



## **PARENTS: KNOW YOUR RIGHTS IN MAKING MEDICAL DECISIONS FOR YOUR CHILD**

### **FAQs**

**If a medical provider asks me to leave the room during an examination so that the provider can have a private conversation with my child, do I have to leave?**

NO! Under Pennsylvania law, parents have the right and responsibility of making decisions regarding their child's medical treatment. Although there are a few exceptions to this general rule, those exceptions are not common. [Please click here for more details of your rights in this area.](#)

**If a mental health provider, such as a psychiatrist, clinical psychologist, licensed clinical social worker or license professional counselor, asks me to leave my child alone with the provider during a session so that the provider can have a private conversation with my child, do I have to leave?**

NO. The provider has no right to force you to leave the room during a session where you are accompanying your child. If the provider will not honor your desire to remain with your child, you may want to consider terminating the session and leaving with your child. However, the law in the area of mental health treatment area is more complex than with medical treatment. Once a child turns 14, he or she has broader decision power to consent to their own mental health treatment. However, mental health providers must not coerce patients to eliminate parent involvement. Nor should they discriminate against minors by denying them services simply because a minor hasn't exercised the right to seek care without their parents' consent or because the minor has chosen to defer to their parents to make decisions for them. [Please click here for an overview of a parent's and child's rights in this area.](#)

**Can my child consent to drug or alcohol treatment without my consent?**

YES, under certain circumstances. Pennsylvania law allow minors of any age to consent to counseling or medical treatment for drug and alcohol abuse. Parental consent is not necessary and treatment providers are not required to notify parents about the treatment unless the minor consents to the disclosure and agrees to the parental notification. However, where you accompany your child to an appointment or session related to drug and alcohol treatment, you remain in control of that appointment. The provider has no right to ask or force you to leave the room during a session where you are accompanying your child and has no right to pressure your child to exclude you from treatment decisions. If you accompany your child to a drug and alcohol diagnosis or treatment session and are confronted with a provider who is pressuring your child to provide consent for treatment without your involvement, you have the right to terminate the session and leave with your child. Finally, a provider should not discriminate against a child who has chosen to include a parent or defer to a parent in treatment decision-making. [Please click here for a summary of the law in this area.](#)

**Do I have the right to be present during a school physical examination of my child?**

YES. Parents or guardians of the children being examined have the right to be notified in advance of the examination and have the right to be present during the examination. Parents can also specifically request

that the examination happen in their presence. [Please click here to read Section 1405 \(Assistance; Presence of Parents\) of the Public School Code.](#)

### **Can I object to a school-provided physical or dental examination of my child for religious reasons?**

YES. School children may be excused from school medical and dental examinations if a written objection has been presented to the school administrator stating that examinations are in violation of the parents' or guardians' religious beliefs. However, if the Department of Health determines that this would put other people at risk, exemption will not be granted, but even in that event, you can still choose to have your child examined by another provider of your choice. [Please click here for section 23.45 of Title 28 of the PA Code.](#)

### **May I choose to have my child examined by a provider of my choice in lieu of the school's examination?**

YES. Parents have the right to provide local school officials with a medical or dental report of examination conducted by the parent's physician or dentist of choice, at the parent's expense. Parents should contact their school to request any form required by the school for this purpose. The law requires that "in-lieu of" examinations shall be conducted and the report furnished to the school prior to the date of school's examinations but no earlier than four months prior to the opening of the school term. [Please click here for section 23.2 of Title 28 of the PA Code.](#)

### **Can I exempt my child from the public school's vaccination requirement?**

YES. Children do not need to be immunized if a parent or guardian objects because of religious beliefs or on the basis of a moral or ethical conviction. Immunizations are also not required if a child has a medical exemption from vaccination. Objections to vaccination must be provided in writing.

[Please click here for the relevant section of the PA Code.](#)

[Please click here for the State religious exemption form.](#)



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