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Appropriations Committee

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Capital Budget

Chair, Transportation and the
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Oversight Committee on Personnel



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Access to Vaccines Act (HB 87)
Testimony of Delegate Marc Korman-Favorable

Thank you Madam Chair, Madam Vice Chair and the members of the Health and Government Operations Committee. I come before you today to discuss the Access to Vaccines Act, legislation that will empower mature minors over the age of sixteen with the option to give informed consent to be vaccinated.

It is well documented by the medical community that vaccines are an important part of an effective community-based approach to promoting public health. Vaccines have been a vital part of the fight against diseases that once claimed catastrophic numbers of lives in the United States and around the world. With the widespread use of vaccines, the global community has worked hard to develop herd immunity that protects all people, both vaccinated and unvaccinated. Unfortunately, the broad scientific consensus regarding vaccines is eroding. According to the Center for Disease Control, the proportion of young children in the United States who are not getting inoculated has quadrupled between 2001 and 2018. The Access to Vaccines Act addresses this issue in a narrow and specific way by lowering the age of consent to sixteen for mature minors, which will allow them to get vaccinated if they so choose.

Mature minor laws are not unique to this legislation. Fourteen other states have mature minor laws in place including states as diverse as Arkansas, Tennessee, Pennsylvania, and Massachusetts. In these states, the mature minor standard applies to all medical procedures, not simply vaccines as the bill before you would do. Indeed, Maryland already adopted a narrow version of the mature minor exemption for at least one other procedure in Section 20-103 of the Health Article.

The legislation before you is far more narrowly tailored than a general adoption of the mature minor standard or changes to the various exemptions that exist to vaccination requirements in our public schools and institutions of higher education. It applies specifically to 16 and 17 year olds whose health care providers have determined are able to comprehend the need for and nature of the procedure and any risks associated with it. Currently, Maryland law provides consent exemptions for minors who are married, have kids of their own, or live apart from their parents

and are self-supporting. The Access to Vaccines Act simply extends that exemption to minors who are over the age of sixteen and determined by health professionals to be mature and capable of giving informed consent.

In addition to my belief that a mature minor should be able to obtain a vaccine at age 16 or 17, this policy is also a practical step. Every major college and university in the state of Maryland—if not the country—has some type of immunization requirement for students who wish to enroll there. There are exemptions for student health issues that might prevent them from receiving certain vaccines. At the University System, there is also an exemption if vaccination conflicts with a student's bona fide religious beliefs. But if a student entering higher education wants a vaccination, I do not think they should be required to file a waiver request with the University System on behalf of their parents' objections. If a healthcare provider finds them to be a mature minor, they should be vaccinated if they so choose. As a personal aside, I was a 17-year-old freshman when I began college. My parents had no issues with vaccination, but if they had, it would have further complicated the start to my higher education career.

I recognize that legislation relating to vaccinations, no matter how narrow, can be complicated. That is why I am presenting my testimony alongside medical professionals who can separate the science from the politics. But let me briefly summarize what the legislation before you does not do:

1. It does not mandate vaccines or allow any 16 or 17 year old to obtain one without discussion with a healthcare professional.
2. It does not remove vaccination exemptions in existing law.
3. It does not prohibit a minor from discussing vaccinations or other healthcare choices with their family.

What the Access to Vaccines Act does do is allow a relatively small subset of mature minors to access medically important vaccinations if they so choose and are found to qualify.

The Access to Vaccines Act is an opportunity for Maryland to modernize its minor consent laws consistent with other states and empower mature minors to make their own vaccination decisions that will enable them to be in control of their health and future education. For those reasons, I urge you to pass the Access to Vaccines Act.