

CBHC BOARD POSITION STATEMENT 17.0:

Age of Consent to Treatment

Position Statement

Colorado must ensure youth have appropriate and adequate access to behavioral health treatment.

Background

Research gathered for 2017 legislation cited that suicide is the second leading cause of death for children ages 10-14. In the spirit of protecting and increasing access to care, legislation has been introduced in Colorado to reduce the age of consent for behavioral health treatment. As of 2017, the age at which a minor can consent to outpatient psychotherapy without parental approval is 15. In Colorado, and for the purpose of this position statement, a youth under the age of 18 is considered a minor.

Previous efforts have recommended the ages 10 or 12; the current age for a minor to consent to physical health treatment independently is age 13. The legislation also required providers to counsel the minor on the importance of including their parents or guardians in their healthcare decisions.

Policy Priorities

17.1 Treatment of Minor Aged Youth in Crisis

When youth in our community experience a behavioral health crisis, CBHC membership providers are committed to stabilizing, treating, and connecting them to appropriate supports as efficiently as possible.

- ❖ CBHC supports the continuation of a crisis services system that is empowered to respond to youth behavioral health crises as efficiently and promptly as possible, and in the same manner as adult crises.

17.2 Age of Consent for Behavioral Health Treatment

To ensure minors have access to needed treatment CBHC supports reducing the age of consent for outpatient behavioral health treatment to 13 years of age.

- ❖ CBHC supports legislation that would allow a minor between the ages of 13 and 17 to consent to receive outpatient psychotherapy services.
 - Aligns with age of consent for physical health.
 - Increases the pool of minors eligible for treatment without their parents' consent.
- ❖ CBHC does not support legislation that would reduce the age of consent for inpatient treatment in the absence of sufficient legal authority.
- ❖ CBHC supports reducing the age of consent for behavioral health treatment when a public health approach is underlying the policies and legislation involved.

17.3 Education for Minors and Families

CBHC appreciates the importance of the family system in treating a minor for behavioral health concerns.

- ❖ CBHC supports policies and legislation that increase awareness of the behavioral health concerns of minors and that support education regarding the importance of seeking treatment as a family unit:
 - Educating minors who seek treatment without parental consent about the importance of including their parents or guardians.
 - Promotion of education for parents about their minor's behavioral health concerns, the stigma associated with seeking help, and the reasons why a minor may not be comfortable speaking with their parents about behavioral health.
 - Training for providers on family systems interventions.

Effective Period

The Colorado Behavioral Healthcare Council (CBHC) Board of Directors approved this policy on 01/18/2018. It is reviewed as required by the Public Policy Advisory Committee.

Policy Updated

Updates to this policy position were approved by the CBHC Board of Directors on 01/18/2018.

Expiration: 01/18/2020