

Sexual Assault Advocacy and Healthcare Access for Youth

Annotated Resource Page

Understanding the Laws and Guidelines

Providing Health Care to Minors under Washington Law: A Summary of Healthcare Services That Can Be Provided to Minors without Parental Consent

http://www.washingtonlawhelp.org/documents/216941minors_health_care_rights.pdf?stateabbrev=wa/

This easy-to-reference chart outlines the ages youth can consent to specific healthcare services without parental consent, and include notes and the source of the age requirement.

The Federal Title X Family Planning Program: Privacy and Access Rules for Adolescents

http://www.youthlaw.org/publications/yln/2011/jan_mar_2011/the_federal_title_x_family_planning_program_privacy_and_access_rules_for_adolescents/

"The federal Title X family planning program makes family planning and related health services available for free or at low cost to eligible individuals, including adolescents, in every state." This document also outlines consent and confidentiality for Title X funded providers. Many of the community clinics in your community likely receive this funding.

Joint Guidance on the Application of the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act of 1996 (HIPAA) To Student Health Records

<http://www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/hipaaferpajointguide.pdf>

This document includes a helpful Q & A on FERPA (which is the federal law that protects student's records) and specifically addresses student health records. Please note that FERPA only applies to schools that receive funding from the Department of Education (not private or religious schools). Additionally, it has contact information for additional information on questions related to FERPA.

Personal Representatives (Clarifying HIPAA Guidelines)

<http://www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/personalreps.html>

The section titled "Parents and Unemancipated Minors" is helpful in describing the three circumstances in which the HIPPA Privacy Rule specifies when a parent is not the "personal representative" with respect to certain health information about his or her minor child. "In these situations, the parent does not control the minor's health care decisions, and thus under the Rule, does not control the protected health information related to that care."

Working with Providers

Understanding Confidentiality and Minor Consent in California: A Toolkit for Providers

http://www.ahwg.net/assets/library/130_final2010mcmodule.pdf

This document is specific to CA Law, so the legal citations should not be referenced. However, there are a number of tips, tricks and tools for providers that are helpful within the toolkit. For example: Is Your Office Confidentiality Conscious? Office Self-Assessment Chart (p. 17), Confidentiality Conscious Back-Office Policy Recommendations (p. 19), and Balancing Act: Engaging Youth, Supporting Parents (p. 20).

Victim Rights Law Center: Providing Care to Sexual Assault Victims Who Are Minors: A Consent & Confidentiality Tool for SANEs, Advocates and Other Victim Service Providers

<http://www.safeta.org/associations/8563/files/At%20What%20Age%20May%20a%20Minor%20Consent%20to%20CHART%20FINAL.pdf>

This chart would be a good resource to share with and complete with service providers in your community. If you have any questions about the answers, please contact WCSAP. Additionally, the accompanying webinar (recorded) can be accessed here:

<http://www.safeta.org/displaycommon.cfm?an=1&subarticlenbr=159>

Resources for Teens and Parents

Know Your Reproductive Rights in Washington State (by Legal Voice)

http://legalvoice.org/pdf/self_help/Know_Your_Reproductive_Rights.pdf

While not teen specific, this memo “explains Washington laws on reproductive rights, including women’s health care, pregnancy, abortion, birth control, sexual assault, and patients’ rights.” And also includes a list of pertinent resources in each county.

Scarleteen <http://www.scarleteen.com/>

As the website shares, “Scarleteen is an independent, grassroots sexuality education and support organization and website. Founded in 1998, Scarleteen.com is visited by around three-quarters of a million diverse people each month worldwide, most between the ages of 15 and 25. It is the highest-ranked website for sex education and sexuality advice online and has held that rank through most of its tenure.” While the primary audience for the site is teens, they also have information for parents.

Understanding Confidentiality and Minor Consent in California: A Toolkit for Providers

http://www.ahwg.net/assets/library/130_final2010mcmodule.pdf

This document is specific to CA Law, so the legal citations should not be referenced. Page 31 – 37 of this toolkit offers talking points for parents around concerns they may have once their teen is seeking confidential care. The discussion points offer parents more information about why it is important for teens to have access to confidential care, addresses their responses, and gives them tips for talking with their teens about these sensitive issues.

Washington State Take Charge Program

<http://www.parenthelp123.org/resources/health-insurance-programs/take-charge-program>

The Take Charge Program offers free birth control/family planning services for women, men and teens in Washington State. The program covers one annual exam for women and free birth control (including tubal ligation for women and vasectomy for men) for one full year.

Washington Teen Help <http://www.washingteenhelp.org/>

As their website states, “WashingTeenHelp.org was designed to connect pregnant and parenting teens to health information, state benefit programs, and community-specific support resources. This website offers valuable information and resources for all teens including topics such as relationships, dating violence, general and sexual health, pregnancy, parenting, legal resources, and planning for the future.”