

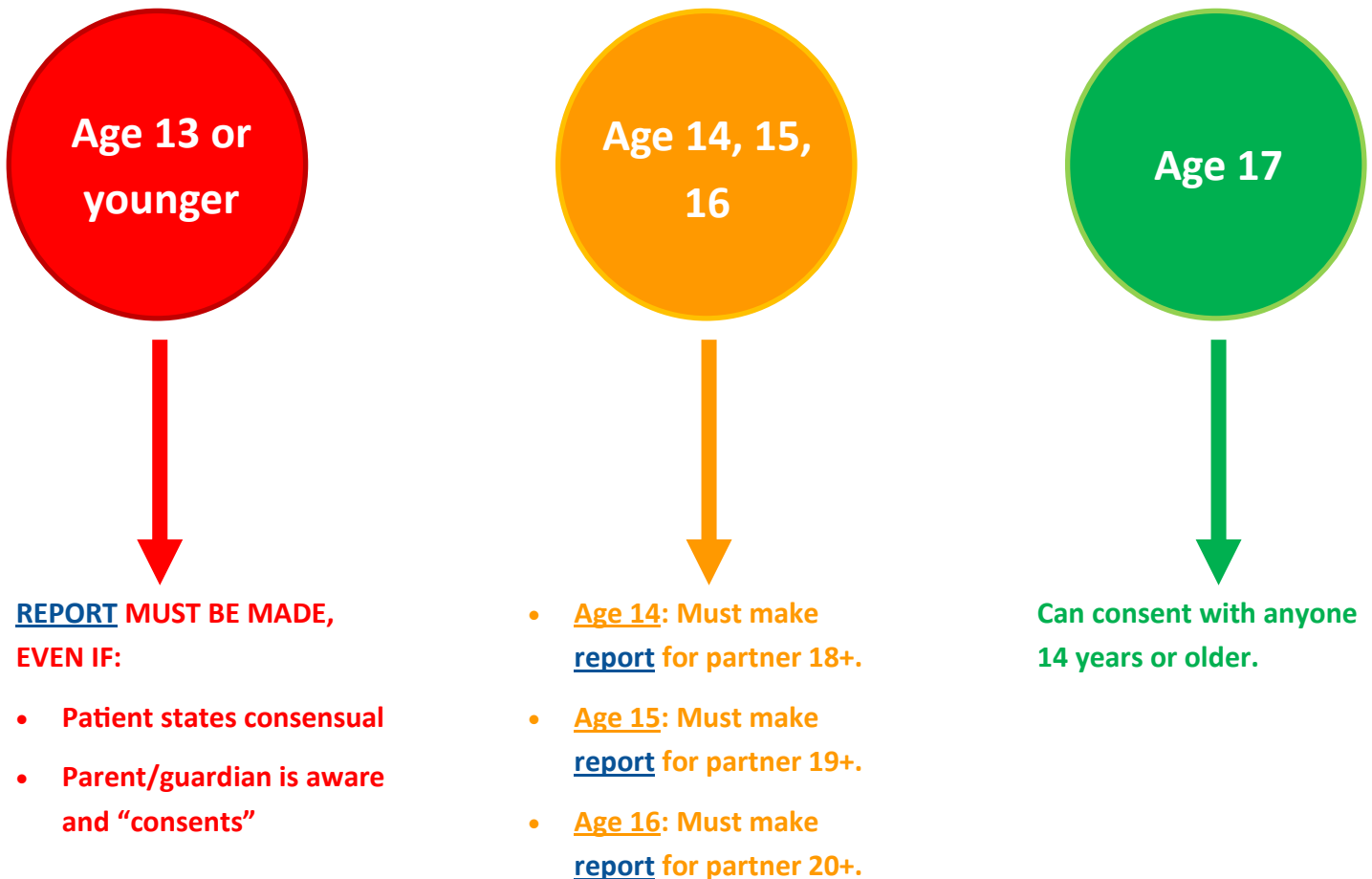
Missouri Minor Consent Laws

This summary was originally compiled by Daryl A. Lynch, MD, Chief, Section of Adolescent Medicine, at Children’s Mercy Hospital in 2001; it was updated in October 2017 by [Missouri Family Health Council, Inc.](#)

The following information was obtained from the Missouri Revised Statutes, as found through the [Missouri General Assembly’s website](#). Interpretations of these statutes are up to the provider and/or health care system. This summary should not be construed as legal advice. For questions or guidance, legal advice should be obtained.

Missouri Law:

- 13 year olds **cannot** consent to sex **with anyone** ([§566.067](#))
- 17 year olds can consent to sex **with anyone 14 years or older** ([§566.034](#))
- 14, 15, and 16 year olds cannot consent to sex with a person who is **more than 4 years older** ([§566.071](#))
- 14, 15, and 16 year olds **cannot** consent to sex with persons age **21 and older** ([§566.034](#))



Note: Clinical assessment should include psychosocial risk factors (see reverse).

Psychosocial risk factors that could influence whether a report should be made outside of the guidelines listed on the reserve page (list is not all-inclusive):

- Substance use by patient prior to/during the sexual activity
- Patient being provided substance prior to activity without their knowledge
- Identified/disclosed coercion (verbal or physical)
- Intimate partner violence (IPV)
- Presence of video or still images of the sexual activity
- Developmental disability
- Limited English Proficiency of patient and/or between individuals involved in sexual activity
- Past trauma history (sexual, physical, verbal, emotional abuse)
- Being compensated for sexual activity
- Parents/guardian being compensated for sexual activity

Child Abuse and Neglect Hotline: 1-800-392-3738

The Children's Division Child Abuse and Neglect Hotline is a toll-free telephone line which is answered seven days a week, 24 hours a day, 365 days a year.

When making a report, be sure to have the following information:

- Name of the child
- Name of the parent(s)
- Name of the alleged abuser
- Where the child can be located

You will also be asked:

- Is the child in a life-threatening situation now?
- How do you know about the abuse/neglect?
- Did you witness the abuse/neglect?
- Were there other witnesses, and if so, how can they be contacted?

What if you're not sure it's abuse or neglect?

- You can call the [local Children's Division office](#) to discuss your concerns. They can advise you whether or not to call the hotline. They can also give you advice that might help you help the family in crisis.
- Err on the side of over-reporting. If you have the thought, "Maybe I should call..." — DO! Not all calls to the hotline are determined to be abuse/neglect. However, the Children's Division can often provide services and assistance that can help families prevent abuse.

Specific Provisions

Pregnancy Related Care

MO St. §431.061(4)(a)

- Any minor may consent to any medical, surgical, or other treatment or procedures in case of pregnancy, excluding abortion.

Abortion

MO St. §188.028

- No person shall knowingly perform an abortion upon a pregnant minor unless:
 - the attending physician has secured the informed written consent of the minor and one parent/guardian; or
 - the minor is emancipated and has given the written informed consent; or
 - the minor has been granted a right to self-consent by court order, and the minor has given written informed consent; or
 - the minor has been granted consent by court order, and the court has given its written informed consent, and the minor is having the abortion willingly.
- If the minor petitions, the court shall, for good cause:
 - Grant the petition for majority right for the purpose of consenting to the abortion; or
 - Find the abortion to be in the best interests of the minor and give judicial consent to the abortion; or
 - Deny the petition.

No abortion shall be performed on any minor against her will, except pursuant to a court order when necessary to save the minor's life.

VD/STD Care

MO St. §431.061(4)(b)

- Any minor may consent to any medical, surgical, or other treatment or procedures in case of venereal disease.

MO St. §431.062

- Any physician or surgeon who provides medical or surgical care under 431.061(4) to a minor may, with or without the minor's consent, advise the parent or guardian of the health care given or needed if the provider knows the whereabouts of the parent or guardian. If the minor is found not to have a venereal disease, then **no information** shall be given to the parent or any other person.

HIV/AIDS Care

MO St. §191.656(2)

- No person is liable for disclosure of HIV test results to the parents/guardian of an unemancipated, minor patient.
- This does not impose a duty on any person to disclose the results of an individual's HIV testing to a parent.

MO St. §191.659

- An unemancipated minor who is a victim of any sexual offense and their parents or custodian shall be notified of confirmed positive HIV results of the offender.

MO St. §191.689

- Only after a school has adopted a policy consistent with CDC recommendations shall the Department of Health notify the superintendent or chief administrative officer that an HIV+ child attends in their district or school. Others may be informed on a need to know basis in order to provide proper health care and to determine fitness of child to attend school.

Blood Donation Age

MO St. §431.068

- Any person 17 years of age or older may donate blood voluntarily; any person 16 years of age may donate blood with written permission or authorization from his/her parent or guardian.

Minor Parent

MO St. [§§431.065.1](#) & [431.061\(2\) and \(3\)](#)

- Any minor parent or legal custodian is considered an adult for the purpose of entering into a contract for surgical, medical, or other treatment or procedures for himself or herself and his or her child in his or her legal custody.

Married Minor

MO St. [§§431.065](#) & [431.061\(3\)](#)

- Any minor who has been married is considered an adult for the purpose of entering into a contract for surgical, medical, or other treatment or procedures for himself or herself or their spouse.

Emergency Care

[MO St. §431.063](#)

- Consent is implied in emergency care.

[MO St. §431.062](#) (Includes pregnancy, VD/STD care and drug or substance abuse.)

- A physician or surgeon may, with or without the consent of the minor patient, advise the parent, parents, conservator, or relative caregiver of the examination, treatment, hospitalization, medical and surgical care given or needed if the physician or surgeon has reason to know the whereabouts of the parent, parents, conservator, or relative caregiver. Such notification or disclosure shall not constitute libel or slander, a violation of the right of privacy or a violation of the rule of privileged communication. In the event that the minor is found not to be pregnant or not afflicted with a venereal disease or not suffering from drug or substance abuse, then **no information** with respect to any appointment, examination, test or other medical procedure shall be given to the parent, parents, conservator, relative caregiver, or any other person.

Sexual Assault

[MO St. §595.220\(2\)](#)

- *Minor consenting to forensic examination:* A minor may consent to examination under section 595.220(2). Such consent is not subject to disaffirmance because of minority, and consent of parent or guardian of the minor is not required for such examination. The appropriate medical provider making the examination shall give written notice to the parent or guardian of a minor that such an examination has taken place.

Drug/Alcohol Treatment

[MO St. §431.061\(4\)\(c\)](#)

- Any minor may consent to any medical, surgical, or other treatment or procedures in case of drug or substance abuse.

[MO St. §431.062](#)

- Any physician or surgeon who provides medical or surgical care under 431.061(4) to a minor may, with or without the minor's consent, advise the parent/guardian of the health care given or needed if the provider knows the whereabouts of the parent/guardian. If the minor is found not to be suffering from drug abuse, then **no information** shall be given to the parent or any other person.

Inpatient Mental Health Services

[MO St. §632.110](#)

- The head of a mental health facility may accept for evaluation--on an outpatient basis if practicable--any minor whose parents make an application for voluntary admission.
- If the minor is diagnosed as having a mental disorder and found suitable for inpatient treatment, the minor may be admitted for care, treatment, and rehabilitation.

[MO St. §632.155](#)

- A voluntary minor patient who requests release shall be released immediately; except if the patient was admitted on the application of another person. In this case, the release shall be conditioned on receiving the consent of the person who applied for his admission.
- If the facility head determines that the minor presents a likelihood of serious physical harm to himself or others, the facility head may refuse the release and begin the involuntary detention process.

[MO St. §630.625](#)

- The department shall obtain the consent of the parent or guardian before placement of a minor.

Minor Living Apart

[MO St. §431.056](#)

- A minor can contract for housing, employment, purchase an automobile, receipt of a student loan, admission to high school or postsecondary school, obtaining medical care, establishing a bank account and admission to a shelter for domestic violence or homeless shelter if the minor is 16 or 17, homeless, not under DFS or juvenile court, is self supporting and has parental consent (expressed or implied) to living independent.

Age of Majority

[MO St. §431.055](#)

- The legal age at which a person become competent to contract in Missouri is eighteen years.

Drinking Age

[MO St. §311.310](#)

- The drinking age is 21.