

Minors' Access to Prenatal Care

BACKGROUND: Over the past 30 years, states have expanded minors' authority to consent to health care, including care related to sexual activity. The great majority of states and the District of Columbia currently allow a minor to obtain confidential prenatal care, including regular medical visits and routine services for labor and delivery. Some of these states, however, allow physicians to inform parents that their minor daughter is seeking or receiving services when they deem it in the best interests of the minor. In states that lack relevant policy or case law, physicians may commonly provide medical care to a mature minor without parental consent, particularly if the state allows minors to consent to related health services.

HIGHLIGHTS:

- 37 states and the District of Columbia have a law regarding a minor's ability to access prenatal care.
 - 36 states and the District of Columbia explicitly allow some minors to consent to prenatal care.
 - 28 states and the District of Columbia allow all minors to consent to prenatal care.
 - 4 states require the minor to be of a specific age before she can consent to prenatal care.
 - 4 states allow a minor who is considered mature enough to understand the nature and consequences of the treatment to consent to prenatal care.
 - 1 state requires parental consent during all but one prenatal visit during the 2nd and 3rd trimesters; the minor may consent to prenatal care during the 1st trimester and for the first visit after the 1st trimester.
- 14 of the above states allow, but do not require, physicians to inform parents that their minor daughter is seeking or receiving prenatal care when they deem it in the best interests of the minor.
- 13 states have no explicit policy on minors' authority to consent to prenatal care.



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125 Maiden Lane
New York, NY 10038
212.248.1111
www.guttmacher.org
info@guttmacher.org

1301 Connecticut Avenue, N.W.
Washington, DC 20036
202.296.4012
www.guttmacher.org
policyworks@guttmacher.org

MINORS' ACCESS TO PRENATAL CARE

STATE	MINOR MAY CONSENT			NO EXPLICIT POLICY
	Under Law Specific to Prenatal Care	Requires Parental Consent for Most of a Minor's Prenatal Care During the 2 nd and 3 rd Trimesters, Minor May Consent to Care During the 1 st Trimester and for the First Visit After the 1 st Trimester	Physician May Inform Parents	
Alabama	X			
Alaska	X			
Arizona				X
Arkansas	X			
California	X			
Colorado	X			
Connecticut				X*
Delaware	12 years		X	
Dist. of Columbia	X			
Florida	X			
Georgia	X			
Hawaii	14 years		X	
Idaho	X†			
Illinois	X†			
Indiana				X*
Iowa				X*
Kansas	Mature minor			
Kentucky	X		X	
Louisiana				X*
Maine				X*
Maryland	X		X	
Massachusetts	X‡			
Michigan	X		X	
Minnesota	X		X	
Mississippi	X			
Missouri	X		X	
Montana	X		X	
Nebraska				X
Nevada	Mature minor† or married minor			
New Hampshire	Mature minor†			
New Jersey	X		X	
New Mexico	X			
New York	X			
North Carolina	X		X	
North Dakota		X	X	
Ohio				X
Oklahoma	X		X	
Oregon	15 years†		X	
Pennsylvania	X			
Rhode Island				X
South Carolina	16 years† or mature minor			
South Dakota				X*
Tennessee	X			
Texas	X		X	
Utah	X			
Vermont				X*
Virginia	X			
Washington	X			
West Virginia	Mature minor*			
Wisconsin				X
Wyoming				X*
TOTAL	36 + DC	1	14	13

* State does not have a policy explicitly allowing unmarried minors to consent to prenatal care; the state does have a general law that gives married minors the same rights as adults. In West Virginia the married minors law only applies to minors at least 16 years old.

† State policy does not specifically address prenatal care but applies to medical care in general.

‡ Parent must be notified if the minor's life or health is at risk.

FOR MORE INFORMATION:

For information on state legislative and policy activity, click on Guttmacher's [Monthly State Update](#), for state-level policy information see Guttmacher's [State Policies in Brief](#) series, and for information and data on reproductive health issues, go to Guttmacher's [State Center](#). To see state-specific reproductive health information go to Guttmacher's [Data Center](#), and for abortion specific information click on [State Facts About Abortion](#). To keep up with new state relevant data and analysis sign up for the [State News Quarterly Listserv](#).

Gold RB, [A New Frontier in the Era of Health Reform: Protecting Confidentiality for Individuals Insured as Dependents](#), *Guttmacher Policy Review*, 2013, 16(4):2-7.

English A et al., [Confidentiality for Individuals Insured as Dependents: A Review of State Laws and Policies](#), New York: Guttmacher Institute and Public Health Solutions, 2012.

Gold RB, [Unintended consequences: how insurance processes inadvertently abrogate patient confidentiality](#), *Guttmacher Policy Review*, 2009, 12(4):12–16.

Boonstra H and Nash E, [Minors and the right to consent to health care](#), *The Guttmacher Report on Public Policy*, 2000, 3(4):4–8.