

Resolution to Ensure Comprehensive and Confidential Health Care for Minors and Adults Insured as Dependents

WHEREAS, the AAFP Policy on Patient/Physician Confidentiality states, “The privacy of adolescent minors should be respected. Parents should not, in some circumstances, have unrestricted access to the adolescent’s medical records. Confidentiality must be maintained particularly in areas where the adolescent has the legal right to give consent,”¹ and

WHEREAS, physician and public health organizations including the American Public Health Association (APHA), American Medical Association (AMA), Society for Adolescent Health and Medicine (SAHM), and American Academy of Pediatrics (AAP) also have policies supporting confidential access to reproductive health care for minors,^{2 3 4 5 6} and

WHEREAS, a majority of teens receiving clinic-based reproductive health care (60%) reported that their parents already knew they used a clinic for sexual health services, but among teens who had not discussed this with their parents, 70% said they would not seek family planning services and a quarter said they would have unsafe sex if they were unable to obtain confidential care,⁷ and

WHEREAS, the Department of Health and Human Services estimates that 2.5 million young adults gained health insurance through the Affordable Care Act, which allows young adults to stay on their parents’ plan until age 26.⁸ Further, according to the Kaiser Family Foundation, 25% of adult women are insured as a dependent, as are 13% of adult men,⁹ and

WHEREAS, in some cases, minors and adults insured as dependents are prevented from using their insurance to pay for reproductive healthcare and other sensitive healthcare due to concerns about a breach in confidentiality due to billing practices, and

WHEREAS, recognizing the public health problems posed by this inability to access needed care, three states—Connecticut, Delaware and Florida—now prohibit billing procedures from breaching confidentiality for minors seeking testing and treatment for STIs,¹⁰ and

WHEREAS, with the single exception of California¹¹, even in states where minors’ ability to consent to care is protected in accessing contraception and STI screening and treatment, the legislation as currently worded does not extend to cover preventative reproductive health care, specifically, the HPV and hepatitis vaccines, now be it

RESOLVED, that the NYSAFP will advocate for policies that expand protections for minors accessing confidential care to include preventative reproductive health care, such as the HPV and hepatitis vaccines, and be it further

RESOLVED, that the NYSAFP will support policies that prohibit billing procedures from breaching confidentiality for minors and adults insured as dependents seeking

contraceptive care, abortion care, mental health care, or services related to STI prevention, testing, and treatment, and be it further

RESOLVED, that the NYSAFP instructs its delegates to bring a resolution to the AAFP COD in support of policies prohibiting billing procedures from breaching confidentiality for minors and adults insured as dependents seeking contraceptive care, abortion care, mental health care, or services related to STI prevention, testing, and treatment.

¹ American Academy of Family Physicians. "Confidentiality, Patient/Physician." 2008.

<http://www.aafp.org/online/en/home/policy/policies/c/confidentialitypatientphysician.html>

² American Public Health Association. Policy 8224. Parental Notification of Prescription Contraceptives for Teenagers. Adopted January 1 1982.

<http://www.apha.org/legislative/policy/policysearch/index.cfm?fuseaction=view&id=1028>

³ American Medical Association. Policy E-5.055 Confidential Care for Minors. Adopted June 1992; Updated June 1996. <http://www.ama-assn.org/ama/pub/category/8355.html>.

⁴ American College of Obstetricians and Gynecologists (ACOG), *Health Care for Adolescents*, Washington, DC: ACOG, 2003.

⁵ Society for Adolescent Medicine. Position Paper on Reproductive Health Care for Adolescents. *J Adolesc Health* 1991;123:649-61.

⁶ Klein JD and the Committee on Adolescence. American Academy of Pediatrics. Adolescent Pregnancy: Current Trends and Issues. *Pediatrics* 2005;116:281-286.

⁷ Guttmacher Institute News Release. "Most Teens Tell Parents About Birth Control Use, But One in Five Would Have Sex Without Contraceptives If Notice Were Mandatory." January 18, 2005.

<http://www.guttmacher.org/media/nr/2005/01/14/index.html>

⁸ ASPE Issue Brief. 2.5 Million Young Adults Gain Health Insurance Due to the Affordable Care Act. December 2011. <http://aspe.hhs.gov/health/reports/2011/YoungAdultsACA/ib.shtml>

⁹ Cited in Gold RB. "Unintended Consequences: How Insurance Processes Inadvertently Abrogate Patient Confidentiality." *Guttmacher Policy Review*. 2009;12(4).

<http://www.guttmacher.org/pubs/gpr/12/4/gpr120412.html>

¹⁰ Ibid.

¹¹ Cal Assembly Bill 499 (2011-2012).