

Mature Minor Doctrine

The “mature minor” doctrine in Tennessee permits healthcare providers to treat certain minors without parental consent, according to the “Rule of Sevens.” (See *Cardwell v. Bechtol*, 724 S.W.2d. 739 (Tenn. 1987)).

- Under the age of 7 there is no capacity, and the physician must have parental consent to treat (unless a statutory exception applies).
- Between the ages of 7 and 14, there is a rebuttable presumption that there is no capacity, and a physician generally should get parental consent before treating (unless a statutory exception applies).
- Between the ages of 14 and 18, there is a rebuttable presumption of capacity, and the physician may treat without parental consent unless the physician believes that the minor is not sufficiently mature to make his or her own health care decisions.

Certain statutes also explicitly permit the treatment of minors for specific conditions without parental consent, including treatment of juvenile drug abusers (T.C.A § 63-6-220), emergency situations (T.C.A § 63-6-222), treatment for STDs (T.C.A § 68-10-104(c), providing contraception (T.C.A § 68-34-107), and providing prenatal care (T.C.A § 63-6-223). In the case of abortion, however, the legislature has made clear that no minor may obtain an abortion without either parental consent or a court order in exceptional circumstances.

Tennessee county health departments follow Tennessee law and provide medical treatment and vaccinations to patients as young as 14 without parental consent if the individual provider determines that the patient meets the definition of a “mature minor” in accordance with Tennessee law.