

## D.C. law letting teens choose COVID-19 vaccination should stand

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**What's the news:** The AMA has joined several other organizations representing physicians and adolescent-health professionals to file two amicus briefs in support of the District of Columbia's Minor Consent Act.

That public health law protecting minors' access to medical care such as COVID-19 vaccination and other routine immunizations recommended by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices, such as those for tetanus and pertussis. The groups' briefs were filed in two separate lawsuits that were brought in federal court last month challenging the law and urges the court to dismiss the challenge.

Washington, D.C.'s Minor Consent Act permits minors capable of informed consent to obtain vaccines if they so choose in specific circumstances. The standard of care for physicians is to involve parents in medical decisions for their minor children, including vaccines. But, occasionally, parental involvement is impossible, impractical or even harmful.

One brief, in the case of *Mazer v. District of Columbia Department of Health*, highlights situations in which "minors may be effectively independent, such as when they are married, in the military, or unaccompanied and homeless. A minor's guardian may be unable to participate in a minor's care due to work, illness or other issues in the home."

Minors may also have reason to believe a parent would punish them for wanting to get vaccinated or for seeking other medical treatment like mental health services. When such situations arise, the brief argues that minors should be able to access potentially life-saving care.

Discover what doctors wish parents knew about COVID-19 vaccination.

**Why it's important:** The Delta variant-driven surge of COVID-19 cases, hospitalizations and deaths "is an alarming reminder that vaccines save lives and protect communities, as the majority of those

who are severely ill and dying from the virus currently are unvaccinated,” according to Lee Savio Beers, MD, president of the American Academy of Pediatrics, one of the organizations filing the amicus brief.

“We saw nearly double the number of children contracting the virus last week from the week before, and we have a safe vaccine available for children ages 12 and up. I live and practice pediatric medicine in D.C., and I am grateful that its minor-consent law covers those rare instances when a minor child is seeking a life-saving vaccine.”

The growing threat of vaccine hesitancy has led to steep declines in vaccination rates in the United States. Recent outbreaks have occurred for measles and pertussis, both primarily afflicting unvaccinated children. Allowing minors capable of informed consent to obtain vaccines if they so choose is an important step toward reversing these trends.

“Physicians are well able to assess whether a minor is sufficiently mature to understand and give consent for medically appropriate vaccinations,” said AMA President Gerald E. Harmon, MD. “The medical community, federal and state law have long recognized that minors can be capable of informed consent for other health care services without parental consent. To maximize immunization opportunities for children, legislative policies should be encouraged and preserved that allow mature minors to give informed consent for vaccinations recommended by the Advisory Committee on Immunization Practices.”

The *Mazer* brief explains that the Minor Consent Act is entirely consistent with medical best practices, public health, constitutional requirements and federal law. The two briefs were filed by the nonprofit legal organization Democracy Forward on behalf of the AMA, AAP, the Washington, D.C., chapter of the AAP, the Medical Society of the District of Columbia, and the Society of Adolescent Health and Medicine.

**Learn more:** The AMA *Code of Medical Ethics* offers broader advice for physicians on the topic of pediatric decision-making.

The AMA COVID-19 vaccines guide for physicians features evidence-based messaging guidance and best practices for consideration in external communications about the safe and effective COVID-19 vaccines that have been authorized in the U.S.

Meanwhile, the AMA, American Hospital Association and American Nurses Association also released a 30-second video public service announcement urging all Americans to “ask questions, follow the science and get vaccinated.”