

CHILDREN AND PARENTS

1. Which parent of a divorced couple has the right to authorize treatment for a minor?

Either parent may authorize and consent to the treatment of a minor. Since it is the child who is receiving the service, the child is legally responsible for the debt, but the parents are also jointly liable for the payment. If there is any question, let the parents sort it out between themselves.

2. Can I tell a parent that a minor is pregnant?

The personally health information that you learn in your capacity as a dentist is confidential. You should not disclose that information without your patient's consent. The Public Health Law § 2504 gives a pregnant minor the ability to consent to dental services "relating to prenatal care" and, therefore, there is no need to consult with the parents in order to receive consent.

3. Can I exclude parents from the examination room while I am treating the minor?

There are many times in where the presence of a parent may make it more difficult to perform a procedure on a minor. If in your professional judgment the parent should be excluded from the room you may require that. Obviously, a parent who disagrees has the right to go to another dentist.