

A BILL

24-891

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA



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To allow on an temporary basis, emancipated minors, minors who are or previously have been married, unaccompanied homeless minors, minors who are or have been pregnant, or minors who are separated from their parents or legal guardian without the support by their parents or guardian to consent to receive a vaccine recommended by the United States Advisory Committee on Immunization Practices, to allow vaccine providers to accept consent of any other minor when the provider has made reasonable attempts to obtain consent from the minor’s parent or legal guardian, and to make other conforming changes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Consent for Vaccinations of Minors Temporary Amendment Act of 2022”.

Sec. 2. Minor consent to vaccination.

(a) An emancipated minor, a minor who is married or previously has been married, an unaccompanied homeless minor, a minor who is or has been pregnant, or a minor who is separated from their parents or legal guardian for whatever reason and is not supported by their parents or guardian, may consent to receive a vaccine recommended by the United States Advisory Committee on Immunization Practices (“ACIP”), and receipt of the vaccine is in accordance with ACIP’s recommended immunization schedule.

29 (b)(1) A vaccine provider may accept the consent of a minor not otherwise listed in
30 subsection (a) of this section to receive a vaccine recommended by ACIP in accordance with
31 ACIP's recommended immunization schedule; provided, that the vaccine provider reasonably
32 attempts to obtain consent from the minor's parent or legal guardian either in person, in writing,
33 or by telephone, and there is no objection from the parent or legal guardian. Consent of the
34 parent or legal guardian may be assumed if the vaccine provider cannot notify the parent or legal
35 guardian after at least a reasonable attempt to notify has been made.

36 (2) Nothing in this section prohibits a minor from seeking a court order to
37 authorize receipt of a vaccine by the minor due to the parent's or legal guardian's objection.

38 (3) This subsection does not require administration of a vaccine if receipt of the
39 vaccine by the minor is medically contraindicated.

40 (c) For purposes of this section, the term "vaccine provider" means an entity or person
41 authorized to administer the vaccine being sought.

42 (d) Nothing in this section shall be construed or applied to require or excuse
43 noncompliance with any provision of any federal law.

44 Sec. 3. Conforming amendments.

45 (a) Subsection 600.9 of Title 22-B of the District of Columbia Municipal Regulations
46 (22-B DCMR § 600.9) is repealed.

47 (b) Section 3(a) of the Student Health Care Act of 1985, effective December 2, 1985
48 (D.C. Law 6-66; D.C. Official Code § 38-602(a)), is amended to read as follows:

49 “(a) Except as provided in section 4, each student attending prekindergarten through
50 grade 12 in a public, public charter, private, or independent school in the District of Columbia
51 shall furnish the school annually with a certificate of health completed and signed by a physician
52 or advanced practice nurse who has examined the student during the 12-month period
53 immediately preceding the 1st day of the school year or the date of the student’s enrollment in
54 the school, whichever occurs later. The examination shall cover all items required by the
55 certificate of health form for the student’s particular age group.”.

56 Sec. 4. Fiscal impact statement.

57 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
58 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
59 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

60 Sec. 5. Effective date.

61 (a) This act shall take effect following the approval by the Mayor (or in the event of veto
62 by the Mayor, action by the Council to override the veto), a 30-day period of Congressional
63 review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved
64 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the
65 District of Columbia Register.

66 (b) This act shall expire after 225 days of its having taken effect.