

ARM1.950103.012

13 AUG 1965

MEDIA (22 Jul 65) 2d Ind
 SUBJECT: Request for Information

HQ, DA, OTSG, Washington D.C.

THRU: Commanding Officer, Headquarters, Third U.S. Army, Fort McPherson,
 Georgia 30330

TO: Commanding Officer, U.S. Army Hospital, Armor and Artillery Firing
 Center, Fort Stewart, Georgia 31314

1. This office has for the last few months been studying the feasibility of amending AR 40-3 and AR 40-2 to authorize acceptance of the consent of minors themselves without the requirement to also obtain the consent of their parent(s) for needed medical treatment including surgical procedures, provided the minor in question is of sufficient age and understanding so that his consent can properly be characterized as an "informed" consent. Mentally competent VISTA and Job Corps applicants and enrollees would presumably meet such criterion and their own consent would then be a sufficient basis for proceeding with necessary treatment.

2. Until amended, however, AR 40-2 and AR 40-3 should be followed. In this connection, and reference paragraph 3, basic letter, attention is invited to the less stringent consent requirements obtaining in a medical emergency. In this further connection inclosed copy of a letter dispatched to Rodriguez Army Hospital involving Peace Corps volunteers and trainees might be of interested.

FOR THE SURGEON GENERAL:

1 Incl
 as

H
 HERSCHEL E. GRIFFIN
 Colonel, M. C.
 Executive Officer

CONCURRENCE:
 See attached draft
 Dir, PS&O

M. Rideout
 MERLE C. RIDEOUT, JR
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WNRC: 30 DEC 94 Archives

RG 112

Accession # 69A-0127

Box # 8

File Name: 401-02 Medical Treatment Consent
 to Refusal of, 1944-65

UNITED STATES ARMY HOSPITAL
 ARMOR AND ARTILLERY FIRING CENTER
 Fort Stewart, Georgia 31314

AJSSU

22 July 1965

SUBJECT: Request for Information

THRU: Commanding General
 Third United States Army
 ATTN: AJASU-S
 Fort McPherson, Georgia 30330

TO: The Surgeon General
 Department of the Army
 Washington, D. C. 20315

1. References:

- a. DA Message 722761 from MEDDD-OP, 7 Jul 65, Subj: Medical Support to Vista.
- b. DA Message 709410 from TSG SG TAG, Subj: Medical Service for Vista Applicants and Enrollees.
- c. DA Message 999960 from MEDDD-OP SGD TAG, Subj: Medical Service for Job Corps Applicants and Enrollees
- d. DA Message 70/560, Subj: Medical Service for Job Corps Applicants and Enrollees and Vista Applicants and Enrollees.
- e. AR 40-2, Paragraph 5a(1).

2. References 1a thru d provide authority for the military medical installations to provide medical examinations and care to individuals enrolled in Job Corps and VISTA. Additionally, this installation has acquired a number of employees in conjunction with the President's Youth Opportunity Program. The Civilian Personnel Officer, this installation, has informed us that these individuals are hired as civil service employees with all privileges thereto and consequently will be entitled to emergency medical care for injuries received incident to their employment.

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3. Many of the individuals discussed in paragraph 2 above are, in fact, minors. Paragraph 5a(1) AR 40-2 requires that military medical installations ordinarily obtain a special consent form signed by the parents or guardian of all minors prior to medical treatment. It is recognized that this requirement does not apply to all individuals under the age of 21 since marriage or induction in the Armed Forces will in most instances eliminate the disability of minority.

4. In view of the above, does participation in any or all of these programs eliminate disability of minority for the purpose of medical care, or must special consent be acquired from parents or guardian in each case as such individuals require medical care? Request information as to the requirement for special consent signed by parents or guardian of those individuals provided medical care under authority of 1a thru d above, as well as those civil service employees who are minors.

HARRY L. DEIN
Colonel, MC
Commanding

AJASU-S (22 Jul 65) 1st Ind
SUBJECT: Request for Information

HQ, Third US Army, Ft McPherson, Ga. 30330 28 JUL 1965

TO: The Surgeon General, ATTN: MEDJA, Department of the Army,
Washington, D. C. 20315

Forwarded.

FOR THE COMMANDER:

OTIS H. MELTON, JR.
Capt, AGC
Asst AG