There are at least 6,000 unaccompanied homeless youth in Massachusetts who are unable to access affordable medical services because doctors must obtain the consent of their parent or guardian, which these youths obviously cannot provide. The current law does not provide a clear definition of what constitutes a homeless youth or a youth living independently, and worse still, doctors are still not entirely protected under the current law from treating these children, which of course undermines the purpose for which this law was enacted in the first place. This bill is an amendment to a current law that addresses this issue by removing the dangerous ambiguities that are preventing the current law from functioning the way it was intended.

**The Bill**

H. 2010: *An Act relative to the health care of minors*

**Elevator Speech**

Our names are Anya, Nathasha and Josh and we’re students at Brandeis University. We are fortunate enough to have had the opportunity to attend Brandeis University with the support of our families’ financial and emotional support, but we know others are not so lucky. In order to ensure that all youth have the opportunity to contribute to society, basic human healthcare needs must be satisfied. We are concerned that there are at least 6,000 homeless youth who do not have parents or guardians in Massachusetts, who are unable to access affordable medical services because doctors must obtain the consent of their parent or guardian, which these youths obviously cannot provide. When these youths are unable to receive proper preventative care, small injuries and illnesses escalate to expensive and life threatening conditions that could have been avoided.

The good news is that we already have a law that addresses this issue, and would protect doctors from being held liable for treating homeless youths without the consent of their legal guardian. The bad news is that this law must be amended to remove some dangerous ambiguities that are preventing it from functioning the way it was intended. For example, the current
law does not provide a clear definition of what constitutes a homeless youth or a youth living independently, and worse still, doctors are still not entirely protected under the current law from treating these children, which of course undermines the purpose for which this law was enacted in the first place. Think how counterproductive and wasteful it is to hold doctors criminally or civilly liable just for doing their job... especially when they are helping to treat a particularly vulnerable population!

The solution is at your fingertips: our proposed amendment would eliminate these harmful ambiguities, and we would greatly appreciate it if you voted it favorably out of committee. Please help us reform our laws to work as they are supposed to, and please help our homeless youth gain the stability they need to become productive members of society.

■ House Ways and Means Script

Our names are Joshua Kestin, Nathasha Quiroz, and Anya Kamber and we are students at Brandeis University. Each one of us has had an extremely valuable college experience, but we are acutely aware that our academic success is due, in part, to the fact that our basic healthcare needs have been met. We know that, as legislators, your ability to serve the Commonwealth also depends upon staying healthy. Because we recognize that access to basic medical services is essential for all of us to contribute to society, my colleagues and I are committed to improving our citizens’ access to healthcare.

In particular, we are concerned that the six thousand homeless youths in our state often have difficulty accessing the medical services that they need in order to improve their desperate circumstances, and to become productive members of society. This is because doctors in Massachusetts are often prohibited from treating unaccompanied minors who cannot obtain parental consent. This is particularly problematic because the homeless youth population is especially vulnerable to disease and malnutrition, making it essential for them to be able to receive medical treatment.

Allowing homeless youths to receive medical attention is not only essential for them to have the ability to improve their lives, but it also benefits all of society. The homeless population is especially vulnerable to disease, which poses serious public health risks. In particular, homeless youths are at increased risk of contracting HIV and other sexually transmitted diseases. Moreover, if these individuals do not have regular checkups or access to preventative medicine, they are at increased risk of needing far more expensive emergency procedures for conditions which could have been addressed quite easily before they had time to deteriorate. Many studies have shown that investing in preventive care is an essential part of a sustainable, efficient healthcare budget. Furthermore, my colleagues and I believe society thrives best when all individuals have the opportunity to contribute something of their own. We know that helping homeless youth stay healthy is a vital aspect of our commitment to reintegrating them into society; a study organized by the Health Research and Educational Trust found that providing medical care to homeless minors helped to reduce feelings of alienation. The study found that improving access to healthcare increased the youths’ confidence in adult society by helping to convince them that their community was committed to providing for their basic needs, and was not indifferent to their hardship.

Homeless minors need basic medical care to improve their circumstances, so this law is an essential part of our efforts to maintain an inclusive, vibrant Massachusetts community in which all individuals have the opportunity to become actively involved. The current law is vital to this endeavor, but in order for it to function as intended, the language must be updated to ensure that it applies to all unaccompanied youths.

■ Letter to Legislator

As Brandeis students who reside in your district, we have been very fortunate to be healthy and productive members of the Waltham community. Through basic healthcare services that have kept us healthy and active, we have had the opportunity to contribute to our society in many ways. We hope the same can be said about for you. As a legislator, we appreciate your daily efforts to represent and serve your constituents. However, we are concerned that the opportunity for vulnerable individuals, like unaccompanied homeless minors, to be healthy and hence productive members of society is being compromised.

There are at least 6,000 homeless youths living without parental support or assistance in the state of Massachusetts, and they are often unable to access basic human healthcare services. These unaccompanied minors are more than twice as likely to contract a disease or become injured. They are particularly likely to become victims of sexual assault and to contract sexually transmitted diseases. However, homeless youths are not receiving the medical attention to compensate for their unfortunate living status. Luckily, there already exists a law [General Laws: Chapter 112, Section 12F] that addresses this issue. MA Gen. Law Chp. 112 Section 12F was enacted to increase healthcare access to
unaccompanied homeless minors, however, the language of this general law has prevented it from fully achieving its purpose. For example, MA Gen. Law Chp. 112 Section 12F does not address how long a minor has to be separated from his guardian to be considered unaccompanied and how stable a minor’s financial affairs should be to receive medical services. This is turn has left a population of unaccompanied homeless minors unable to access health care.

As a solution, A Bill Relative to the Health Care of Minors [H. 2010] has been introduced. The bill H. 2010 amends current law by clarifying that unaccompanied minors can receive healthcare services regardless of the length of time they have been living separately from guardian. Additionally, the bill H. 2010 also amends current law by stating that unaccompanied minors should receive healthcare services regardless of financial status. Overall, the bill H. 2010 is a technical change in our current law’s wording to give all unaccompanied minors the ability to access the basic human healthcare services, and in turn will give these youth the stability to rise out of their arduous life conditions and become contributing members of society.

Critics of this bill oppose such changes because they are concerned that it will amplify the amount of unpaid medical bills and minors falsely claiming to live independently to avoid parental consent. However, there are ways to avoid these unintended consequences. For starters, there is no evidence to substantiate false claims of being an unaccompanied minor. There are unaccompanied youth determination documents provided by school district liaisons and homeless shelters that are required to confirm the living status of a homeless youth. Additionally, financial troubles can be avoided by guiding homeless youth to medical clinics that provide medical care at no cost, such as Boston Health Care for the Homeless Program, Boston Healthnet, and Brockton Neighborhood HC.

Overall, to allow an equal opportunity for all individuals to be productive members of society, we urge you to vote bill H. 2010, A Bill relative to the health care of minors favorably out of committee. Please help us in our effort to ensure basic human healthcare for unaccompanied homeless minors.

■ Update
As of August 3, 2015, the bill was reported favorably by committee and referred to the Committee on Health Care Financing.

For more information
Massachusetts Coalition for the Homeless
mahomeless.org