

Subject: Administration – Patient Care
Care of Minors in the Field

Associated Policies:

- I. Authority and Reference (incorporated herein by references)
 - A. Division 2.5 of Health and Safety Code
 - B. California Code of Regulations, Title 22
 - C. North Coast EMS Policies and Procedures
 - D. California Family Code, Section 7050, Part 6
 - E. California Welfare and Institutions Code, Section 625(c)
- II. Purpose

This policy is intended to provide guidance for prehospital care personnel providing emergency field care to minors.
- III. Policy
 - A. This policy is established on the principle that an unemancipated minor is not legally capable of refusing nor consenting to medical care, except during certain circumstances prescribed by law.
 - B. A “minor” is any person under eighteen (18) years of age.
 - C. An “emancipated minor” is considered to have the same capacity for informed consent as an adult and can consent to or refuse medical, dental or psychiatric care without parental involvement or knowledge. An emancipated minor is any minor who meets one or more of the following criteria:
 - 1. Has entered into a valid marriage, even if such marriage was legally dissolved.
 - 2. Is on active duty with any branch of the U.S. military forces.
 - 3. Has received a declaration of emancipation pursuant to Part 6 of the California Family Code.
 - D. An emancipated minor can prove that they are legally emancipated if they possess a Declaration of Emancipation from a Superior Court or if they have an identification card issued by the Department of Motor Vehicles which shows them to be an emancipated minor.
 - E. Treatment Guidelines
 - 1. Life-threatening situation:

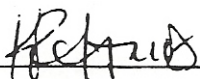
If a minor's parent or other qualified legal representative is not present when prehospital personnel have reasonably determined that the minor may have a life-threatening injury or illness, then immediate treatment and/or transportation to a medical facility should be initiated without delay.

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2. Non-life-threatening situation:
When prehospital personnel encounter a minor who is not in a life-threatening situation, then the personnel shall contact his/her base hospital for instructions. If the base hospital directs the field personnel to treat and/or transport the minor, then a reasonable attempt to contact a parent or other legally qualified representative should be made before treatment and/or transport. If a parent or legal representative cannot be contacted, then the minor patient should be treated and/or transported to a hospital as directed by the base hospital.
3. Besides emancipated minors (as described in C.), minor patients with the legal capacity to consent to medical treatment include:
 - a. minors receiving pregnancy care or abortion,
 - b. minors suffering a reportable disease,
 - c. minor rape victims,
 - d. minor victims of sexual assault,
 - e. minors in need of mental health treatment, and
 - f. minors with drug/alcohol problems.
4. Minor refusing care situation:
If an unemancipated minor in either a life-threatening or non-life-threatening situation refuses indicated medical treatment and/or transportation, then prehospital personnel should:
 - a. Apprise the base hospital of the situation.
 - b. Assure that a reasonable and prudent attempt to contact a parent or qualified representative has been made.
 - c. If such contact cannot be made, then contact the appropriate law enforcement agency and request that the patient be taken into custody for medical treatment and/or transportation to a hospital pursuant to Section 625(c) of the California Welfare and Institutions Code, which states:
"A peace officer may, without a warrant, take into temporary custody a minor who is under the age of eighteen (18) years and who is found in any street or public place suffering from any sickness or injury which requires care, medical treatment, hospitalization, or other remedial care."
 - d. When a minor patient appears to be a danger to themselves or others, or are unable to use the elements of life provided to them due to mental illness, a peace officer, emergency department physician or board certified psychiatrist may

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request a psychiatric evaluation and place a 5585.5 hold
(the minor version of the adult 5150 hold) on the person.

Approved: 

Approved as to Form: 