

## Provisions of standbys during medical examinations

Patients have the right to:

- a. Personal privacy and to have a standby present.
- b. Remain disrobed only long enough to effectively accomplish clinical care.

A standby is a member of the hospital staff, including Red Cross Volunteers, who assist healthcare providers during examinations, treatments, and procedures. When resources permit, a standby will be of the same gender as the patient. Standbys shall receive adequate training specific to the duties expected of them and the age and type of patient.

Standbys shall also be provided, resources permitting, at any patient's request, for any other type of exam or procedures. All departments shall inform patients of their right to request a standby present during examinations; (e.g. signs, brochures, patient education by staff or providers). Patients or legal guardians also have the right to decline the presence of a standby. However, the patient or legal guardian shall be advised of the normal protocol and the waiver of a standby by the patient or legal guardian shall be documented in the medical record.

Personnel used as standbys should be the same sex as the examinee. However, an opposite sex standby can be utilized if no same-sex standby is available and the patient consents. The name of the standby should be placed as part of the medical record.

In the event that a standby is unavailable in a non-emergent situation, the examiner may proceed only after the patient is advised of the normal protocol and gives consent (preferably written) to proceed. This will be documented in the medical record.

## Information for you and your parents on confidential care and consent of minors

An **eligible minor** is an individual under 18 years of age who qualifies as a beneficiary of military medical care.

A **mature minor** is an eligible minor, generally age 14 or older, who has not yet reached 18 years of age, but is determined to be capable of understanding and appreciating the benefits and risks of proposed medical treatment.

An **emancipated minor** is an otherwise eligible minor under age 18 who has:

- (1) Entered into active duty military status,
- (2) Married,
- (3) Become a parent, or
- (4) Received a declaration of emancipation by a court of competent Jurisdiction.

Parental consent is always recommended and generally required for the treatment of minors. Treatment without notice to or consent from a parent or guardian may be given only under certain exceptional circumstances:

- a. Emergency treatment—in the event of an emergency, defined as an immediate threat to life or limb, the attending physician may provide treatment to a minor without parental consent, but should obtain the parent or guardian's acknowledgement and assent as soon as practicable thereafter.
- b. If an eligible minor is emancipated, consent from a parent or legal guardian is not required.
- c. For treatment which involves mature minors—mature minors may consent to outpatient treatment for the following: sexually transmitted disease, drug and alcohol abuse, and birth control (excluding sterilization and abortion). In such cases, no notice to or consent from the parent or sponsor is required or permitted.

Deciding whether the patient is a "mature minor" is a case-by-case determination by the attending provider that the minor demonstrates:

- (1) Full understanding of the seriousness of his or her medical condition, as well as the risk and benefits of treatment;
- (2) The ability to make and express choices between alternatives; and
- (3) Logical reasoning ability.

In making such determinations, the attending provider should also consider the nature and degree of risk of the proposed treatment, whether it is necessary or elective, and its complexity.