

## **BILL ANALYSIS**

S.B. 63  
By: Nelson  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties assert that the Centers for Disease Control and Prevention recommend certain strategies to protect infants from vaccine-preventable diseases in the first months of life, including vaccinating those in close contact with the infant, and assert that unborn children receive additional protection from vaccines obtained by their mothers during pregnancy. Under current law, minor parents may consent to medical treatment, including immunizations, for their children, but may not consent to their own immunizations. Pregnant minors are also not currently allowed to consent to their own immunizations. S.B. 63 seeks to better protect unborn children and infants from vaccine-preventable diseases by providing easier access to immunizations for certain children.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 63 amends the Family Code to authorize a child to consent to the child's own immunization for a disease if the child is pregnant or is the parent of a child and has actual custody of the child, and if the Centers for Disease Control and Prevention recommend or authorize the initial dose of an immunization for that disease to be administered before seven years of age. The bill requires such consent by a child to be in writing, signed by the person giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment and establishes that such consent by a child is not subject to disaffirmance because of minority. The bill authorizes a health care provider or facility to rely on the written statement of the child containing the grounds on which the child has capacity to consent to the child's immunization. The bill establishes that its provisions control to the extent of any conflict with statutory provisions relating to consent to medical, dental, psychological, and surgical treatment by a child.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.