



## News Articles, AAP Policy, Adolescent Health/Medicine, Teen Pregnancy

### **AAP affirms adolescents' rights to confidential care when seeking abortion: policy**

by Seema Menon M.D.

Adolescents have the right to confidential care when seeking abortion services, according to a position reaffirmed by the Academy in an updated policy statement.

The stance is in line with other professional medical societies such as the American Medical Association, the Society for Adolescent Health and Medicine, the American Public Health Association and the American College of Obstetricians and Gynecologists.

*The Adolescent's Right to Confidential Care When Considering Abortion*, from the Committee on Adolescence, is available at <http://dx.doi.org/10.1542/peds.2016-3861> and will be published in the February issue of *Pediatrics*.

#### **Effects of state policies**

Since 2011, states have been enacting more restrictive policies on abortion services than seen in previous decades. In 2015, 38 states required parental involvement in a minor's decision to have an abortion. The Supreme Court has declared it to be constitutional for states to develop their own mandatory parental notification laws for minors seeking abortion services provided a judicial bypass process is in place.

The mandatory parental notification law is rooted in preservation of family communication and in the physical and emotional well-being of adolescents. However, research has shown that these laws have the opposite effect. Minors, particularly younger adolescents, are likely to involve a trusted adult when seeking abortion services *regardless* of whether a state law mandating parental notification is in place. Adolescents choosing not to involve parents do so because of their ability to accurately predict a family crisis stemming from severe anger and rejection.

It also has been found that the proportion of adolescents seeking abortion services in the second trimester has increased in several states where mandatory parental notification laws are in place. Rather than having a beneficial health impact, these laws may delay care, leading to a second trimester procedure that not only is more medically complex, but also associated more with psychological sequelae compared to abortion services in the first trimester.

While the judicial bypass process may seem to be a reasonable compromise, adolescents find this process to be an obstacle in accessing health care. This process has been described as burdensome, humiliating and stressful. Importantly, it has been found that adolescents often are not made aware of this process in states requiring mandatory parental notification.

Concerns related to adolescent decision-making ability often are questioned when considering the need for mandatory parental involvement. Currently, laws allow adolescents to make independent medical decisions during pregnancy and for their children. The policy statement points out, therefore, that it is consistent to protect the right of adolescents to seek abortion services confidentially, without mandatory parental notification.

The Academy advocates a strong family relationship and holds the belief that parents generally act in the best interest of their children.

#### **Recommendations**



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# AAP News

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- Adolescents have the right to confidential care when considering abortion services.
- Health care professionals are in a position to facilitate family communication and should strongly encourage a pregnant adolescent to seek guidance from a trusted adult when considering all pregnancy options.
- Concern for incest or abuse should be raised when a younger adolescent resists parental involvement when seeking abortion services.
- It ultimately is the pregnant adolescent's right to decide who should be involved in the decision-making process and what the outcome of the pregnancy will be.

*Dr. Menon, lead author of the policy, is the liaison from the North American Society for Pediatric and Adolescent Gynecology to the AAP Committee on Adolescence.*