

Massachusetts parental consent law leads to delays for minors seeking abortions

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Massachusetts is among 37 states in the U.S. that currently mandate parental consent or notification before a minor is provided with abortion care. Minors who have a poor relationship with their parents or face other barriers to informing a parent or legal guardian may circumvent the consent requirement through a hearing with a judge (a judicial bypass hearing), but few studies have examined the impact that this process may have on delaying care. A new study published in *Obstetrics and Gynecology* led by investigators from Brigham and Women's Hospital addresses this question, using a retrospective cohort to quantify abortion delays associated with the judicial bypass process.

"Our study looks at the implications of a law that's been on the books for over 30 years in Massachusetts and requires a person under 18 to have [parental consent](#) before obtaining an [abortion](#)," said corresponding author Elizabeth Janiak, ScD, an interdisciplinary researcher from the Department of Obstetrics and Gynecology at the Brigham. "It's a common type of law across the U.S., but Massachusetts' is among the strictest and oldest laws."

When parental consent is not obtained, minors may obtain a [court order](#) through a confidential bypass hearing at which they are represented by pro bono legal counsel. The process requires corresponding with counselors and lawyers, scheduling the hearing, and traveling to a court during the school day. To determine the law's impact on abortion delays, the team reviewed 2,026 abortions obtained by women 17 years or younger at three Planned Parenthood League of Massachusetts clinics in

the Eastern, Central and Western regions of the state, between September 2010 and June 2016. During this time, 1,559 (77 percent) abortions were provided with parental consent and 467 (23 percent) abortions followed judicial bypass.

Overall, the team found an average delay of 6.1 days for minors associated with the judicial bypass. Minors with parental consent received abortions on average 8.6 days after initial contact, compared with 14.8 days for minors with judicial bypass. Additionally, 19 percent of minors utilizing bypass received care 21 days or more after initial contact, compared to 7 percent of those with parental [consent](#).

"Our data demonstrate that Massachusetts' parental involvement law for abortion is associated with significant delays in care," said Janiak.

"These delays can increase medical risks and constrain the clinical options available to patients."

More information: Janiak, E et al. "Procedural Timing Among Adolescents Undergoing Abortion" *Obstetrics and Gynecology* [DOI: 10.1097/AOG.0000000000003190](#)

Provided by Brigham and Women's Hospital

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