

## **4.10: Provision of Mental Health Services to Minors**

This Section addresses Imara's policies regarding the provision of mental health services and/or clinical treatment of minor-aged clients 12 years and how to handle information and records requests involving a minor-aged client of Imara. For questions, concerns, or guidance on this policy, please consult with the Clinical Director.

### **Provision of Mental Health to Minors 12 Years and Older.**

In accordance with Maryland law, Imara minor-age clients over age 12 can consent to consultation, diagnosis, and treatment of a mental or emotional disorder; this includes clinical therapy. Additionally,

- A minor-aged client 12 years or older may also consent to psychiatry consultation, diagnosis, and treatment. However, only minor-aged clients 16 years and older may consent to medications being prescribed without parental/guardian consent.
- Additionally, in situations where a parent has requested mental health and/or clinical services for a minor-aged client that is 12 years or older, the minor client cannot refuse consultation, diagnosis, treatment, or medication if the parent/guardian has already consented, regardless of if the minor agrees and/or consents to the treatment or not.
- At all times, it is up to the individual Imara clinician's best judgment as to whether a minor-aged client that is 12 or older is capable and mature enough to provide consent for treatment by Imara without parental/guardian consent. An Imara clinician can require a parent/guardian to consent to treatment.

### **Financia Responsibility for Provision of Services.**

Imara clinicians must be aware that Maryland law prevents parents/guardians from being financially liable for any treatment or mental health services provided to a minor-aged client, unless the parent/guardian has consented to the treatment or mental health services in advance.

Therefore, all Imara clinicians must establish the payment arrangements in advance for all mental health services provided to a minor-age client, where parental/guardian consent has not been already provided.

### **Disclosure of Information and/or Records to Parents/Guardians of Minor-Aged Clients Under the Age of 12.**

In general, parents/guardians of a minor-aged client under the age of 12 must be allowed access to a minor client's file and any information related to the treatment of the minor. For any questions, clarification, or concerns, clinicians are encouraged to reach out to the Clinical Director in advance of any release of information.

Additionally, clinicians must also understand the following:

- If a release of records is requested, the clinician must advise Imara and Imara can assist with this. A signed release will be required in advance of any records release.
- Information cannot be provided to a guardian, regardless of age, if the disclosure will lead to harm to the minor or deter the minor from seeking care. If an Imara clinician has such concerns, they should discuss this with the Clinical Director to determine what the best next steps should be.

### **Disclosure of Information to Parents/Guardians of Minor-Aged Clients 12 Years or Older.**

In accordance with Maryland law, Imara clinicians may, but are not required to give a parent/guardian information about the treatment needed or provided to the minor-aged client 12 years or older. Clinicians should also consider and understand the following:

- In light of the fact that parents/guardians may be involved with and have already consented to treatment of the minor client, considerations under this policy should be made on a case-by-case basis. Clinicians should discuss with the minor-client any parental request for information in advance.
- Information may be disclosed to a parent/guardian without the minor's consent and/or over their express objection.
- Additionally, in situations where the minor may pose a danger to themselves or others, the clinician may have a duty to disclose information to the parents/guardian.
- However, information cannot be provided to a parent/guardian of a minor-aged client, if the disclosure will lead to harm to the minor or deter the minor from seeking care. If an Imara clinician has such concerns, they should discuss this with the Clinical Director to determine what the best next steps should be.

For questions, concerns, or guidance on the disclosure of information related to the treatment of a minor-aged client 12 years or older, please consult with the Clinical Director.

### **3<sup>rd</sup> Party and Parental/Guardian Records Requests**

In accordance with Maryland law, Imara clinicians may, but are not required to give a parent/guardian access to a request for records from a parent/guardian.

- If a parent/guardian requests records for a minor-aged client aged 12 years or older, the clinician should discuss this request with the Clinical Director to determine what the best next steps are and whether a records request should be granted or not. Ultimately, the judgment of the clinician will be used to determine if a records request will be granted.
- In the event a request for records is approved, the minor-aged client shall have to agree in writing and sign a records release form.