

**Fact Sheet:** HB2357, HD1 – Mental Health Services for Adolescents

According to the Hawaii State Department of Health (DOH), from 2009 to 2013, suicide was the second leading cause of death among children aged 10 to 19 years old. Every year, 10 children in Hawaii die from suicide, 53 are hospitalized and 140 are sent to the emergency room due to attempted suicide.

One of the best ways to combat suicide is by providing access to mental health services. Currently, children under 18 years of age must obtain their parents' permission to obtain mental health treatment or counseling. House Bill 2357 would allow minors 14 years old and older to consent to mental health treatment or counseling without the approval of their parents. Hawaii law already allows minors to seek medical treatment for substance abuse. According to the Department of Health, 20 states and the District of Columbia allow for minors to consent to mental health treatment.

Proponents of the measure cite studies that suggest that parental consent requirements can be a significant deterrent for teens seeking treatment for depression or suicidal thoughts. They argue that not all teens are willing to talk to their parents about suicide or that not all parents understand the severity of depression or suicidal thoughts. Opponents of the measure are concerned that it erodes parental rights. The measure requires licensed mental health professionals to contact and include the minor's parents unless it's determined that parental participation would be inappropriate, usually in the case of abuse.

Breakdown of HB2357, HD1

- Lowers the age of consent for a minor for mental health treatment or counseling from 18 years old to 14 years old.
- To receive treatment or counseling, a licensed mental health professional must deem the minor mature enough to participate intelligently in the mental health treatment/counseling.
- Mental health treatment/counseling will include the involvement of the minor's parent or guardian unless the licensed mental health professional determines their involvement would be inappropriate.
- A licensed mental health professional must document attempts to contact the minor's parent or guardian, and whether the attempt was successful or unsuccessful or why in the professional's opinion, it would be inappropriate to contact the parent or guardian.
- A minor **cannot** repeal consent provided by a parent or legal guardian on the minor's behalf. Likewise, a parent or guardian **cannot** repeal consent given by the minor.

Costs Associated with Treatment/Counseling

- If a minor consents to mental health treatment/counseling, he/she will not be liable for payments.
- If the parent or guardian is **not** involved with the mental health treatment/counseling, he/she will **not** be liable for payment.
- The parents are liable for payment **only if** they participate in the mental health treatment/counseling.