



## Fact Sheet:



# Drug Medi-Cal (DMC) Minor Consent Services

## What is Minor Consent?

Minor Consent is a State-only program which excludes parental income and resources from consideration as a condition of Medi-Cal eligibility for certain, limited services to youth under the age of 21 who are living with their parent(s) or guardian(s). State law and regulations do not allow contacting the parent(s)/guardians(s) of youth who are applying for Minor Consent services.

(Source: Title 22, California Code of Regulations (CCR), Sections 50147.1, 50167(a)(6)(D)4., 50063.5, 50157(f)(3), 50703(d); Family Code, Section 6929; Welfare and Institutions Code, Section 14010)

## Minor Consent Services Under DMC

Title 22, CCR, Section 50063.5 defines Minor Consent services as “services related to:

1. Sexual assault.
2. Drug or alcohol abuse for children 12 years of age or older.
3. Pregnancy.
4. Family planning.
5. Venereal disease for children 12 years or older.
6. Sexually transmitted diseases designated by the Director of the California Department of Health Services for children 12 years of age or older.

7. Mental health care for children 12 years of age or older who are mature enough to participate intelligently and is needed to prevent the children from seriously harming themselves or others because the children are the alleged victims of incest or child abuse.

The drug and alcohol abuse treatment services are primarily outpatient drug-free counseling services. Children receiving Minor Consent services are not eligible for Early and Periodic Screening, Diagnosis and Treatment supplemental services.

(Source: Title 22, CCR, Sections 50147.1, 50063.5, 50157(f)(3), 50167(a)(6)(D), 50703(d))

## Minor Consent Eligibility

Minor Consent eligibility is for a period of one month. The minor must return in person to the county welfare office to re-apply for the subsequent month for which they may need a minor consent service.

## How are Minor Consent Services Paid?

Minor Consent services are supported only with State General Funds (SGF). However, limited Medi-Cal services that receive federal funding may be available for a minor during pregnancy or

postpartum. Except for services provided to pregnant and postpartum women, no federal funds are claimed since the income and resources of the minor's parent(s) or guardian(s) are not considered in establishing the child's eligibility for these limited Medi-Cal services. Thus, counties expend 100 percent of the cost for Minor Consent alcohol and other drug (AOD) services from their regular DMC SGF allocations.

### **Minor Consent Services**

Once the minor qualifies for limited confidential Minor Consent services, the county welfare office can choose from a limited menu of services it can offer the child. These services include:

- If the minor is between 12 and 21 years of age, they can receive substance abuse services that do not address their mental health issues, if any.
- If the minor is under 12 years of age, he/she can receive substance abuse counseling related to their sexual assault and family planning, but not mental health services.
- If the minor is pregnant or postpartum, she can receive substance abuse services that are related to her health during pregnancy or postpartum period.

### **Confidentiality**

Under Title 42, Code of Federal Regulations (CFR), Section 2.14, the AOD program and/or county cannot disclose that the minor is receiving Minor Consent services. Title 42 CFR

states, "If a minor patient acting alone has the legal capacity under applicable State law to apply for, and obtain, alcohol or drug abuse treatment, any written consent for disclosure authorized under subpart C of these regulations may be given only by the minor patient."

### **Minor Consent Services Billing**

The California Department of Health Care Services' automated billing system will identify services eligible for Federal Financial Participation (FFP) and non-FFP reimbursement. Reimbursement will be made to counties/direct contractors following the same procedures for other DMC services.