



# North Region EMS System

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**Purpose** To provide guidance regarding treatment of minors.

- Policy**
- 1) In Illinois, persons under the age of 18 are considered to be a minor and not eligible to consent to, nor refuse, medical treatment.
    - a. Exception: In Illinois, a minor under age of 18 is legally recognized as an adult and may refuse care and/or transport if the person is:
      - i. married
      - ii. pregnant
      - iii. a parent (minor parents may consent to treatment for themselves and for minor child)
      - iv. a sworn member of the U.S. armed services
      - v. has a court order of emancipation (individual at least 16-years of age, that the court has determined is capable of managing their affairs and lives independent of parent/guardian).
    - b. Exception: Parental/guardian consent is not required for patients over age 12, seeking treatment for alcohol/drug abuse, mental health, sexual abuse/assault, or sexually transmitted infection/disease.
  - 2) When treating minors, the consent of a parent/legal guardian is required.
    - a. If, in the opinion of the OLMC physician, a delay in obtaining consent would adversely affect the minor's condition, emergency treatment may be provided without first obtaining consent.
    - b. If a parent/guardian is not available to consent or refuse service, complete and document the following:
      - i. Advise the patient of their illness/injury and explain the need for further evaluation by a physician.
      - ii. Contact OLMC and inform them of the situation.
      - iii. Administer care and request police assistance, if needed.
    - c. If a parent/legal guardian refuses consent when medical care is indicated, or if the parent/legal guardian refuses consent stating religious or other non-medical objections, or in cases of suspected child abuse or neglect:
      - i. Contact OLMC as soon as possible.
      - ii. Protective Custody may be taken by police, DCFS, or physician if leaving the child in the home or in the care and custody of the child's caregiver presents an imminent danger to the child's life or health



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- iii. See policy Reporting Abuse and/or Neglect.
- iv. A parent/legal guardian may refuse treatment of a minor after OLMC/Resource Hospital approval EXCEPT under the following conditions:
  1. Suspicion of abuse and/or neglect.
  2. Life or limb threatening illness or injury.
  3. Non-decisional parent/legal guardian.
- 3) Guardianship is a legally determined role. Official court documents are issued to identify the legal guardian(s).
- 4) Babysitters and day care providers are not legally empowered to provide consent, unless written parental consent is provided. In all cases, contact OLMC.

## References

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1539&ChapAct=410%26nbsp%3BILCS%26nbsp%3B210%2F&ChapterID=35&ChapterName=PUBLIC+HEALTH&ActName=Consent+by+Minors+to+Medical+Procedures+Act%2E>  
<ftp://www.ilga.gov/JCAR/AdminCode/089/089003000001200R.html>  
<http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=032500050K5>

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Written 6/2017  
Reviewed/Revised 3/17/2020  
IDPH Approval 4/5/2018  
Effective 9/1/2018