

Liability: Physician Performing Emergency Treatment on a Minor

Tenn. Code Ann. 63-6-222

A physician who, in good faith, believes a minor's life or health is in danger and who performs emergency treatment on the minor without first obtaining parental consent will not be held legally responsible. They can be held legally responsible if acting with carelessness or if no effort was made to notify the minor's parents or guardian before beginning treatment.

Emergency treatment of minors

(a) Any licensed physician may perform emergency medical or surgical treatment on a minor, despite the absence of parental consent or court order, where such physician has a good faith belief that delay in rendering emergency care would, to a reasonable degree of medical certainty, result in a serious threat to the life of the minor or a serious worsening of such minor's medical condition and that such emergency treatment is necessary to save the minor's life or prevent further deterioration of the minor's condition.

(b) Such treatment shall be commenced only after a reasonable effort is made to notify the minor's parents or guardian, if known or readily ascertainable.

(c) Any physician rendering emergency care to a minor pursuant to this section shall not be liable for civil damages, except such damages as may result from the negligence of the physician in rendering such care.