

ASSEMBLY, No. 5399

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 20, 2019

Sponsored by:

Assemblywoman VALERIE VAINIERI HUTTLE
District 37 (Bergen)

SYNOPSIS

Recognizes right of minors aged 14 years or older to consent to vaccination.

CURRENT VERSION OF TEXT

As introduced.



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1 AN ACT concerning the vaccination of minors 14 years of age or
2 older and supplementing Title 9 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Notwithstanding any other provision of law, rule, or
8 regulation to the contrary, a minor who is 14 years of age or older
9 shall have the right to have administered thereto, by a licensed
10 health care practitioner or properly authorized pharmacist, an
11 adequate dose or doses of an immunizing agent, vaccine, or booster
12 shot for poliomyelitis, mumps, measles, diphtheria, rubella,
13 varicella, Haemophilus influenza type b (Hib), pertussis, tetanus,
14 pneumococcal disease, meningococcal disease, human
15 papillomavirus (HPV), or hepatitis B, regardless of whether the
16 minor's parent or guardian consents to the administration of the
17 immunizing agent, vaccine, or booster shot. The minor, in such a
18 case, shall be deemed to have the same legal capacity to act, and the
19 same powers and obligations as a person of legal age, and the
20 minor's consent to the administration of an immunizing agent,
21 vaccine, or booster shot shall be valid and binding as if the minor
22 had attained the age of majority, and shall not be subject to later
23 disaffirmance because of minority.

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25 2. This act shall take effect immediately.

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STATEMENT

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30 This bill would provide that a minor who is 14 years of age or
31 older has the right to consent to vaccination for certain
32 communicable diseases. Existing law already authorizes married
33 minors and pregnant minors of any age to consent to their own
34 medical or surgical treatment, and it authorizes minors 17 years of
35 age or older to consent to blood donation.

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37 The bill provides, in particular, that a minor who is 14 years of
38 age or older has the right to have administered thereto, by a licensed
39 health care practitioner or properly authorized pharmacist, an
40 adequate dose or doses of an immunizing agent, vaccine, or booster
41 shot for poliomyelitis, mumps, measles, diphtheria, rubella,
42 varicella, Haemophilus influenza type b (Hib), pertussis, tetanus,
43 pneumococcal disease, meningococcal disease, human
44 papillomavirus (HPV), or hepatitis B, regardless of whether the
45 minor's parent or guardian consents to the administration of the
46 immunizing agent, vaccine, or booster shot. The minor, in such a
47 case, will have the same legal capacity to act, and the same powers
48 and obligations as a person of legal age, and the minor's consent to
the administration of an immunizing agent, vaccine, or booster shot

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1 will be valid and binding as if the minor had attained the age of
2 majority, and will not be subject to later disaffirmance because of
3 minority. The consent of the minor's parent or guardian, therefore,
4 will not be required.