

# Consent and Refusal for Health Care

## 1001.1 PURPOSE AND SCOPE

### Agency Content

The purpose is for the health administrator in cooperation with the Chief Probation Officer, or authorized designee to establish and implement written policy and procedures to obtain informed consent for health care examinations and treatment. This policy applies to all juvenile facility staff.

## 1001.2 AUTHORITY AND REFERENCES

### Agency Content

- Board of State and Community Corrections Title 15 § 1434;
- Juvenile Facility Services Policy; Reproductive Services;
- Riverside County Correctional Healthcare Services Manual;
- Welfare and Institutions Code §§ 209, 210, 739 & 885.

## 1001.3 POLICY

### Agency Content

All youth shall have medical consents on file.

## 1001.4 CONSENT FOR HEALTH CARE

### Agency Content

All immunizations, examinations, treatments, and procedures requiring verbal or written informed consent in the community, also require consent for youth in Riverside County juvenile facilities.

Juvenile facility staff or Correctional Healthcare Services (CHS) staff shall provide youths' parents/legal guardians with a Consent to Examination, Treatment and Release of Medical Information form (attachment) at the time of admittance or during visitation. Treatment facilities require consent prior to admittance. Consent forms shall be retained in youths' health care records.

Caution shall be exercised in utilizing a general consent from the parent/legal guardian or the court for all types of health care, as it is not likely to be valid in some circumstances. Whenever treatment goes beyond a routine level of care, such as in the case of invasive procedures, surgery, or initiation of psychotropic medications, specific consent is required. This involves a full discussion of the recommended treatment, its risks and benefits, alternatives, and consequences of refusing the treatment. In general, this requires the consent of a parent/legal guardian, or the court, if no parent/legal guardian is involved.

Authorization for health care services shall be obtained from the court when there is no parent/guardian or other person standing in loco parentis, including the requirements in Welfare and Institutions Code (WIC) Section 739.

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Emergency, lifesaving treatment can always be rendered without specific consent. Conservators can provide consent only within limits of their court authorization.

In the case of immunizations, consent from the parent/legal guardian or court is generally required. When parental consent is involved, it is necessary to provide them with vaccine information consistent with requirements of the Vaccine Injury Reform Act.

### **1001.5 YOUTH LIMITED CONSENT FOR HEALTH CARE**

#### **Agency Content**

Youth have the ability to consent to certain types of care without parental involvement. Examples include:

- (a) Examinations and treatment for pregnancy (with some restrictions applicable to requests for therapeutic abortion services, refer to Juvenile Facility Services Policy; Reproductive Services);
- (b) Family planning;
- (c) Treatment for communicable diseases reportable to the local health officer including sexually transmitted diseases;
- (d) Mental health treatment (except for psychotropic medications); and
- (e) Substance abuse treatment.

Youth may refuse, verbally or in writing, non-emergency medical, dental and behavioral health care. Only a court order may override a youth's desire to refuse treatment.

Youth may consent to receipt of Hepatitis B vaccine if they are determined to be at risk for sexual transmission of that infection.

Date last reviewed: 01/12/2024

Date(s) revised: 01/12/2024; 04/09/2019; and 05/05/2016

Created: 03/01/2000

Attachments:

1. [Consent to Examination, Treatment and Release of Medical Information \(English\)](#)
2. [Consent to Examination, Treatment and Release of Medical Information \(Spanish\)](#)