



**New York State YMCA**  
**Youth And Government**

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FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Freedom 1

Bill #:AF-04

1 **Sponsors:** Bailey Fredette, Ryan Neary, and Nicholas Norsek

2  
3 **An Act To** Amend the New York State Public Health Law Article 21, Title 6 to add  
4 Section 2165-a to permit a minor, aged fifteen and older, to receive immunizations  
5 required by law without parental consent provided said minor provides informed  
6 consent.

7  
8 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

9  
10 **Purpose** This legislation will permit a minor, aged fifteen and older, to receive  
11 immunizations required by law without parental consent provided said minor  
12 provides informed consent by completion of a signed consent form after  
13 consultation with an appropriate medical professional.

14  
15 **Summary of Provisions**

16 **Section 1**

17 **Immunization:** the action of making a person or animal immune to infection,  
18 typically by inoculation.

19 **Minor:** any person between the ages of 15 and 18.

20 **Informed consent:** an agreement with full comprehension of the potential  
21 consequences of an act after consultation with an appropriate medical professional.

22 **Medical professional:** a professional licensed through the New York State  
23 Department of Health to administer immunizations.

24 **Section 2**

25 **§ 2165-a. Immunization of minor-aged 15-18 without parental consent.**

26 a. **A minor aged 15-18 may elect to receive an immunization without parental**  
27 **consent or in contravention of parental consent provided said minor provide**  
28 **informed consent following consultation with an appropriate medical**  
29 **professional.**

30 b. **Informed consent must be provided in writing by the minor on a form**  
31 **provided by the Commissioner of Public Health for this purpose prior to**  
32 **administration of the inoculation.**

33  
34 **Justification**

35 In January of 2019, the World Health Organization (WHO) listed the anti-  
36 vaccination movement to be one of the top ten threats to global health. In the first  
37 two months of 2019 alone there have been an unprecedented 167 reported cases of  
38 measles in New York State. According to the WHO, trends around the country and  
39 globally have also seen a recent spike in measles diagnoses. While measles has a  
40 relatively low fatality rate, those with leukemia and other immunocompromised  
41 individuals are at particular risk. The outbreak of measles illustrates the risk for  
42 those with compromised immune systems from a decline in required  
43 immunizations. Students bound for high school or higher education may be limited



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44 in their educational opportunities should their parents or guardians refuse  
45 vaccination. In a 2019 case in Orchard Park, New York, two students were  
46 prevented from attending public schools because their parents refused to update  
47 their immunizations. Moreover, since most colleges and universities in New York  
48 require a panel of immunizations, students that enroll in college prior to their  
49 eighteenth birthday may be unable to receive required vaccinations without  
50 parental consent. Minors are permitted to receive vaccinations without parental  
51 consent in six states and Washington, D.C. These states utilize the 'mature minor  
52 doctrine,' permitting minors the ability to make certain choices regarding their  
53 bodily autonomy and health providing they have the capacity to give informed  
54 consent. Oregon and South Carolina already allow minors to receive vaccinations  
55 without permission from their parents. However, sometimes these laws include a  
56 provision that requires the minor to undergo an evaluation aimed at ensuring that  
57 they are mature enough to make the decision. This bill would require informed  
58 consent to ensure that young people can make safe and intelligent decisions  
59 regarding their health while ensuring their right to protect themselves.

60

61 **Fiscal Implications**

62 There are no known negative fiscal implications to the State. It is anticipated that  
63 minors receiving immunizations under this Section will contribute to a reduction in  
64 the spread of infectious disease within the State, thereby decreasing costs  
65 associated with emergency room and medical visits. Health providers will need to  
66 ensure that informed consent is obtained during regular medical visits.

67

68 **Environmental Implications**

69 A reduction of the spread of infectious diseases will benefit communities and  
70 individuals within the State. Individuals with compromised health will have greater  
71 protection if more individuals within the State are immunized. Young persons will  
72 have greater autonomy over their health choices and will not be restricted by  
73 beliefs held by others that impact their health.

74

75 **Effective Date**

76 The law will go into effect immediately upon its passage.