

Southern Illinois Regional EMS System

A-17.1 RESPONSIBILITY FOR RELEASE OF SERVICE TO A MINOR

ALS/ILS/BLS

Definition:

- A minor is defined as any person whose age is younger than 18 years old unless:
 - On active duty with the armed forces.
 - Married.
 - Pregnant.
 - Legally emancipated.

Consent for Treatment:

- Consent for treatment of a minor should be obtained as specified in “Consent for Treatment of the Minor Patient” protocol.

Refusal of Treatment/Transportation:

- Stable/Minor Injuries:
 - Advise patient of importance to seek medical attention and encourage transport.
 - Contact Medical Control for direction.
 - If patient still refuses, document on the run report your attempt to treat/transport and obtain their signature to verify their refusal.
 - If the patient does not cooperate with signing the run report, actions should be verified by a signature of responsible witness, i.e., police officer, other passenger, crew member, etc.
 - A phone call by the provider to the parent/guardian of the minor should be made as soon as possible by the crew members involved and documented on the run report as a “late entry – follow-up phone call”.

Serious Injuries/Illness:

- Verify on the run report that a serious illness/injury exists and emergency care is needed and or patient’s behavior reveals that they lack the capacity to make such refusal in a valid manner.
- Contact Medical Control for direction.
- The patient may be arrested and evaluated by law enforcement personnel. A minor does not have legal competence to consent or refuse.
- Injury/Illness, ingestion or injected materials may cause abnormal behavior revealing lack of capacity to make any valid judgments by the patient. It is better to treat and prevent any further harm to such patient who may not be able to judge their own condition.
- The minor suffering from what reasonably appears to be a life-threatening condition or illness is obtaining consent by *implied consent*.

Minor/Major Incidents: (i.e., school bus accident, school/camp activities):

- Treat all obviously injured patients.
- Document who is responsible for the minor(s) at the time of the incident and have them sign the run report form to back the EMTs decision to treat/transport or release of their care.

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Special Considerations:

- If problems arise, contact Medical Control and request law enforcement when needed, to place person involved in protective custody so final medical determination can be accomplished at the hospital.
- In questions of competency to grant or refuse treatment, remember:
 - A person who is not legally competent to grant written consent, is also legally not competent to deny it.
 - Article #3. 703-1 Taking Into Custody – State of Illinois statute on treatment of minors states:
 - A law enforcement officer may, without warrant, take into temporary custody a minor who is found in any street or public place suffering from any sickness or injury which requires care and/or medical attention.