

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1189

H.P. 826

House of Representatives, March 28, 2017

**An Act To Define the Age of Consent for Alcohol or Drug
Treatment and Mental Health Services**

Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative POULIOT of Augusta.

Cosponsored by Senator HILL of York and Representative: BRADSTREET of Vassalboro.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1502**, as enacted by PL 1995, c. 694, Pt. C, §8 and affected by
3 Pt. E, §2, is amended to read:

4 **§1502. Consent**

5 In addition to the ability to consent to treatment for health services as provided in
6 sections 1823 and 1908 and Title 32, sections 2595, 3292, 3817, 6221 and 7004, a minor
7 who is 14 years of age or older may consent to treatment for abuse of alcohol or drugs or
8 for emotional or psychological problems and does not need the consent of a parent or
9 guardian for such treatment. If the parent or guardian consents to such treatment of a
10 minor 14 years of age or older, the minor may not abrogate that consent. If a minor 14
11 years of age or older consents to such treatment, a parent or guardian may not abrogate
12 that consent.

13 **SUMMARY**

14 Current law provides that a minor under 18 years of age may consent to treatment for
15 abuse of alcohol or drugs or for emotional or psychological problems. This bill provides
16 that a minor who is 14 years of age or older may consent to treatment for abuse of alcohol
17 or drugs or for emotional or psychological problems and does not need the consent of a
18 parent or guardian for such treatment. It also provides that if the parent or guardian
19 consents to such treatment of a minor 14 years of age or older, the minor may not
20 abrogate that consent and that if a minor 14 years of age or older consents to such
21 treatment, a parent or guardian may not abrogate that consent.