

County of San Diego, Health and Human Services Agency (HHSA)

Medi-Cal Program Guide

Minor Consent Services

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Revision Date:

August 1, 2021

Background:

The California Family Code states that a minor may receive services related to sexual assault, pregnancy and pregnancy-related services, family planning, sexually transmitted diseases, drug and alcohol use, outpatient mental health treatment and counseling without parental consent.

Purpose:

This section has been revised to include a change in Department of Health Care Services (DHCS) policy allowing minors to request or renew eligibility for Minor Consent services either in-person or by telephone.

Policy:

A minor may apply for Medi-Cal without parental consent or knowledge to receive Minor Consent services. This section identifies the types of services available to the minor applicant and describes procedures for the processing of Minor Consent applications. For guidance on processing a minor consent services request, see Processing Guide 37: Minor Consent Services.

A. Services Covered Under Minor Consent

Services covered by Medi-Cal under Minor Consent services are categorized by age as shown below:

Services Under Age 12:

- Pregnancy and pregnancy related care.
- Family planning services.
- Sexual assault services.

Services 12 Years and Older:

- Sexually transmitted infection treatment and prevention.
- Drug and alcohol use treatment and counseling.
- Mental health outpatient care.
- Pregnancy and pregnancy related care.
- Family planning services.
- Sexual assault services.

Excluded Services

Minor Consent does not cover the following services as parental consent is needed:

- Methadone treatment.
- Psychotropic drugs.
- Convulsive therapy.
- Psychosurgery.
- Sterilization.

B. Who May Apply

- Must be under 21 years of age.
 - Persons under 21 years of age who are defined as adults under MPG 01.01 are not eligible to minor consent services and should be evaluated under a full scope Medi-Cal program.

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- Parents cannot apply on the minor's behalf however one parent may accompany the minor to apply when there is a need to maintain confidentiality with the other parent.
- Must be considered living in the home with their parents to be eligible for Minor Consent.

Minors may be considered as living in the home with their parent(s) if one of the following applies:

- The minor is temporarily out of the home such as attending school or college.
- The minor is temporarily living with another relative or friend, but their parent(s) continue to be financially and legally responsible for the minor.
 - For example, the minor is claimed as a tax dependent by the parent(s).
- The minor is a Seriously Emotionally Disturbed (SED) individual.
 - SED minors are considered living in the home with their parents however Minor Consent will not cover mental health treatment or counseling required by the minor's Individual Educational Plan (IEP) regardless of whether the SED minor is in 24-hour care or a day treatment program.

Minor Consent applications shall not be processed when:

- The customer is under 12 years of age and applying for services related to drug and alcohol use treatment or counseling, a sexually transmitted infection, or for mental health outpatient care. Deny the request for Minor Consent.
- The customer is currently eligible for Medi-Cal with no Share of Cost (SOC).
 - Issue an immediate need card to the minor and do **not** enter case comments on the active case. See section G for the appropriate aid code.
- The applicant is covered under a managed care plan.
 - The minor applicant will be referred to the plan for treatment unless they are requesting drug/alcohol use or mental health treatment, or the minor's managed care identification card is in the parent's possession and the health plan refuses to provide services without viewing the identification card.

C. Verifications

Minor Consent customers are required to provide the following:

- Verification of income if employed.
- Bank statements if they own any accounts and have access to the information.
- Minors requesting mental health treatment and counseling must submit a statement from a licensed mental health professional such as a counselor, psychologist, or clinical social worker, which states:
 - The minor is mature enough to intelligently participate in mental health treatment or counseling.
 - The minor is in danger of causing serious physical or mental harm to themselves or others without counseling or treatment.
 - The minor is an alleged victim of incest or child abuse.
 - MC 4026 will only be required each time a new statement from the mental health professional is needed or if there is a break in aid after initial issuance.

Minor Consent customers are **not** required to provide the following:

- Identification.
- Social Security number (SSN).
- Pregnancy verification.

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- Statement verifying the need for Minor Consent.
 - Signature on MC 4026 is acceptable verification of the need for Minor Consent services.
- Citizenship or Immigration status.
 - Minor Consent is considered a restricted program.

D. Confidentiality

State law and regulations prohibit the Health and Human Services Agency (HHS) from contacting the parents of a minor to report they have applied for Minor Consent services.

Protect a minor’s confidentiality by adhering to the following:

- Do not enter an SSN in CalWIN or image the SSN card into the CalWin Electronic Records Management System (CERMS) to protect the identity of the applicant.
 - Medi-Cal Eligibility Data System (MEDS) will automatically assign a pseudo number to the individual.
- Enter the Family Resource Center (FRC) address as the customer’s address to prevent automated Notices of Action (NOAs) and correspondence from being sent to the customer’s residence.

E. Child Abuse Reporting Requirements

The Child Abuse Reporting Law requires HHS to report suspected child abuse to Child Welfare Services (CWS), law enforcement agencies, and agencies responsible for investigating cases involving dependent children.

Report suspected child abuse without disclosing that the minor has applied for Minor Consent services.

When filing a report, the following information may be requested:

- Name of the person making the report.
- Name of the minor.
- Present location of the minor.
- Nature and extent of injury.
- An explanation as to why child abuse is suspected.
 - For example, the minor applicant has bruises on their arm and does not know how it happened.

F. Aid Codes

Determine appropriate Minor Consent aid code using the MC 4026 to identify the type of coverage the minor is seeking.

Aid Code	Description
7M	<ul style="list-style-type: none"> • Restricted to minors at least 12 years of age or older, • Sexually transmitted disease treatment and prevention, • Drug and alcohol abuse, • Family planning, • Sexual assault services, • Aid code can be used for cases with or without a SOC,
7P	<ul style="list-style-type: none"> • Restricted to minors at least 12 years of age or older,

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	<ul style="list-style-type: none">Sexually transmitted disease treatment and prevention,Drug and alcohol abuse,Family planning,Sexual assault services,Outpatient mental health treatment and counseling,Aid code can be used for cases with or without a SOC,
7N	<ul style="list-style-type: none">Restricted for pregnant minors with no age restriction,Covers pregnancy services and family planning services,Aid code has no SOC,
7R	<ul style="list-style-type: none">Restricted to minors under the age of 12,Family planning,Sexual assault services,Aid code can be used for cases with or without a SOC,

Multiple Minor Consent Aid Codes

In cases where a pregnant minor requests services not covered under the 7N aid code, issue two aid codes using the 14-1 HHSA form. Only one paper card and one NOA will need to be issued to the applicant.

Example:

A 15-year-old pregnant minor applies for minor consent. Eligibility is established using aid code 7N which covers pregnancy related services. The minor also reports a need for mental health services and provides necessary documentation showing eligibility to receive mental health services under Minor Consent. Issue a 7P aid code for the customer as well.

Program Impacts:

Forms

Form MC 4026 has been updated to allow for electronic signatures.

References:

[MEPM Article 4, Section 4V](#)

[ACWDL 94-63](#)

[MEDIL 21-09](#)

Sunset Date:

This policy will be reviewed for continuance on or by August 31, 2024.

Approval for Release:



Rick Wanne, Director
Self-Sufficiency Services