



KERN HEALTH SYSTEMS POLICY AND PROCEDURES			
Policy Title	Minor Consent to Outpatient Mental Health Treatment or Counseling	Policy #	21.10-P
Policy Owner	Behavioral Health Department	Original Effective Date	12/31/2024
Revision Effective Date		Approval Date	07/01/2025
Line of Business	<input checked="" type="checkbox"/> Medi-Cal <input type="checkbox"/> Medicare <input type="checkbox"/> Corporate		

I. PURPOSE

The purpose of this policy is to outline the responsibilities of Kern Health Systems (KHS) in accordance with Assembly Bill (AB) 665 (Chapter 338, Statutes of 2023), which amended Family Code (Fam. Code) section 6924. This policy ensures that KHS complies with the requirements of All Plan Letter (APL) 24-019 for providing non-specialty outpatient mental health treatment or counseling services to minors, ages twelve (12) years and older, who may consent to such services independently, as long as they are deemed mature enough to participate in treatment.

This policy applies to all Managed Care Health Plans' (MCPs) that provide Medi-Cal mental health treatment or counseling services to minors, ages twelve (12) and older. It establishes procedures for determining the minor's consent, the role of professional persons, and confidentiality protections, and ensures that proper involvement of the minor's parent/guardian is handled in accordance with the law.

II. POLICY

A. Minor's Consent and Eligibility

1. Minors aged twelve (12) and older may consent to non-specialty outpatient Medi-Cal mental health treatment or counseling services without the need for parent or guardian approval, provided they are determined by the attending professional person to be mature enough to participate intelligently in treatment.
2. The attending professional person must use their clinical judgment to assess the minor's maturity level for participation in treatment and services.

B. Eligibility for Services

1. Minors who are eligible for full-scope Medi-Cal do not need to apply separately for limited-scope Minor Consent Services in order to consent to outpatient mental health services.

C. Determining Professional Person Eligibility

1. The professional persons authorized to provide services under Family Code §6924 include:
 - a. Registered Psychologists
 - b. Psychology Trainees
 - c. Associate Clinical Social Workers
 - d. Social Work Interns
 - e. Psychiatrists

III. DEFINITIONS

TERMS	DEFINITIONS
Minor	An individual under the age of eighteen (18).
Professional Person:	An individual authorized under Family Code §6924 to provide outpatient mental health services to minors. This includes registered psychologists, psychology trainees, associate clinical social workers, social work interns, and psychiatrists.
Non-Specialty Mental Health Treatment or Counseling:	Outpatient mental health services provided to minors under the Medi-Cal program that are not classified as specialty services.

IV. PROCEDURES

A. Assessment

The professional person shall conduct a comprehensive assessment of the minor's maturity level to determine if they are capable of providing informed consent. This should be based on the professional's clinical expertise and judgment, taking into account the minor's cognitive ability, emotional maturity, and understanding of the treatment process.

B. Parent Guardian Involvement

1. Before providing services, the professional person shall consult with the minor to determine if the involvement of the minor's parent or guardian is appropriate.
2. If the professional person determines that parent or guardian involvement is necessary or beneficial, they will attempt to contact the parent/guardian. These attempts, and their success or failure, must be documented in the minor's record.
3. If the professional person determines that parent/guardian involvement would be inappropriate, this must also be documented in the minor's record.

C. Confidentiality and Disclosure of Information

1. The minor's consent services information shall not be disclosed to parents/guardians without the minor's explicit consent.
2. KHS shall ensure confidentiality measures are in place, including the suppression of appointment notifications and adverse benefit determination notices for minor consent services.

D. Oversight Responsibilities

KHS is responsible for ensuring that the subcontractors and providers comply with the provisions of APL 24-019. This includes monitoring adherence to minor consent requirements and ensuring that failures to comply may result in corrective action plans (CAPs), monetary penalties, or administrative sanctions.

E. Compliance and Monitoring

1. Monitoring and Corrective Actions:
KHS will conduct periodic reviews to ensure that all procedures and policies are followed by subcontractors and providers. Failure to comply with the requirements of APL 24-019 will result in corrective actions, which may include CAPs, monetary penalties, or administrative sanctions.
2. Submission of Updated Policy & Procedures (P&P):
KHS must submit their updated policies and procedures to the MCOD-MCP Submission Portal within 90 days of the release of APL 24-019 to ensure compliance with the new legal requirements.

V. ATTACHMENTS

Attachment A:	N/A
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VI. REFERENCES

Reference Type	Specific Reference
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All Plan Letter(s) (APL)	APL 24-019 Minor Consent to Outpatient Mental Health Treatment or Counseling
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VII. REVISION HISTORY

Action	Date	Brief Description of Updates	Author
Effective	12/31/2024	The policy was created per DHCS APL 24-019	Behavioral Health Department

VIII. APPROVALS

Committees Board (if applicable)	Date Reviewed	Date Approved
Choose an item.		
Choose an item.		

Regulatory Agencies (if applicable)	Date Reviewed	Date Approved
Department of Health Care Services (DHCS)	03/28/2025 for APL 24-019	04/15/2025
Choose an item.		

Chief Executive Leadership Approval *		
Title	Signature	Date Approved
Chief Executive Officer		
Chief Medical Officer		
Chief Operating Officer		
Chief Financial Officer		
Chief Compliance and Fraud Prevention Officer		
Chief Health Equity Officer		
Chief Legal and Human Resources Officer		
Deputy Chief Information Officer		
*Signatures are kept on file for reference but will not be on the published copy		



Policy and Procedure Review

KHS Policy & Procedure: 21.10-P

Last approved version: N/A

Reason for revision: To ensure that KHS complies with the requirements of All Plan Letter (APL) 24-019 for providing non-specialty outpatient mental health treatment or counseling services to minors, ages twelve (12) years and older, who may consent to such services independently, as long as they are deemed mature enough to participate in treatment.

Director Approval		
Title	Signature	Date Approved
Amisha Pannu Senior Director of Provider Network		
Melinda Santiago Director of Behavioral Health		

Date posted to public drive: _____

Date posted to website (“P” policies only): _____