

## **No matter the ailment, parents should be informed of treatment plans for their children**

By Jeffery M. Leving <sup>SM</sup>

No matter what ailment a child may be suffering from, when it comes to children who are minors, there is no treatment that should be allowed without the knowledge and consent of the parents.

Despite what should be a common sense fact, the state of California has just made it legal for low-income teens age 12 and up to get mental health counseling without their parents' consent.

This impacts young patients covered by Medicaid (called Medi-Cal in California) and advocates for this change will point out the fact that teens covered by commercial insurance have had this right in California for more than a decade. However, two wrongs do not make a right.

In 2010, California lawmakers made it easier for youth to access outpatient mental health treatment and emergency shelters without their parents' consent by removing a requirement that they be in an immediate crisis to do so. Children on Medi-Cal are not covered by this law because of cost reasons. Now, advocates in favor of the new law point out that the change merely levels the playing field for all kids. While this may be technically correct — both

children who are covered by commercial insurance and by Medi-Cal now have the same “right,” the problem is it is a right that no minor should have.

Cutting parents out of this process is just plain wrong, as there is no one who has the knowledge about individual children or their well being in mind like a parent. Certainly, no legislator knows better than a parent. Of course, some who are in favor of these laws will shine the light on rare, extreme examples of parents who were either out of touch or very backwards in their belief system. However, a tiny percentage of bad parents should not negate the rights of every other parent, most of whom have their children’s best interests in mind.

Make no mistake, this type of law is not just a California phenomenon. California is the latest, but not the only state with misguided laws. In fact, there are now more than 20 other states that allow minors to consent to outpatient mental health treatment without parental consent, according to a report from Rowan University.

It’s also important to note that this issue has become highly politicized, and thus, a lot of misinformation has been spread about what these types of laws allow and don’t allow.

Under the law that was recently signed into law in California, youths can talk to a therapist about things like

gender identity without their parents' consent or knowledge. But they cannot get residential treatment, medication or gender-affirming surgery without their parents' permission. Minors still need parental consent for any medical procedures, including puberty blockers, hormones and surgery. The bill also makes no changes to custody laws or child removal processes, despite some misinformation that has been spread.

That all said, the fact that parents are not being informed about what their minor children are going through is plain wrong, and it's not just happening in California. In Washington, the state senate just passed a bill that was sold as protecting children from the intervention of estranged parents, with advocates noting that it is not uncommon for parents to kick their child out of the house for being gay or transgender. While this law does not make any changes to existing laws surrounding medical care for minors or parental consent, it does allow the parents of children seeking gender-affirming medical interventions to *not* be told if their child turns up in a shelter.

Keep in mind that we are talking about minors. If these kids were over 18, I would not have an issue with these laws because once someone is over 18 they are legal adults. But parents should still be in charge of their minor children, despite what a few misguided laws claim.

The age of the children is really the litmus test here, not the underlying health issue that they may be facing. Besides, I think it's safe to assume that only in extremely rare cases a state's blanket law would better address the health issues of children rather than parents. Don't think so? — Instead of not needing parental approval for mental health treatment, what if it was cancer treatment, or cardiac treatment. Would the proponents of these laws be so quick to attack the rights of parents to be in charge of their children then?

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*Leving, who has dedicated his career to safeguarding children and reuniting them with their fathers, has written three acclaimed books: "Fathers' Rights," "Divorce Wars" and "How to be a Good Divorced Dad," the latter of which was praised by President Obama and by Cardinal Francis E. George, then the Archbishop of Chicago. Follow Jeffery M. Leving on Facebook and X @DadsRights.*