



## Minors – What You Need To Know

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## Objectives

- General overview of the Utah laws and statutes related to minors and healthcare.
- Understanding of how to respond to specific case studies regarding divorce, step-parents, foster children, etc.
- Understand how to proceed with teens under the Utah law in specific situations of teen contraception, pregnancy, and STD's.

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**MICA**



**General Overview of Utah  
Law/Statutes**

Jaryl Rencher

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**MICA**

**Caring for Minors with Family Dynamics**



- Parents are Married
- Parents never Married
  - Paternity
- Parents are Divorced
  - Custody
    - Physical
    - Legal
  - Step-Parents
- Best Practice:
  - Obtain the Court Documents

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**MICA**

**Caring for Minors with Family Dynamics**



- Grandparents
  - Raising the Child
  - With/without Legal Custody
- Minors Raising Minors
  - Financial Responsibility
  - Consent
- Nanny/Babysitter
  - Bringing the Child to Appointments

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### Caring for Minors with Family Dynamics



It shouldn't hurt to be a child.

- Foster Care/Kinship Care
  - Parents Not Involved
  - Parents Involved
- Emancipated Minors
  - Consent
  - Financial Responsibility
  - Guardian ad Litem
- Minors with the Legal ability to Consent

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### Caring for Minors with Family Dynamics - Scenario 1

- Parents are separated, divorce pending.
- Mother wants the son to have adenoid and ear tube surgery, father does not.
- Mother schedules the surgery, father calls to withhold consent and cancels the surgery.
- Mother reschedules surgery and father doesn't appear for the surgery.
- Surgery goes forward, and the father sues the surgeon.

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### Caring for Minors with Family Dynamics

- The parents are divorced.
- The treatment is necessary to save the child's life or some think the treatment is necessary and others do not.
- The mother asks the surgeon to keep this a secret from the father.

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### Caring for Minors with Family Dynamics – Scenario 2

- 17-year-old with leukemia needs blood transfusion but refuses on religious grounds.
- Mother supports decision.
- Without the transfusion, the girl will die.
- Experts find the girl is mature for her age and she bases her decision on religion, not a desire to die.
- Trial court finds mother guilty of medical neglect.

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### Caring for Minors with Family Dynamics

- The mother does not support the decision to refuse the transfusion. She either demands it or is indifferent.
- The child is 5 years old.
- The minor wants the transfusion but the mother refuses to consent.

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### Teenage Pregnancy and Abortion



- Minors are allowed to consent for care (*Utah Code Ann. § 78B-3-406(6)*).
- Notice given to parents (*Utah Code Ann. §§ 76-7-303 through 76-7-305*).
- The written consent of a parent or guardian is required.
- A judge can excuse the first requirement (permission), but not the second (that a parent be told).

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## Contraception

- Utah law prohibits the use of state funds for contraceptive services in certain circumstances (*Utah Code Ann. §§ 76-7-321 and 76-7-322*).
- Minors and Title X funds or Medicaid.
- Local health department clinics.
- Married minors can consent to contraceptive services (*Utah Code Ann. §§ 76-3-301*).




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## STD and HIV/AIDS

- A minor may consent... the consent of no other person is necessary (*Utah Code Ann. § 26-6-18*).
- Testing (*Utah Admin. Code R 512-32-3(2)* and *Utah Code Ann. § 76-5-503*)

**DO IT RIGHT**

GET TESTED FOR HIV & STDS



**YOU CAN'T ALWAYS TELL IF YOU HAVE AN STD GET TESTED!**

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## Contraception - Scenario

- 16-year-old female goes to school psychologist for birth control.
- Psychologist takes her to his wife's clinic for prescription.
- Student takes the contraceptive pill for several months before her mother finds out.
- Mother sues.




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## Contraception

- The student is male and wants condoms.
- The student is seeking treatment for a suspected STD.
- The student is pregnant and wants treatment for her and the baby, but wants to keep it a secret from her parents.

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Thank You!

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