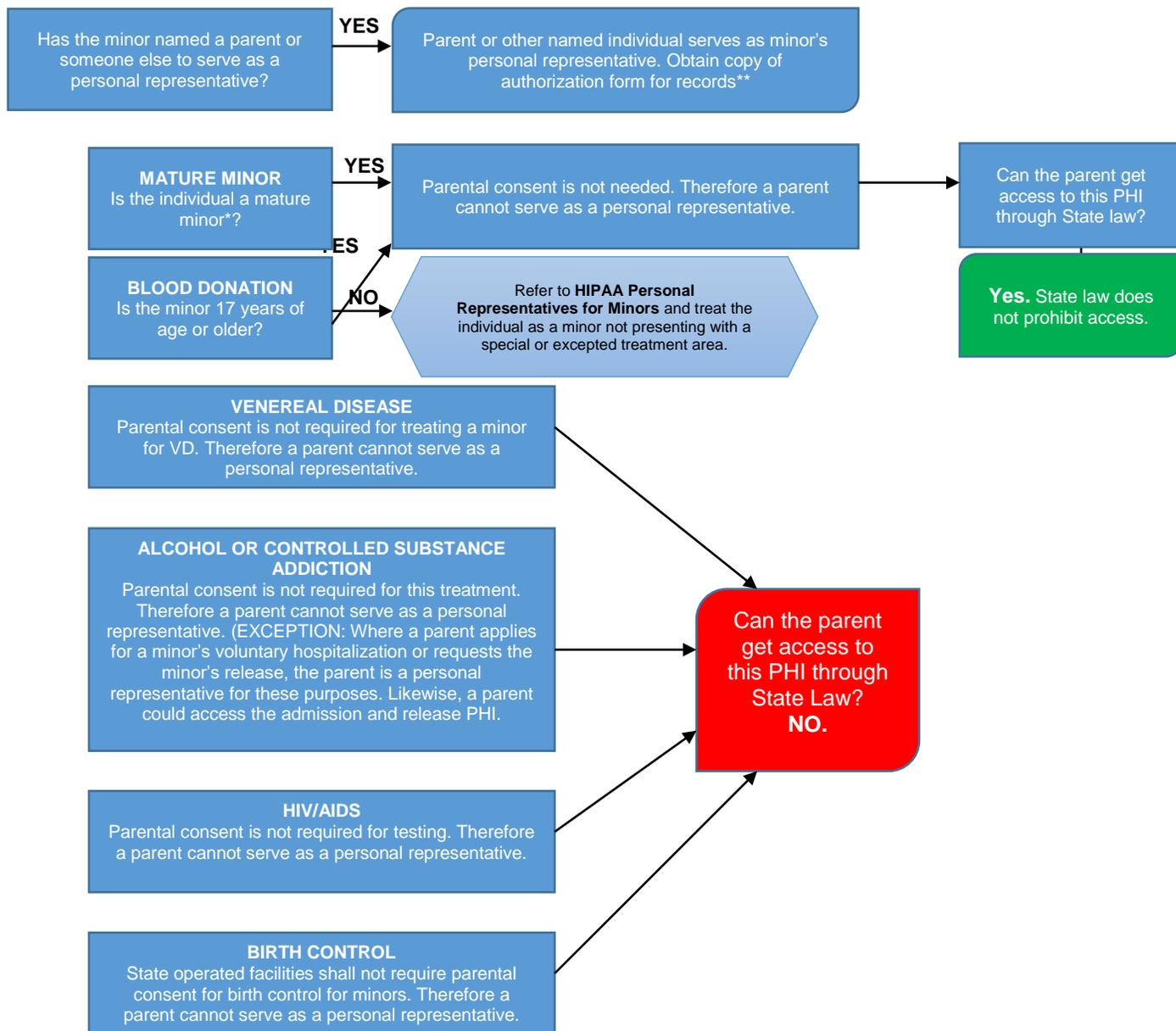


HIPAA PERSONAL REPRESENTATIVES FOR MINORS EXCEPTIONS IN WV IN THE PROVIDER SCENARIO

07/25/2007

The individual is under 18 years of age and the PHI involved is one of the following treatment areas: VD, alcohol or controlled substance addiction, blood donation, HIV/AIDS, or birth control, or the individual is a mature minor*.



*A "mature minor" is defined as "a person less than eighteen years of age who has been determined by a qualified physician or a qualified psychologist or an advanced nurse practitioner to have the capacity to make health care decisions." WV Code §16-30-3(o)

**Obtain documentation where it is determined that an individual can serve as a HIPAA personal representative.

NOTE: In emergency circumstances, a provider is permitted to treat without consent or authorization.