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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2625

05/13/2021 Authored by Freiberg
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to health; authorizing certain minors to consent to certain vaccines;
1.3 modifying certain disclosures related to consenting to vaccines; amending
1.4 Minnesota Statutes 2020, section 121A.15, subdivision 3a; proposing coding for
1.5 new law in Minnesota Statutes, chapter 144.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2020, section 121A.15, subdivision 3a, is amended to read:

1.8 Subd. 3a. Disclosures required. (a) This paragraph applies to any written information
1.9 about immunization requirements for enrollment in a school or child care facility that:

1.10 (1) is provided to a person to be immunized or enrolling or enrolled in a school or child
1.11 care facility, or to the person's parent or guardian if the person is under 18 years of age and
1.12 not emancipated; and

1.13 (2) is provided by the Department of Health; the Department of Education; the
1.14 Department of Human Services; an immunization provider; or a school or child care facility.

1.15 Such written information must describe the exemptions from immunizations permitted under
1.16 subdivision 3, paragraphs (c) and (d), and the authority under section 144.3425 for minors
1.17 to consent to immunizations on the annual immunization schedule for children and
1.18 adolescents recommended by the Centers for Disease Control and Prevention and to
1.19 COVID-19 vaccines authorized for administration to minors. The information on exemptions
1.20 from immunizations and authority for minors to consent to immunizations provided according
1.21 to this paragraph must be in a font size at least equal to the font size of the immunization
1.22 requirements, in the same font style as the immunization requirements, and on the same
1.23 page of the written document as the immunization requirements.

2.1 (b) Before immunizing a person, an immunization provider must provide the person, or
2.2 the person's parent or guardian if the person is under 18 years of age and not emancipated,
2.3 with the following information in writing:

2.4 (1) a list of the immunizations required for enrollment in a school or child care facility;

2.5 (2) a description of the exemptions from immunizations permitted under subdivision 3,
2.6 paragraphs (c) and (d);

2.7 (3) a list of additional immunizations currently recommended by the commissioner; and

2.8 (4) in accordance with federal law, a copy of the vaccine information sheet from the
2.9 federal Department of Health and Human Services that lists possible adverse reactions to
2.10 the immunization to be provided.

2.11 (c) The commissioner will continue the educational campaign to providers and hospitals
2.12 on vaccine safety including, but not limited to, information on the vaccine adverse events
2.13 reporting system (VAERS), the federal vaccine information statements (VIS), and medical
2.14 precautions and contraindications to immunizations.

2.15 (d) The commissioner will encourage providers to provide the vaccine information
2.16 statements at multiple visits and in anticipation of subsequent immunizations.

2.17 (e) The commissioner will encourage providers to use existing screening for immunization
2.18 precautions and contraindication materials and make proper use of the vaccine adverse
2.19 events reporting system (VAERS).

2.20 (f) In consultation with groups and people identified in subdivision 12, paragraph (a),
2.21 clause (1), the commissioner will continue to develop and make available patient education
2.22 materials on immunizations including, but not limited to, contraindications and precautions
2.23 regarding vaccines.

2.24 (g) The commissioner will encourage health care providers to use thimerosal-free vaccines
2.25 when available.

2.26 **Sec. 2. [144.3425] VACCINES RECOMMENDED BY CENTERS FOR DISEASE**
2.27 **CONTROL AND PREVENTION; COVID-19 VACCINES.**

2.28 **Subdivision 1. Definitions.** (a) The terms defined in this subdivision apply to this section.

2.29 (b) "Capable of consenting" means that an individual understands the nature and
2.30 consequences of the proposed vaccine, including the risks and benefits of the proposed
2.31 vaccine, and is capable of making and communicating an informed decision regarding
2.32 administration of the vaccine.

3.1 (c) "Eligible minor" means:

3.2 (1) a minor who is age 14 or older; or

3.3 (2) a minor who is age 12 or 13, upon a determination by the health care provider

3.4 proposing to administer the vaccine to the minor that the minor is capable of consenting to

3.5 the proposed vaccine.

3.6 Subd. 2. **Minor consent to vaccines.** (a) An eligible minor may give effective consent

3.7 to a vaccine on the annual immunization schedule for children and adolescents recommended

3.8 by the Centers for Disease Control and Prevention and to COVID-19 vaccines authorized

3.9 for administration to minors.

3.10 (b) The authority in this section shall not limit or restrict the authority to consent under

3.11 section 144.341, 144.342, or 144.3441.

3.12 Subd. 3. **Vaccine information statement; informed consent.** Prior to administering a

3.13 vaccine to a minor under this section, the health care provider must provide the minor with

3.14 the vaccine information statement required under federal law and must obtain the minor's

3.15 informed consent.