ASSEMBLY, No. 5144

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 14, 2020

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

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

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

2. This act shall take effect immediately.

STATEMENT

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

The bill provides, in particular, that a minor who is 14 years of age or older has the right to have administered thereto, by a licensed health care practitioner or properly authorized pharmacist, an adequate dose or doses of an immunizing agent, vaccine, or booster shot for polio, mumps, measles, diphtheria, rubella, varicella, Haemophilus influenza type b (Hib), pertussis, tetanus, pneumococcal disease, meningococcal disease, human papillomavirus (HPV), or hepatitis B, regardless of whether the minor’s parent or guardian consents to the administration of the immunizing agent, vaccine, or booster shot. The minor, in such a case, will have the same legal capacity to act, and the same powers and obligations as a person of legal age, and the minor’s consent to the administration of an immunizing agent, vaccine, or booster shot
will be valid and binding as if the minor had attained the age of majority, and will not be subject to later disaffirmance because of minority. The consent of the minor’s parent or guardian, therefore, will not be required.