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January 30, 2020

Senator Lathrop, Chair – Judiciary Committee  
Room 1113, Nebraska State Capitol, Lincoln, NE 68509

**RE: LB 1036 - Allow persons eighteen years of age to make health care decisions and persons under nineteen years of age in correctional facilities to consent to medical and mental health care**

Dear Chair Lathrop and Members of the Judiciary Committee,

Nebraska's unique age of majority leaves many young Nebraskans in a complicated situation when it comes to health care decision making. Voices for Children in Nebraska supports LB 1036 to allow Nebraskans age 18, and to allow those under age 19 committed to the Nebraska Department of Correctional Services to make health care decisions on their own behalf without the consent of their parent or guardian.

At the age of 18, most young people are setting off for the first time to start an independent life. For young adults who have moved away from home for the first time to attend college, or those who are pregnant, seeking consent from their parent or guardian may significantly delay the process of seeking important health care treatment, or prevent treatment from occurring altogether. Several states allow some minors to make health care decisions without parental consent, and others exempt minors by their status—for example, minors who are living apart from their parents, those who have joined the military, and those who are incarcerated.<sup>i</sup>

Research shows that maturity and decision-making abilities progress along different timelines. Indeed, the American Academy of Pediatrics has adopted an official policy, in recognition of brain development research, that prioritizes a process that includes the opinions of children and adolescents in pediatric care.<sup>ii</sup> LB 1036 balances Nebraska's unique age of majority with the very practical need for young adults to be able to access medical care. We thank Senator Morfeld for his leadership on this issue and would urge the committee to advance LB 1036. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Julia Isaacs Tse".

Julia Isaacs Tse, Policy Coordinator

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<sup>i</sup> Abigail English et al., “State Minor Consent Laws: A Summary 3<sup>rd</sup> Edition,” Center for Adolescent Health & the Law, January 2010, 3, <https://www.freelists.org/archives/hilac/02-2014/pdfRo8tw89mb.pdf>.

<sup>ii</sup> “Informed Consent in Decision-making in Pediatric Practice,” American Academy of Pediatrics Committee on Bioethics Policy Statement, *Pediatrics* 138, no. 2 (2016):

<https://pediatrics.aappublications.org/content/pediatrics/138/2/e20161484.full.pdf>.