

Amendment No. 1 to HB2902

Terry  
Signature of Sponsor

**AMEND Senate Bill No. 2176\***

**House Bill No. 2902**

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 63-1-165(b)(3)(B), is amended by deleting the subdivision and substituting:

(B) Does not include an individual who:

(i) Is emancipated pursuant to title 29, chapter 31;

(ii) Is in need of emergency treatment pursuant to § 63-6-222;

(iii) Is or was previously a member of the armed forces of the United States, or a member of a reserve or national guard unit;

(iv) Is the parent of a minor child and has full custody of that minor child;

or

(v) Has been in state custody for a continuous period of time that began prior to the effective date of this act and continues through the effective date of this act.

SECTION 2. Tennessee Code Annotated, Section 63-1-165(b), is amended by adding the following new subdivisions:

( ) "Informed consent" means written consent, including a writing transmitted electronically, from a parent or legal guardian of a minor to the vaccination of the minor or for all future vaccinations of the minor recommended by the minor's healthcare provider;

( ) "Parent" means a biological, legal, or adoptive parent, or a person designated in a power of attorney or otherwise authorized under applicable law to make healthcare decisions for and consent to healthcare treatment of the minor;

SECTION 3. Tennessee Code Annotated, Section 63-1-165(c), is amended by deleting subdivisions (1) and (2) and substituting:

(1) A healthcare provider shall not provide a vaccination to a minor unless the healthcare provider first receives informed consent from a parent or legal guardian of the minor. The healthcare provider shall note receipt of such informed consent in the minor's medical record.

(2) An employee or agent of the state shall not provide, request, or facilitate the vaccination of a minor child who is in the custody of the state, except:

(A) Upon written request to, and court order from, the appropriate court;

(B) If a parent or legal guardian of the minor has provided informed consent to the vaccination; or

(C) If the parental rights of each of the minor's parents or legal guardians have been terminated by a court, and all opportunities for appeal have been exhausted.

SECTION 4. Tennessee Code Annotated, Section 63-1-165(c), is amended by adding the following new subdivision:

(5) A minor's parent or legal guardian who provides informed consent for all future vaccinations does not have to be present for the administration of a vaccine to the minor, as long as another adult accompanies the minor to the healthcare provider's visit where administration of the vaccine occurs. Informed consent for future vaccinations is valid until revoked in writing, including a writing transmitted electronically, by a parent or legal guardian.

SECTION 5. This act takes effect upon becoming a law, the public welfare requiring it.