

Oregon Law on Consent for STI/HIV Testing and Treatment of Minors

Oregon law ([ORS 109.640](#)) states minors 15 years of age or older can consent to most medical services without the consent of a parent or guardian.

However, minors of any age can consent to reproductive health care information and services without the consent of a parent or guardian. This includes testing and treatment for sexually transmitted infections (STIs), including HIV. ¹



Reportable conditions

Some STIs, including HIV, are [reportable conditions](#). When these conditions are diagnosed, health care providers and laboratories must report cases to the local or state health authority ([ORS 433.004](#), [OAR 333-018](#)).

Can health care providers inform a parent/guardian of a minor's STI test or treatment?

A hospital or medical provider may inform a parent or guardian of a minor's diagnosis or treatment without the consent of the minor and is not liable for advising the parent/guardian without the minor's consent ([ORS 109.650](#)). However, providers are encouraged to use their best clinical judgement in deciding whether to share information with a parent or guardian. Confidentiality and information sharing practices should be discussed with a minor patient prior to the delivery of services.

¹ The full definition of reproductive health care services can be found in [ORS 435.190](#). Limitations apply to minor consent for elective sterilization and abortion.

Confidentiality and privacy concerns

Most private health insurance plans send out Explanation of Benefits (EOB) letters, which are summaries of healthcare services received. EOBs for minors insured through a parent or guardian are generally sent to the parent or guardian who is the policy holder.

Oregon law allows patients enrolled in a private health insurance policy the right to request that protected health information such as EOBs be sent directly to them via email, telephone, or a different mailing address instead of the policy holder. Minors insured through a parent or guardian may redirect insurance communications about health care services by completing the Oregon Request for Confidential Communication [form](#) and submitting it to their insurance company. Patients should confirm that their request has been fully processed to ensure that information about their visit is not sent to the policy holder.

Oregon Health Plan (OHP) members enrolled in a Coordinated Care Organization (CCO) should contact their CCO to find out if the CCO sends any communications about the services they receive.

Providers should discuss confidentiality policies and privacy concerns with minors seeking STI testing and/or treatment.

Resources

See OHA's guide to Minor Consent and Confidentiality in Health Care in Oregon for more information and resources at:

<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le9541.pdf>

Contact the STI/HIV Prevention Program at prevention.info@odhsoha.oregon.gov with any questions.

Not a Legal Document

This resource is intended to provide basic information about minors' ability to consent to STI/HIV testing and treatment services, as well as how relevant health care information is treated in Oregon. It is not intended to be a legal document or a substitute for legal advice or direction on specific client or health care provider questions related to the topics covered in this publication.

You can get this document in other languages, large print, braille or a format you prefer. Contact STD Prevention Program at 971-673-0153. We accept all relay calls, or you can dial 711.