

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

Sponsored by Rep. Khan and Sen. Gomez



Massachusetts
Applesed
Center for Law & Justice



Each year, there are approximately 3,000 unaccompanied youth and young adults experiencing homelessness in Massachusetts. 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 the law is unclear about which services can be provided to minors without a parent or guardian's consent. This leads to youth often being turned away when they seek such services as case management, lockers, and showers.

H.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

Massachusetts minors can already consent to:

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

Questions? Contact Nadia Romanazzi at nadia@massappleseed.org

Youth and young adults experiencing homelessness in Massachusetts

- 30%** identify as LGBTQIA+
- 60%** identify as BIPOC
- 30%** leave home permanently before age 18

Unaccompanied minors experiencing homelessness are:

- **Over 2x as likely to be unsheltered** — sleeping outside, in a car, or some place not meant for human habitation
- **2.5x more likely to dropout of high school**
- More likely to be BIPOC

