Section 9 Subject 9.3 **Policy 9.3.20**	Clinical Policies Patients' Rights **Universal Childhood and Adolescent Immunizations**	04/01/94 -Originated 12/07/04 -Reviewed w/ changes 02/16/09 - Reviewed w/o changes Department of Pediatrics - Author

Universal Childhood and Adolescent Immunizations

Definition

***Adverse drug reaction*:** An unintended physical reaction to a drug when it is used in the approved manner. An allergic reaction (immunologic hypersensitivity, occurring as the result of unusual sensitivity to a drug) and an *idiosyncratic reaction* (abnormal susceptibility to a drug that is peculiar to the individual) are also considered ADR's. For the purpose of this policy, *side effects* (expected, well-known reactions resulting in little or no change in patient management) are not included in this definition.

Minor - A 'minor', is an individual under the age of 18 and who is 1) not legally emancipated by a court; 2) not legally or previously married; 3) not serving in the armed forces; or, 4) not at least 16 years old and living away from home and managing their own financial affairs.

Policy

The University of Texas Medical Branch is committed to promoting the Texas Department of Health's initiative to increase immunization rates and patient follow-up compliance; and, to promoting consistency regarding the assessment and administration of immunizations. Each patient care site shall have a procedure for evaluating the immunization status of minor patients who register for care. The process should include a review of the Texas Department of Health (TDH) Immunization Registry (Imm•Trac), to determine if the child is already enrolled, to amend the registry with any current inoculations and to register the child in the event that no prior record exists (unless the parent or guardian does not wish the child to be enrolled). The process of creating and/or amending the registry shall be facilitated through institutional electronic data sharing with TDH.

Unless the parent/guardian refuses, or unless there are medical contra-indications, necessary immunizations will be administered at the time of the patient's visit. A Vaccine Information Summary (VIS) will be provided for each vaccine provided as required by the Vaccines for Children Act.

As based on state law and delineated in this document, informed consent for immunization of a minor will be obtained before an immunization can be administered.

Who May Consent

When a parent, managing conservator, guardian of the minor, or other person who, under the law of another state or a court order, may consent for the minor cannot be contacted and the authority to consent is not denied, consent may be given by any of the following people, in the following order of priority:

1. A grandparent
2. An adult brother or sister
3. An adult aunt or uncle
4. A stepparent
5. An educational institution in which the minor is enrolled that has written authorization to consent for the minor from a parent, managing conservator, guardian of the minor, or other person who, under the law of another state or a court order, may consent for the minor.
6. Another adult who has actual care, control, and possession of the minor who has written authorization to consent for the minor from a parent, managing conservator, guardian of the minor, or other person who, under the law of another state or a court order, may consent for the minor.
7. A court having jurisdiction of a suit affecting the parent-child relationship of which the minor is the subject.
8. An adult having actual care, control, and possession of the minor under an order of a juvenile court or by commitment by a juvenile court to the care of an agency of the state or county.
9. An adult having actual care, control, and possession of the minor as the primary caregiver of the minor,.

A person otherwise authorized to consent may not consent for the child if the person has actual knowledge that a parent, managing conservator, guardian of the child, or other person who under the law of another state or a court order may consent for the child:

- has expressly refused to give consent to the immunization
- has been told not to consent for the child
- has withdrawn a prior written authorization for the person to consent

Consent From Texas Youth Commission

The Texas Youth Commission may consent to the immunization of a minor committed to it, if a parent, managing conservator, guardian of the minor, or other person who may consent for the minor under the law of another state or court order has been contacted and:

a. refuses to consent
b. does not expressly deny to the Texas Youth Commission

the authority to consent for the minor.

Additional Consent Requirement

Those who consent on behalf of the minor's parent, managing conservator, guardian, or other legally-authorized persons shall provide the health care provider with sufficient and accurate health history and other information about the minor for whom the consent is given. If necessary, sufficient and accurate health history and information about the minor's family may be requested from the person who may consent to the minor's immunization to enable the health care provider to adequately determine the risks and benefits inherent in the proposed immunization and to determine whether immunization is advisable.

Persons Who Cannot be Contacted

For purposes of this policy, a person cannot be contacted if:

a. the location of the person is unknown

b. a reasonable effort made by a grandparent, adult brother or sister, or another person listed in this policy to locate and communicate with the person for the purpose of obtaining the consent has failed and not more than 90 days have passed since the date that the effort was made

c. the person who may consent to immunization of the minor has been contacted and the person

- fails to carry out consent for the minor or fails to carry out a delegation of authority to consent as described in this policy
- does not expressly deny authority to consent for the minor to the grandparent, adult brother or sister, or another person listed in this policy.

Delegation of Consent for Immunization

A parent, managing conservator, guardian of a minor, or other person who, under the law of another state or a court order, may consent to the immunization of a minor may delegate that authority to consent for the minor to a grandparent, an adult brother or sister, an adult aunt or uncle, a stepparent, or another adult who has actual care, control and possession of the minor if the delegation is in writing and contains the following information:

a. the signature of the person authorized to give consent
b. the name and date of birth of the minor
c. the name of the adult giving consent for immunization of the

minor

Delegation of Consent for Immunization, continued

the relationship to the minor of the adult giving consent.

d. A grandparent, adult brother or sister, adult aunt or uncle, or stepparent of a minor who is the primary caregiver of the minor and who may consent for the minor may delegate the authority to consent to the immunization of a minor to another person in the manner permitted a parent, managing conservator, guardian, or other person.

Acceptable Documents Authorizing Immunization

A health care professional may rely on a notarized or similarly authenticated document from another state or country presented for consent for immunization of a minor by a grandparent, adult brother or sister, adult aunt or uncle, or stepparent of the minor if the document contains the following information:

- the signature of the person authorized to give consent
- the name and date of birth of the minor
- the name of the adult giving consent for immunization of the minor
- the relationship to the minor of the adult giving consent

Federal law requires that specific information be provided to legal representatives of children about to receive certain vaccines. In order to fulfill this requirement and document the informed consent of the minor's legal representative, health care professionals will use information sheets prepared by the Texas Department of Health and available in the Department of Pediatrics.

Reporting Adverse Reactions

All adverse reactions shall be documented on the Adverse Drug Reaction reporting form using the procedures delineated in Policy 9.13.14, *Adverse Drug Events*.

References

- Texas Family Code, Chapter 32, Subchapter B, *Immunization*
- Policy 9.13.14, *Adverse Drug Events*
- The National Childhood Vaccine Injury Act of 1986
  http://www.909shot.com/Issues/Comp_Summary.htm
- http://www.immunizationinfo.org