

Written Testimony HB87- Minor Consent to Vaccination

Megan Montgomery

Oppose

Good Afternoon Delegates, my name is Megan Montgomery and I write to testify against HB87- Minor Consent to Vaccination. I am a proud Maryland citizen, and have chosen to make my home and raise my family here.

This bill is a well-intentioned but misguided bill. Minors are simply not old enough to have the capacity to consent to a wide variety of engagements, including ANY health care. We do not allow 16 years old's to enter into contracts, to vote, to join the army, to purchase and consume alcohol, and to live independently from their parents or guardians. In fact, we just raised the smoking age from 18 to 21 because we didn't trust an 18-year old's judgement on making that life choice. We cannot then turn around and say that a 16-year-old without regular access to their medical records are capable of managing their own health care.

I understand that the sponsor submitted this bill in response to a minor who got accepted into college and then could not attend because their parents wouldn't consent to the MMR vaccine. However, in that case there is an already made remedy in Maryland law- a judge can declare that minor to be emancipated- after the COURTS reviewed their mental and emotional capacity for this type of decision making, and would then be able to procure any health care they needed. We do not need to create this sweeping law that erodes the relationship between the parents and doctor of a minor child.

The bill mandates that the health care worker administrating the vaccination make a determination regarding the child's mental and emotional ability to consent to the vaccination. But how will a health care worker who does not know the child's full medical history know if the child has an allergy to gluten or eggs (present in several vaccines- including the egg protein in flu shots) or has a non-obvious disability that would preclude them from giving informed consent? And will the child know to ask if there is an allergen in the vaccine? And if an allergic reaction should occur- the child's parents and primary care doctor won't even know what's wrong to administer proper treatment!

I read the Sun newspaper article supporting this bill, and understood this bill to be a Tdap, flu shot and HPV vaccine bill. Stating that minors often drive themselves to doctors' appointments and are not able to consent to the vaccines they need. Tdap is required, and Maryland has over a 99% vaccination rate- so it can't possibly be that there are kids out there who are in need of a Tdap vaccine that are not able to get it because they are driving themselves to appointments. HPV is given starting at 9- so children whose parents want them to have that vaccine already have received it. And that leaves... the flu shot- which is readily available at any number of drop-in pharmacies and grocery stores for 16+ year old's.

For children engaged in a parent/doctor partnership getting vaccinations at the doctor's office, parents can provide consent for any vaccine they want administered at the time of making the appointment, sending a note in with the child or a quick phone call during appointment check-in. This bill is aimed at pop-up clinics that do not have to report to Immunet- greatly increasing the risk of double vaccination.

I very much think that however well-intentioned this bill is- the result will be minor children who do not know their own vaccine record will be pressured into receiving vaccines that they have either already had OR that they should not have because of some medical contraindication. Additionally, I think that this bill will hurt the most vulnerable children in the state of Maryland- children in foster care that may have all their vaccines but through a patchwork of free clinics; urgent care visits; a series of different primary care doctors and that these children will be pressured to consent to vaccinations they have ALREADY RECEIVED simply because it's easier than trying to piece together their full health care picture.

There is also no mention of cost to the state- who will be paying for all these vaccines? Children who are under their parent's health care MUST have parents managing both their physical health care and the financial management of the health care. Co-pays, deductibles, and the like have a huge impact on the average family's budget, and it MUST be parents who are footing the bills that manage the timing of receiving these bills. If it's the state- where is the accompanying budget request? And if a child already has health insurance, why would the state be providing precious resources to that child when there are other children in need? None of this makes any sense.

The children of the state of Maryland have one of the highest vaccine compliance rates in the country- more than 99%. And for the extremely rare case where a minor child needs a vaccine and is not able to get it- legal emancipation already provides a remedy for that. This bill is unnecessary, risky for health care professionals who are being asked to determine a child's mental competence, bad for parents and bad for vulnerable children.

I urge you to vote against HB87- Minor Consent to Vaccination.