

HB.4394, An Act Allowing Certain Minors to Consent to Supportive Services



Massachusetts
Appleseed
Center for Law & Justice

Sponsored by Rep. Khan and Sen. Gomez



More than 3,300 youth across the country are under 18, unaccompanied, and experiencing homelessness. Young people may be experiencing homelessness alone for a number of reasons such as abuse or family conflict over sexual orientation and gender identity. There are existing services that could help, but current law prevents youth under age 18 from consenting to many services without a parent and the law is unclear about which services can be provided to minors without a parent/guardian's consent. This leads to youth often being turned away when they seek such services as case management and lockers/showers.

HB.4394 would provide clarity to both young people and service providers about what services a "mature child" can access without the consent of a parent/guardian. The bill also defines "mature child" as a child between 15 and 18 who is able to understand the circumstances and implications of the situation they are in, and participate in the decision-making process without excessive anxiety or fear.

This bill would:

- ▶ Allow a mature child between 15 and 18 to consent to support services without a parent or guardian.

- A mature child must be able to provide written consent disclosing their age, guardianship status (if known), and living situation
- The services must be necessary to ensure the well-being of the mature child
- A mature child who is a parent themselves can also consent for their children

Questions?

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Black youth are more than

4x

Latinx youth are more than

2.5x

...as likely to experience homelessness as compared to the overall population of youth and young adults

24%

of all youth and young adults experiencing homelessness identify as LGBTQ+

Massachusetts minors can already consent to:

- *Treatment for substance use disorder; dangerous, contagious diseases; sexually transmitted diseases*
- *Inpatient mental health treatment*
- *Family planning services*
- *Minor parents may consent to their own medical and dental treatment and to medical and dental treatment for their children*