



**SB0041 Health – Mental and Emotional Disorders – Consent (Mental Health Access Initiative)**

Presented to the Honorable Delores Kelley and Members of the Senate Finance Committee

February 02, 2021 1:00 p.m.

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**POSITION: SUPPORT**

NARAL Pro-Choice Maryland urges the Senate Finance Committee to issue a **favorable report on SB0041 Health – Mental and Emotional Disorders – Consent (Mental Health Access Initiative)**, sponsored by Senator Malcolm Augustine.

Our organization is an advocate for reproductive health, rights, and justice. We strive to ensure that every individual has the freedom to decide their healthcare and that they have full accessibility to fulfill their healthcare needs. This includes minor youth who have the capacity to consent to medical treatment of mental and emotional disorders. According to the Guttmacher Institute, there are 20 states including the District of Columbia that explicitly authorize minors to consent to outpatient mental healthcare.<sup>1</sup> Our organization recognizes that minor youth have the capacity to consent to medical treatment regarding sexual and reproductive healthcare, and we are grateful for legislation like SB0041 that recognizes their autonomy and their right to act in their best interests in regards to improving or safeguarding their own mental health.

In addition to the legal recognition of minors' consent, there are also traumatic circumstances to consider. Data from the American Academy of Family Physicians shows that children who witness domestic violence or sexual abuse are at a greater risk of developing mental health issues like anxiety and depression.<sup>2</sup> In such situations, these children are less likely to seek medical care because they might face severe consequences if their parents or guardians learn they are seeking professional help. By lowering the age of consent, this bill empowers children the freedom to make their healthcare decision independent from their parents or guardians and from harmful consequences should they choose to do so.

This bill recognizes the dignity and authority of minor youth who have the capacity to consent to medical treatment of mental and emotional disorders. For these reasons, NARAL Pro-Choice Maryland **urges a favorable committee report on SB0041**. Thank you for your time and consideration.

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<sup>1</sup> Guttmacher Institute. "Minors and the Right to Consent to Health Care," September 22, 2004. <https://www.guttmacher.org/gpr/2000/08/minors-and-right-consent-health-care>.

<sup>2</sup> Stiles, Melissa. "Witnessing Domestic Violence: The Effect on Children." *American Family Physician* 66, no. 11 (December 1, 2002): 2052.