

## **Notice to Clients and Consent to Treatment Agreement**

### Section 2

#### **FOR PARENTS:**

In most cases, the treatment of a minor child (under the age of 18) must be authorized by a parent or legal guardian. In cases where the legal guardian is someone other than a parent documentation must be provided. This also holds true where legal custody is an issue as in divorce cases or when legal rights have been relinquished.

Parental control over a minor’s treatment includes the authority to access or release the child’s otherwise confidential treatment records. **Even parents without residential responsibility for a child retain decision-making authority over the child’s treatment and treatment records unless a court has ordered otherwise.**

When parents with decision-making authority cannot agree on access to or release of their child’s confidential treatment information, a court will decide following a hearing. This is not a parental, nor a clinical decision but a legal one.

At Novus Vita Counseling, PLLC, we believe it is best to identify and resolve potential parental conflicts or disagreements before treatment begins. Therefore, it is our policy to treat minors only with the consent of both parents, to the extent both are available. If one parent is unavailable and we determine that it is appropriate to proceed with the consent of only one parent, the absent parent will have a right to the child’s treatment records upon request while the child is a minor unless there is a court order to the contrary. If continuation of treatment becomes an issue, it is the responsibility of the parents to resolve the disagreement in court.

In New Hampshire, all information regarding your child’s therapy file is considered privileged and therefore can only be released in limited circumstances. If there is a dispute about whether your child’s privileged records should be released, the court must determine what is in the child’s best interests. It is your responsibility to ensure that this issue is brought to the court’s attention. Novus Vita Counseling, PLLC, and the therapist working with your child, will be unable to provide therapy files or information to anyone until the court has determined what is in the child’s best interest.

\*Upon turning 18, the child gains control over treatment, information and records.

**For Mature Minors:**

Because you are a minor (under the age of 18), a therapist cannot treat you without parental consent. Parental control over your treatment includes their right to access and release your medical records.

In very limited circumstances, a minor may prevent parental access to treatment records through a court hearing. In the event you object to either parent having access to your treatment records, you do have the right to raise this issue with your other parent or with a guardian ad-litem, if one has been appointed.

**Court Ordered Treatment:**

If you are seeing me due to a court order requiring you to seek treatment, it is the policy of this office that we not proceed with treatment until we have received a copy of the court order and have had an opportunity to review it. If you have been ordered by the court to obtain treatment, there are limits on confidentiality in addition to the ones described in the afore mentioned section of **confidentiality / privileged information**. For example, your therapist may be obligated to file a report with the court that ordered you to seek treatment or with someone else regarding your case.

**Limits of Service:**

Unless specifically agreed to otherwise, the role of your therapist is to provide psychotherapy services, not to assess fitness for custody, serve as an advocate on other issues or act as an expert witness. However you should be aware, if you should become involved in a legal matter and I am subpoenaed to court, even by another party, you will be charged a fee of \$125.00 per hour for any time spent in court (even when not testifying), travel time and preparation time.

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Print Name Of Legal Guardian

Relationship

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Signature Of Legal Guardian

Date