YOUNG MOORE
ATTORNEYS

WHO MAY CONSENT TO MEDICAL TREATMENT

FOR ADULTS (OVER 18)	
Competent Capable Adults	✔ The Individual
Adults Lacking Capacity to Make Health Care Decisions **N.C. Gen. Stat. §90-21.13**	**(Listed in order of priority)** ✔ Health Care Agent ✔ Guardian ✔ Attorney-in-fact ✔ Spouse ✔ Majority of Reasonably Available Parents and Children at Least 18 ✔ Majority of Reasonably Available Siblings at Least 18 ✔ Individual who has Established Relationship ✔ Attending Physician with Confirmation by Second Physician Unless Delaying Obtaining Confirmation Would Endanger Life or Seriously Worsen Condition
FOR MINORS (UNDER 18)	
Lawfully Married or Emancipated Minors for Treatment of Any Condition **N.C. Gen. Stat. §90.21.5(b)**	✔ The Minor (for himself and child)
Minors for Treatment of: 1) Pregnancy *(excluding abortion or sterilization)* 2) VD or Other Communicable Disease 3) Drug or Alcohol Abuse and 4) Emotional Disturbance	✔ The Minor **N.C. Gen. Stat. §90.21.5(a)**
Minors for Abortion	Requires consent of Minor **AND** at least one of the following: ✔ Parent with Custody ✔ Legal Guardian ✔ Parent with Whom Living ✔ Grandparent with Whom Living for 6 Months Immediately Preceding Date of Minor's Written Consent
Minors for Any Other Condition	✔ Any Custodial Parent **N.C. Gen. Stat. §32A-30** ✔ Health Care Agent **N.C. Gen. Stat. §32A-31** ✔ Physician, IF: • Parents, Guardian, *Loco Parentis* Cannot be Located; • Identity of Child Unknown and Delay Would Cause Harm; • Effort to Contact Would Cause Delay that Would Cause Harm • If Parents Refuse to Consent and Delay of Getting Court Order Would Cause Harm. (Get second opinion from physician unless delay would cause harm) **N.C. Gen. Stat. §90-21.1, §90.21.2, §90-21.3**

DISCLAIMER: This is distributed as guidance material only and is not to be relied upon without the advice of legal counsel with knowledge specific to the situation being assessed. This does not address DNR, MOST, or sterilization.

For more information, please contact Joseph W. Williford at jww@youngmoorelaw.com or (919) 861-5032.

ANOTHER PROBLEM SOLVED
www.youngmoorelaw.com

Young Moore and Henderson, P.A.
3101 Glenwood Avenue, Suite 200
Raleigh, North Carolina 27612
(O) 919.782-6860 (F) 919.782-6753