

Treatment of Minor Patients

Policy: Parker University, Chiropractic Clinics strives to provide timely quality minor patient care. The following procedures are utilized to contribute to the process regarding legal parent / guardian and / or “Authorization Agreement for Voluntary Adult Caregiver (State of Texas, Revised, October 2027) processes and procedures.

Procedure:

Minor Patient Definition: In Texas, a minor is defined as anyone under 18 years of age who has never been married and has not been legally emancipated (they haven’t had their disabilities of minority removed by a court).

Legal Parent Definition: Under the Texas Family Code 101.024, a legal parent is defined as the mother, adoptive parent or a man who is legally determined to be the father via presumption, court adjudication, or a signed acknowledgment. Biology alone does not automatically create a legal parent-child relationship. The specific legal categories include:

1. The Mother: The woman who gave birth to the child
2. Presumed Father: Generally, a man married to the mother at the time of the child’s birth (or within 300 days of marriage ending)
3. Acknowledged Father: An unmarried biological father who establishes paternity by voluntarily signing an Acknowledgement of Paternity (AOP).
4. Adjudicated Father: A man legally determined to be the father by a court (which often involves a DNA test).
5. Adoptive Parents: Parents who have legally adopted the child.

Legal Guardian Definition: Under Texas law, legal guardian is an adult or entity appointed by a probate court to make decisions and manage the personal or financial affairs of an “incapacitated person” or minor (Called the “ward”). This court-ordered relationship transfers specific rights from the ward to the guardian. Texas law (Texas Estates Code Section 1002.012) recognizes two main types of guardianship:

1. Guardian of the Person: Legally responsible for the ward’s daily care and well-being, including housing, medical treatment, food, clothing, and supervision.
2. Guardian of the Estate: Legally responsible for managing the ward’s property, financial affairs, debts, and investments.

Authorization Agreement for Voluntary Adult Caregiver: A legal form that allows a parent to give a trusted nonparent the authority to make decisions for their child such as consenting to medical treatment and enrolling in school, without transferring legal custody or going to court. Governed by Chapter 34 of the Texas Family Code, the document permits a caregiver to:

1. Consent to medical, dental, and surgical treatment. Note: The State of Texas, Authorization Agreement for Voluntary Adult Caregiver generally permits the designated adult caregiver to consent to chiropractic care. Under Texas Family Code Chapter 34, the legal document grants a caregiver the authority to authorize “medical, dental, psychological, or surgical

Treatment of Minor Patients

treatment” for the child. Because chiropractic care falls broadly under the umbrellas of authorized healthcare and alternative medical treatment for minors, it is included in this scope of authority. It does not terminate or limit parent rights.

2. Obtain health or dental insurance for the child.
3. Enroll the child in school or daycare.
4. Apply for public benefits and get copies of the child’s ID documentation.

Texas Department of Family and Protective Services (Authorization Agreement for Voluntary Caregiver: https://texaslawhelp.org/sites/default/files/2024-05/2638_5.pdf)

Legal Adult Definition: In Texas, the legal age of majority is 18 years old. At this age, individuals are considered legal adults and gain the rights to vote, enter into binding contracts, marry without parental consent, and make their own medical decisions.

Clinic Scheduling Process:

The Clinic Scheduler will determine whether the legal parent and / or guardian will be present during the (1) initial Visit, (2) Report of Findings, and (3) Informed Consent procedure during the period of scheduling the appointment by asking the appropriate questions. Once it has been determined the patient’s intent, the following process will occur:

Legal Parent / Guardian Present for Patient Care:

The Parker University, Chiropractic Clinic, Permission to Treat a Minor in Absence of Legal Parent and / or Guardian is provided under the following circumstances:

1. Legal Parent / Guardian is present for initial visit (i.e., Complete Patient Intake Form, Address Chief Complaint EHR Surface, Outcome Assessment, Physical Examination, Testing)
2. Legal Parent / Guardian is present / receives the Report of Findings
3. Legal Parent / Guardian completes the Informed Consent on behalf of the minor patient
4. The legal parent / guardian may complete the Permission to Treat a Minor in Absence of Legal Parent and/or Guardian. The form may be obtained from Parker University, Chiropractic Clinic Front Desk.
5. In this scenario, the legal parent / guardian is minimally expected to be present with the minor patient during all subsequent examinations (9920X / 9921X), Report of Findings and Informed Consent approvals. If the legal parent / guardian is not present for subsequent examinations, report of findings, and informed consent approval, the patient will be rescheduled.
6. The Parker University, Chiropractic Clinic, Permission to Treat a Minor in Absence of Legal Parent and / or Guardian expires at the end of episodic care (i.e., end of treatment plan that has not been renewed per clinic policy) and / or patient has been release from care.

Treatment of Minor Patients

Legal Parent / Guardian not Present for Minor Patient Care:

1. Legal Parent / Guardian will not be present for initial visit (i.e., Complete Patient Intake Form, Address Chief Complaint EHR Surface, Outcome Assessment, Physical Examination, Testing)
2. Legal Parent / Guardian will not receive the Report of Findings
3. Legal Parent / Guardian will not complete the Informed Consent on behalf of the minor patient
4. The legal parents / guardian and voluntary adult caregiver complete / notarize the Authorization Agreement for Voluntary Adult Caregiver with supporting documentation and provide it to the Parker University, Chiropractic Clinic PRIOR to the minor patient(s) scheduled appointment to verify authorization. An appointment will be scheduled for the minor patient when all documentation is received by the clinic. The form and supporting documentation (Parents' Drivers Licenses, Voluntary Adult Caregiver Driver License) may be emailed to AskParkerClinics@Parker.edu
5. Authorization Agreement for Voluntary Adult Caregiver can be obtained from Texas Department of Family and Protective Services (Authorization Agreement for Voluntary Caregiver): https://texaslawhelp.org/sites/default/files/2024-05/2638_5.pdf