When can parents access information about their minor child’s* mental health treatment?

- **Is the parent the child’s personal representative under HIPAA?**
  - **NO**
    - Does state or other law address whether a health care provider can share protected health information with a parent or guardian?
      - **YES**
        - Health provider must treat the parent as a personal representative for the child and share information accordingly.
      - **NO**
        - Does state law require or permit parental access to information?
          - **YES**
            - Health provider may share child’s health information with a parent.
          - **NO**
            - Provider may not share health information with a parent.
  - **YES**
    - Does the health care provider have concerns about parental abuse, neglect, or endangerment of the child?
      - **NO**
        - Health provider can decide whether or not to treat the parent as a personal representative and whether or not to provide parental access to treatment information.
      - **YES**
        - Health provider may not share or provide access to child’s information to the parent.

*Patient is under the age of majority (younger than 18 in most states) and is not emancipated (e.g. through marriage or a court order).

**See Fact Sheet, Am I my child’s personal health care representative under HIPAA?**