

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To allow on a temporary basis, emancipated minors, minors who are or previously have been married, unaccompanied homeless minors, minors who are or have been pregnant, and minors who are separated from their parent or legal guardian without the support by their parent or legal guardian to consent to receive a vaccine recommended by the United States Advisory Committee on Immunization Practices, and vaccine providers to accept consent from other minors when the provider has made at least a reasonable attempt 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 parent or legal guardian for whatever reason and is not supported by their parent or legal guardian may consent to receive a vaccine recommended by the United States Advisory Committee on Immunization Practices ("ACIP"), and where receipt of the vaccine is in accordance with ACIP's recommended immunization schedule.

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

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

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

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

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

Sec. 3. Conforming amendments.

(a) Subsection 600.9 of Title 22-B of the District of Columbia Municipal Regulations (22-B DCMR § 600.9) is repealed.

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

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

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

(a) This act shall take effect following the approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved

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December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia