

Age of Consent for Mental Health Treatment in the State of Georgia

written by Guest Author | June 15, 2016

In general, Georgia law provides that the age of majority is 18 years, and every person under 18 is a minor, according to O.C.G.A. Section 19-7-2. According to this Statute, minors are not competent to consent to treatment by a mental health professional, and that parents must consent to treatment for their minor children who are under the age of 18.

There are, however, several basic exceptions to this general rule. Those exceptions are as follows:

1. Minor parents: minors who are parents may consent to treatment for their children;
2. Drug abuse: minors may consent to treatment for drug abuse;
3. Emancipated minors: An emancipated minor is one who is living independently and supporting him/herself, and living independent of a parent;
4. Reproductive issues: Under Georgia law, any female may give consent for treatment, regardless of her age, for treatment related to pregnancy, birth control, or child birth
5. Venereal disease: A minor in the State of Georgia who has contracted an STD may give consent to treatment for the condition, regardless of age.

When parents consent to mental health treatment for their minor children, parents should agree, in writing if possible, to allow the therapist to create a safe place for counseling, where parents will not intrude. In discussing the need for privacy between a therapist and a minor client, parents may be informed by the therapist that they will be told of any need for referrals for additional services; and that the therapist will advise the parents regarding any situations which they need to know about. In addition, the therapist will also inform parents regarding what they can do to assist their child.

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