in some cases. See **Appendix B** for more on consent including the important role of parents and other adults in minors’ healthcare.

The following sections summarize the minor consent laws in the state:

Minor Consent—Minor’s Status**Emancipated Minor**

La. Civ. Code Ann. Art. 366 provides that a minor who has received a judgment of full emancipation enjoys full effects of majority unless otherwise specified by law. See *La. Rev. Stat. Ann. § 40:1159.4* for medical consent authority for adults. *La. Civ. Code Ann. Art. 368* provides that if a minor achieves limited emancipation through a written agreement with their parents, the minor has the capacity to make the kinds of juridical acts specified in the contract. A juridical act is a lawful volitional act intended to have legal consequences, according to the 2000 Revision comments to *La. Civ. Code Ann. Art. 395*.

Married Minor

No statute expressly authorizes married minors to consent for health care. However, *La. Civ. Code Ann. Art. 367* provides that a minor is emancipated by marriage and a married minor who is divorced or widowed continues to maintain emancipated status. *La. Civ. Code Ann. Art. 366*

provides that a minor who has received a judgment of full emancipation enjoys full effects of majority unless otherwise specified by law.

Minor Consent—Services**Abortion**

Abortion is banned in Louisiana with limited exceptions. See *La. Rev. Stat. Ann. §§ 40:1061 & 40:1061.1*. For up to date information on the status of abortion restrictions in Louisiana, see [Center for Reproductive Rights, After Roe Fell: Abortion Laws by State](#).

Within the limited exceptions in which abortion is legal, *La. Rev. Stat. Ann. § 40:1061.14*, as amended effective August 1, 2022, provides that an unmarried, unemancipated minor may not obtain an abortion without the consent of a parent or legal guardian. The law includes a judicial bypass. *La. Rev. Stat. Ann. § 40:1061.14(C)* provides that nothing in § 40:1061.14 “shall be construed as creating or recognizing

a right to abortion.” *La. Rev. Stat. Ann. § 40:1061.14(E)* provides that the intent to restrict abortion described in § 40:1061.1 applies to minor’s access to abortion under this statute. *For up to date information on parent involvement and judicial bypass, find the “under age…” section on your state’s link in [If When How’s Abortion Laws by State](#).*

For up to date information on the status of abortion protections and restrictions in all 50 states and DC, see [Center for Reproductive Rights, After Roe Fell: Abortion Laws by State](#). See also Appendix C. These laws are changing rapidly, so consultation with counsel is also essential.

Family Planning/ Contraceptives

No specific statute expressly authorizes minors to consent for family planning services or contraceptive care.

See Appendix I for information about the Title X Family Planning Program and minor consent for family planning, including contraception services. See Appendix C for discussion of contraception and the U.S. Constitution.

Outpatient Mental Health Care

No specific statute expressly authorizes minors to consent for outpatient mental health services.

La. Children’s Code Art. 1464 provides that minors age 16 years or older may apply for voluntary admission to a “treatment facility.”

La. Children’s Code Art. 1464 provides that at the discretion of the director, any minor age 16 years or older with mental illness suffering from substance abuse, who desires admission to a treatment facility for diagnosis or treatment of a psychiatric disorder or substance abuse, may be admitted upon the minor patient’s request without a formal application and, if admitted, shall have the right to leave the treatment facility at any time during the normal day-shift hours of operation.

La. Children’s Code Art. Art. 1404 defines “treatment” as “an active effort to accomplish an improvement in the mental condition or behavior of a patient or to prevent deterioration in his condition or behavior. Treatment includes but is not limited to hospitalization, partial hospitalization, outpatient services, examination, diagnosis, training, the use of pharmaceutical, and other services provided for patients by a treatment facility.” “Treatment facility” means any public or private hospital, retreat, institution, mental health center, or facility licensed by the state of Louisiana in which any minor with mental illness or minor suffering from substance abuse is received or detained as a patient except a facility under the control or supervision of the Department of Public Safety and Corrections unless otherwise provided in Title VIII of this Code.

Pregnancy-Related Care

La. Rev. Stat. Ann. § 40:1079.1 provides that a minor

may consent for medical care or the administration of medication for the purpose of alleviating or reducing pain, discomfort, or distress of and during for labor and childbirth.

See Appendix I for information about the Title X Family Planning Program and minor consent for family planning services, including certain pregnancy-related care.

Sexually Transmitted Infection/Disease/HIV Care

La. Rev. Stat. Ann. § 40:1121.8 provides that minors who are or believe themselves to be afflicted with a “venereal disease” may consent to medical or surgical care or services by a hospital, public clinic or physician.. Parent or guardian consent is not necessary.

La. Rev. Stat. Ann. § 40:1121.1 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.

La. Rev. Stat. Ann. § 40:1171.3 provides that in the event HIV diagnostic testing is offered as a part of routine medical screening, testing shall be performed unless the patient declines or “opts out” of the testing; a separate consent form for HIV testing is not required. This provision shall not apply to the performance of an HIV test “on any child when the child’s attending physician reasonably believes such test to be necessary in order to properly diagnose or treat the child’s medical condition and documents such reason in the child’s medical record, including all newborns whose mothers present for delivery without a diagnostic HIV test on record.”

See Appendix I for information about the Title X Family Planning Program and minor consent for family planning, including STI/STD/HIV services.

Substance Use Care

La. Rev. Stat. Ann. § 40:1079.2 provides that minors who are or believe themselves to be addicted to a narcotic or other drug may consent for medical or surgical care or services by a hospital, public clinic or physician. Parent or guardian consent is not necessary.

La. Rev. Stat. Ann. § 40:1079.13 provides that a school or facility may provide preventive counseling or treatment to a child without parental consent if all of the following conditions are met: the child requests such preventive counseling and treatment; the child withholds permission to contact his or her parents to seek consent; a qualified professional reasonably determines in good faith and based on independent evidence that seeking parental consent would not be helpful and would be harmful to the child; the child provides a statement of his or her reason for seeking preventive counseling or treatment and provide written consent for such services. When requesting a child’s written consent for providing preventive counseling or treatment, the school or facility shall comply

with all of the following: advise the child of the purpose and nature of the preventive counseling or treatment; inform the child that the school or facility will maintain a confidential written record of the services provided; inform the child that he or she may withdraw consent and cease participating in the preventive counseling or treatment at any time. According to *La. Rev. Stat. Ann. § 40:1079.11*, it is the purpose of *La. Rev. Stat. Ann. §§ 1079.13* to provide for access to preventive alcoholism and addiction counseling or treatment by qualified professionals for minor children. *La. Rev. Stat. Ann. §§ 1079.12* defines “preventive

alcoholism and addiction counseling”, also referred to as “preventive counseling”, as “services, general guidance and support, or service coordination, including but not limited to individual and group counseling, support services, and education about alcohol and other drugs and their effects, which are provided by a qualified professional to prevent a child from developing or suffering from alcoholism, alcohol or drug addiction, alcohol or drug abuse, or related physical, emotional, or mental health problems.” The statute also defines “qualified professional” and “treatment” for this purpose.

Confidentiality & Disclosure

Federal and state laws determine the privacy and confidentiality of medical and health information. Different laws may apply depending on the health services provided, the source of funding, the location of care, the type of provider, and the characteristics of the patient.

One law with overarching importance is the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule, a federal regulation that protects the privacy of patient health information held by health care providers who transmit certain information electronically and other “covered entities.” As a general rule, HIPAA prohibits healthcare providers from disclosing protected health information without a signed authorization. HIPAA specifies who must sign an authorization to release information. When minors have consented for their own care, HIPAA says the minors usually must sign the release. HIPAA includes exceptions that allow or require a provider to disclose protected information without an authorization in some circumstances, such as to meet state child abuse reporting requirements. HIPAA also addresses when parents and guardians may access a minor’s health information: It explains how this HIPAA rule intersects with state law and other federal laws regarding parent access, and includes rules for what to do about parent access when state law is silent, and for authorized limitations on access in some situations.

See **Appendix H** for a detailed discussion of HIPAA. Other appendices address other important federal health privacy laws that may apply in addition to, or instead of, HIPAA. See **Appendix I** (Title X, family planning), **Appendix J** (Part 2, substance use), **Appendix K** (FERPA, education records), **Appendix L** (insurance and billing), and **Appendix M** (21st Century Cures Act Information Blocking, EHI).

The following sections summarize selected state laws related to confidentiality, access to records, and disclosure to parents/guardians:

Confidentiality/Access to Records

HIV Information

La. Rev. Stat. § 40:1171.4 specifies the circumstances in which HIV test results may be disclosed with or without a written authorization. The restrictions on disclosure generally do not apply “to the individual or to a natural person who is authorized by law to consent to health care for the individual.”

Medical Information/Records

La. Rev. Stat. § 22:265 provides that information pertaining to the diagnosis, treatment, or health of any enrollee or potential enrollee obtained by a health maintenance organization is confidential and may only be disclosed with the express consent of the enrollee or potential enrollee or

if other requirements are satisfied.

La. Rev. Stat. § 40:1165.1 provides that a patient or their legal representative have a right to access their medical records maintained by a health care provider.

La. Admin. Code tit. 48, pt. 1, §§ 501 – 513 provide for the confidentiality and disclosure of medical records. *La. Admin. Code tit. 48, pt. 1, § 503* contains definitions of relevant terms.

La. Admin. Code tit. 48, pt. 1, § 505 provides that, except when disclosure is authorized without patient consent under § 509 or required for child abuse reporting under § 1311 of these rules, medical information concerning a minor can only be disclosed with the written consent of the parent or tutor of the minor. However, if the minor has

consented to medical treatment pursuant to *La. Rev. Stat. Ann* §§ 40:1095 (treatment for illness or disease), 40:1095 (treatment for drug abuse), or 40:1065 (treatment for venereal disease), medical information can only be disclosed with the consent of the minor. Consent to disclosure of medical information which has been executed by a minor shall not be subject to a later disaffirmance by reason of minority. Upon the advice and direction of a treating physician, a physician or a member of a medical staff may, but shall not be obligated to, inform the spouse, parent or tutor of the minor as to the treatment given or needed and this information may be given or withheld without the consent and over the express objection of the minor.

Substance Use Information

La. Rev. Stat. § 37:3390.4 provides, for purposes of the Addictive Disorders Act: “No person holding a credential or status recognized by the board and authorized by this Chapter may disclose any information he may have acquired from persons consulting him in his professional capacity where the information was necessary to enable him to render services to those persons except: (1) With the written consent of the client, or in the case of death or disability, with the written consent of his personal representative, other persons authorized to sue, or the beneficiary of any insurance policy on his life, health, or physical condition.” The section also contains exceptions for disclosure without the consent of the client or personal representative when the information indicates that the person was a minor and the victim of a crime that may require testimony or the information is about a child and is subject to a mandatory reporting requirement. *La. Rev. Stat. § 37:3386.1* contains definitions of relevant terms.

See **Appendix H** for information about minors’ access to and control of their medical information under HIPAA when they have consented to their own care.

Federal laws that may apply in addition to or in lieu of HIPAA and state laws

See **Appendix K** for information about federal confidentiality protection for education records.

See **Appendix J** for information about federal confidentiality protections for certain substance use treatment records.

See **Appendix I** for information about federal confidentiality protection for information about services delivered using Title X Family Planning Program funding.

See **Appendix M** for information about disclosure of information to parents under the 21st Century Cures Act Information Blocking Rule

Disclosure of Health Information to Parents/Guardians

Illness or Disease/Labor or Childbirth

La. Rev. Stat. Ann. § 40:1079.1 provides that when minors

who believe themselves to be afflicted with an illness or disease consents for medical or surgical care or services, or when a minor consents to medical care or the administration of medication for labor or childbirth, upon the advice and direction of a treating physician or medical staff, a member of the medical staff may, but is not obligated to, inform the parent or guardian of the minor as to the treatment given or needed. This information may be given or withheld without the consent and over the express objection of the minor.

Substance Use

La. Rev. Stat. Ann. § 40:1079.2 provides that when minors, who are or believe themselves to be addicted to a narcotic or other drug, consent for medical or surgical care or services, upon the advice and direction of a treating physician or medical staff, a member of the medical staff may, but is not obligated to, inform the parent or guardian of the minor as to the treatment given or needed. This information may be given or withheld without the consent and over the express objection of the minor.

La. Rev. Stat. Ann. § 40:1079.15 provides that any school or facility that provides preventive alcohol and addiction counseling or treatment to a child shall seek, only with the written consent of the child, the involvement of a parent, family member, or other individual close to the child. Such involvement shall be in conformity with the confidentiality requirements of § 40:1079.18.

La. Rev. Stat. Ann. § 40:1079.18 provides that the identity of persons receiving preventive counseling or treatment and all records containing information regarding the provision of preventive alcohol and addiction counseling or treatment shall be confidential and that no qualified professional or employee of a school or facility providing preventive counseling or treatment shall disclose any records or information in such records containing the identity of any child receiving preventive counseling or treatment except in compliance with state and federal laws and regulations.

Sexually Transmitted Disease/Infection

La. Rev. Stat. Ann. § 40:1065.1 provides that when minors who are or believe themselves to be afflicted with a “venereal disease” consent for medical or surgical care or services, upon the advice and direction of the treating physician or medical staff, a member of the medical staff may, but is not obligated to, inform the parent or guardian of the treatment given or needed. This information may be given or withheld without the consent and over the express objection of the minor.

La. Rev. Stat. Ann. § 40:1121.8 provides that when minors are or believe themselves to be afflicted with a “venereal disease” consent for medical or surgical care or services for a “venereal disease” under this statute, upon the advice and direction of the treating physician or medical staff, a member of the medical staff may, but is not obligated to, inform the parent or guardian of the treatment given or

needed. This information may be given or withheld without the consent and over the express objection of the minor.

HIPAA rules relevant to disclosure to parents/guardians

See **Appendix H** for information about minors' access to and control of their medical information under HIPAA when they have consented to their own care, the HIPAA rule when state law is silent as to parent access, and the HIPAA rule authorizing providers to limit access to records in certain circumstances.

Federal laws that may apply in addition to or in lieu of HIPAA and state laws

See **Appendix K** for information about federal confidentiality protection for education records.

See **Appendix J** for information about federal confidentiality protections for certain substance use treatment records.

See **Appendix I** for information about federal confidentiality protection for information about services delivered using Title X Family Planning Program funding.

See **Appendix M** for information about disclosure of information to parents under the 21st Century Cures Act Information Blocking Rule.

Insurance Claims/Billing

See **Appendix L** for information about confidentiality protection in the billing and insurance claims process under the HIPAA Privacy Rule.

Other

This section summarizes a range of laws that may not explicitly address minor consent or disclosure of information but that health care providers often have questions about when minors seek care, especially when they seek care on their own.

Emergency Care

La. Rev. Stat. Ann. § 40:1159.5 provides that consent for surgical or medical treatment or procedures is implied where an emergency exists. An emergency exists where competent medical judgment determines that the proposed surgical or medical treatment or procedures are reasonably necessary; *and* a person authorized to consent is not readily available and any delay in treatment could reasonably be expected to jeopardize the life or health of the affected person, or could reasonably result in disfigurement or impaired faculties. An emergency also exists when a person transported to a hospital from a licensed health care facility is not in a condition to consent; *and* a person authorized to consent is not readily available; *and* any delay would be injurious to the health and well being of the patient. According to *La. Rev. Stat. Ann. § 40:1159.2*, this does not authorize abortion or sterilization. In *75 Op. Att'y Gen. 1740 (La. Jan. 22, 1976)*, the Louisiana Attorney General found that consent for emergency medical or surgical care is excused or implied by law and emergency care may be provided to a minor who cannot consent when the person authorized to consent cannot be reached.

Gender Affirming Care, Restriction

La. Rev. Stat. Ann. § 40:1098.2 prohibits health care professionals from knowingly engaging in certain acts that attempt to alter a minor's appearance in an attempt to validate a minor's perception of the minor's sex, if the minor's perception is inconsistent with the minor's sex, including providing puberty blockers; testosterone, estrogen, or progesterone "in an amount greater than would

normally be produced endogenously in a healthy individual of that individual's age and sex", or specified surgeries "for the purpose of attempting to alter the appearance of, or affirm the minor's perception of, the minor's sex, if that appearance or perception is inconsistent with the minor's sex."

The statute provides that "if, prior to January 1, 2024, a healthcare professional has initiated a course of treatment for a minor which includes the prescription or administration of any drug or hormone prohibited by this Part, and if the healthcare professional determines and documents in the minor's medical record that immediately terminating the minor's use of the drug or hormone would cause harm to the minor, the healthcare professional may institute a period during which the minor's use of the drug or hormone is systematically reduced and discontinued. The period may not extend beyond December 31, 2024."

La. Rev. Stat. Ann. § 1098.4 provides that minors may not consent to any procedures prohibited by *§ 1098.2*.

For up to date information on the status of restrictions and protections on gender affirming care for minors, see [Movement Advancement Project's "Equality Maps: Bans on Best Practice Medical Care for Transgender Youth"](#). These laws are changing rapidly so consultation with counsel is essential. See also **Appendix G**.

Good Faith Reliance/Immunity from Liability

La. Rev. Stat. Ann. § 40:1079.1 provides that no hospital and no physician licensed to practice medicine in the state

shall incur civil or criminal liability in connection with any examination, diagnosis and treatment except for negligence when minors who believe themselves to be afflicted with an illness or disease consent for medical or surgical care or services, upon the advice and direction of a treating physician or medical staff, or when a minor consents to medical care or the administration of medication for labor or childbirth.

Minor Afflicted with Illness or Disease

La. Rev. Stat. Ann. § 40:1079.1 provides that minors may consent for the provision of medical or surgical care or services if they believe themselves to be afflicted with an illness or disease. Parent or guardian consent is not necessary.

76 Op. Att’y Gen. 4 54 (La. Mar. 30, 1976) provides that in light of the legislature’s mandate that *La. Rev. Stat. Ann.*

§ 40:1079 (previously § 40:1095) be liberally construed, juveniles may consent for the treatment of traumatic injuries in addition to illness or disease.

Minor Parent, Consent for Child’s Care

La. Rev. Stat. Ann. § 40:1159.4 provides that a minor parent may consent for surgical or medical treatment or procedures for their child. According to *La. Rev. Stat. Ann. § 40:1159.2*, this does not include abortion or sterilization, which are subject to other consent laws.

Right to Refuse

In *La. Atty. Gen. Op. No. 88-232 (1988)*, the Louisiana Attorney General found that a minor has the right to consent for medical treatment when they believe they are afflicted with an illness or disease but has no right to refuse medical treatment when their parents consent for it.

Resources

Louisiana Statutes <https://www.legis.la.gov/legis/law-search.aspx>

Louisiana Administrative Code <https://www.doa.la.gov/doa/osr/louisiana-administrative-code/>

Appendices

Appendix A. Glossary of Terms

Appendix B. Overview of Consent and Confidentiality When Minors Seek Health Care

Appendix C. Contraception, Abortion, and Pregnancy-Related Care for Minors: Consent and Confidentiality Considerations

Appendix D. Sexually Transmitted Infections, Sexually Transmitted Diseases, and HIV Care for Minors: Consent and Confidentiality Considerations

Appendix E. Mental Health Care for Minors: Consent and Confidentiality Considerations

Appendix F. Substance Use Care for Minors: Consent and Confidentiality Considerations

Appendix G. Gender Affirming Care for Minors: Consent and Confidentiality Considerations

Appendix H. HIPAA Privacy Rule and Confidentiality Implications for Minors' Health Information

Appendix I. Title X Family Planning Program and Family Planning Services for Minors

Appendix J. 42 CFR Part 2 and Confidentiality Implications for Substance Use Care for Minors

Appendix K. FERPA and Confidentiality Implications for School-Based and School-Linked Health Care for Minors

Appendix L. Confidentiality in Health Insurance Claims and Billing

Appendix M. Electronic Health Information, the 21st Century Cures Act, and Confidentiality for Minor Patients

Appendix N. State Law Table: Minor Consent/Access Based on Status

Appendix O. State Law Table: Minor Consent/Access for Specific Services