

# KNOW YOUR RIGHTS: PARENTS IN THE DOCTOR'S OFFICE

Parents have the right to stay in the exam room with their minor child even if the doctor has asked them to leave.

When physicians engage in private conversations with minor children (i.e. after the parent has been asked to leave the room during an annual physical), those conversations may become “confidential.” Once this occurs, doctors may legally exclude parents from critical discussions regarding their child’s health and even refuse to share the medical prescriptions or treatment plans given as a result of those confidential conversations. As the “natural guardians of their children,” however, parents have the right to consent to routine, non-emergency treatment of a minor child.<sup>1</sup>

Unfortunately, some in the medical profession want to cut parents out of their child’s healthcare decisions regarding certain behaviors because parents are seen as an obstacle to a teenager’s “right to comprehensive health care.”<sup>2</sup> MA laws reinforce this by allowing doctors to discuss,

diagnose, and treat the following with minor children (AND refuse to disclose it with parents<sup>3</sup>):

- PREGNANCY
- SEXUALLY TRANSMITTED DISEASE
- DRUG ADDICTION
- CONTRACEPTION

Many state and national medical associations even encourage pediatricians to initiate conversations on these sensitive and often age-inappropriate topics with children once parents leave the room.<sup>4</sup> Depending on how the child responds, the entire interaction may become confidential. As a parent, if you stay in the room, you ensure you stay in the loop.

*Parents should find a pediatrician they can trust to keep them involved in all aspects of their child's healthcare, and it's a good idea to talk with your children about what to expect from the annual exam before getting to the doctor's office. If you have any questions, please contact MFI at 781-569-0400.*

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<sup>1</sup> M.G.L. ch. 231, §85P, See also Custody of a Minor, 375 Mass. 733, 747 (1978) and cases cited

<sup>2</sup> Ramey, Michael “Your Pediatrician and Your Parental Rights.” Parental Rights. August 28, 2012. Accessed August 14, 2019. <https://parentalrightss.org/pediatrician-parental-rights/>.

<sup>3</sup> M.G.L. chapter 111, §24E and § 117; chapter 112, §§ 12E, 12F(i)-(vi). In addition, Massachusetts case-law allows for minors to consent to treatment if their physician deems it to be in the best interest of the child NOT to notify the parents. Baird et als v. Attorney General et als, 371 Mass. 741, 754 (1977)

<sup>4</sup> “AAP News.” American Academy of Pediatrics. AAP Gateway. Accessed August 16, 2019. [https://www.aappublications.org/news/2017/05.;http://parentalrights.org/wp-content/uploads/2017/06/19\\_Appendix\\_2.pdf](https://www.aappublications.org/news/2017/05.;http://parentalrights.org/wp-content/uploads/2017/06/19_Appendix_2.pdf)

