



Healthcare Rights of Youth in Illinois

Quick Reference Guide

Updated: May 2014

The following can serve as a quick reference guide for information on the rights of minors in Illinois to access a variety of healthcare services. The information listed below is current, as of May 2014.

General Terms to Know:

- **Legal Rights:** Protections we are given by law
- **State Laws:** A written statement passed by the Illinois General Assembly & signed by the Illinois Governor
- **Health Care Provider:** This could be a doctor, nurse, nurse practitioner, midwife, counselor, social worker, etc.
- **Minor:** In Illinois, someone under the age of 18 years old
- **Mature Minor:** In Illinois, someone under the age of 18 years old, who is married, pregnant, or a parent
- **Confidential:** Something that will be kept private
 - In Illinois, youth have a right to confidentiality when talking to healthcare providers or getting procedure
 - Exceptions to Confidentiality:
 - Cases of abuse & neglect by a family member, guardian, or caretaker (***Source:** 325 ILCS 5/Abused and Neglected Child Reporting Act)
 - May pose a danger to others
 - May post a danger to themselves

Type of Service	Regulation/Law	Reference	Additional Notes
General Health Care	No consent needed by parent or guardian if a minor is married, pregnant, or a parent. Consent is needed for minors if they do not meet these qualifications.	410 ILCS 210/ Consent by Minors to Medical Procedure Act	Individual clinics may have their own policy or practice as consent is different from notification.
Pregnancy Options: Pregnancy Testing	No consent needed by parent or guardian for OTC pregnancy tests. In-office pregnancy tests may fall under "General Health Care".		
Pregnancy Options: Parenting	No consent needed by parent or guardian, as prenatal care is "General Health Care".		
Pregnancy Options: Adoption	No consent needed by parent or guardian.		
Pregnancy Options: Abortion	Parent or guardian must be notified 48 hours prior to minor's abortion procedure. Consent is not needed.	750 ILCS 70/ Parental Notice of Abortion Act	Notification may be waived by judicial bypass (court order).
Safer Sex: Barrier Methods/Condoms	No consent needed by parent or guardian.		Available for purchase or for free in many locations.
Safer Sex: Emergency	Plan B One-Step & generics available OTC without consent or a		See below for sexual assault-specific

Contraception	prescription. Other versions require a prescription for 16 & younger but no consent at the pharmacy.		regulations.
Safer Sex: Hormonal Methods	No additional consent needed by parent or guardian for youth 12 & older.	325 ILCS 10/Birth Control Services to Minors Act	
Safer Sex: HPV Vaccine	Consent needed by parent or guardian as it's a vaccine, can be bypassed in some cases if minor thinks they were exposed to HPV.		
Safer Sex: STI/HIV Testing and Treatment	No consent needed by parent or guardian for youth 12 & older.	410 ILCS 210 Consent by Minors to Medical Procedure Act	Providers are not required to share results with parent or guardian but are allowed to.
Sexual Violence and Assault	No consent needed by parent or guardian for: <ul style="list-style-type: none"> • Making a police report • Consenting to health care at the hospital, including treatment for STIs, HIV, and emergency contraception • Consenting to evidence collection and release • 90 days of follow-up medical care • 5 counseling sessions at a rape crisis center (12 – 16 years old) • Determining of parameters of confidentiality (12 & older) 	<ul style="list-style-type: none"> • Rape Victim Advocates • 410 ILCS 70/ Sexual Assault Survivors Emergency Treatment Act • 410 ILCS 210 Consent by Minors to Medical Procedure Act 	Protective orders require someone 18+ or older, but it does not have to be a parent or guardian.
Mental Health: Outpatient	<ul style="list-style-type: none"> • 12-16 years old: No consent needed by parent or guardian for first five sessions. Consent needed to continue. • 17 & older: No consent needed by parent or guardian. 	405 ILCS 5/Mental Health & Development Disabilities Code	
Mental Health: Inpatient	<ul style="list-style-type: none"> • Voluntary admission without parental consent at 16 years old, but parent or guardian is informed immediately • Involuntary admission by a parent or guardian is possible but a minor 12 years or older can object & be released within 15 business days 	405 ILCS 5/Mental Health & Development Disabilities Code	
Substance Use Treatment	No consent needed by parent or guardian for youth 12 & older for inpatient or outpatient. Family involvement or release of information is only allowable with the youth's consent.	410 ILCS 210/4 & 5 Consent by Minors to Medical Procedure Act	