

## 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:

- 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.
- 12 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.
- 15 states have no explicit policy on minors' authority to consent to prenatal care.



Advancing sexual and reproductive health worldwide through research, policy analysis and public education.

125 Maiden Lane  
New York, NY 10038  
212.248.1111  
[www.guttmacher.org](http://www.guttmacher.org)  
[info@guttmacher.org](mailto:info@guttmacher.org)

1301 Connecticut Avenue, N.W.  
Washington, DC 20036  
202.296.4012  
[www.guttmacher.org](http://www.guttmacher.org)  
[policyworks@guttmacher.org](mailto:policyworks@guttmacher.org)

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**CONTINUED**

# MINORS' ACCESS TO PRENATAL CARE

STATE	MINOR MAY CONSENT		NO EXPLICIT POLICY
	Under Law Specific to Prenatal Care	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 <sup>†</sup>		
Illinois	X <sup>‡</sup>		
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 <sup>†</sup> or married minor		
New Hampshire	Mature minor <sup>†</sup>		
New Jersey	X	X	
New Mexico	X		
New York	X		
North Carolina	X		
North Dakota			X
Ohio			X
Oklahoma	X	X	
Oregon	15 years <sup>†</sup>	X	
Pennsylvania	X		
Rhode Island			X
South Carolina	16 years <sup>†</sup> 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*
<b>TOTAL</b>	<b>36 + DC</b>	<b>12</b>	<b>14</b>

\* 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.

‡ Health services may be rendered when a physician believes there is a probable health hazard, when a minor is a parent, or when a minor is being referred by a specific professional, such as a physician or clergyman.

## **FOR MORE INFORMATION:**

For information on state legislative and policy activity click on Guttmacher's [Monthly State Update](#) and for state level information and data on reproductive health issues, click on Guttmacher's [State Center](#).

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.

The Alan Guttmacher Institute (AGI), *Sex and America's Teenagers*, New York: AGI, 1994.

Donovan P, *Our Daughters' Decisions: The Conflict in State Law on Abortion and Other Issues*, New York: AGI, 1992.