

AMENDED IN ASSEMBLY JUNE 16, 2022

AMENDED IN SENATE MARCH 9, 2022

SENATE BILL

No. 866

Introduced by Senators Wiener and Pan
(Principal coauthor: Assembly Member Wicks)
(Coauthor: Senator Newman)
(Coauthors: Assembly Members Aguiar-Curry, Low, Ting, and
Akilah Weber)

January 20, 2022

An act to add Section 6931 to the Family Code, relating to minors.

LEGISLATIVE COUNSEL'S DIGEST

SB 866, as amended, Wiener. Minors: vaccine consent.

Existing law prescribes various circumstances under which a minor may consent to their medical care and treatment without the consent of a parent or guardian. These circumstances include, among others, authorizing a minor 12 years of age or older who may have come into contact with an infectious, contagious, or communicable disease to consent to medical care related to the diagnosis or treatment of the disease, if the disease or condition is one that is required by law or regulation to be reported to the local health officer, or is a related sexually transmitted disease, as may be determined by the State Public Health Officer.

This bill would additionally authorize a minor ~~12~~ 15 years of age or older to consent to vaccines that meet specified federal agency criteria. The bill would authorize a vaccine provider, as defined, to administer a vaccine pursuant to the bill, but would not authorize the vaccine provider to provide any service that is otherwise outside the vaccine provider's scope of practice.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6931 is added to the Family Code, to
- 2 read:
- 3 6931. (a) A minor ~~12~~ 15 years of age or older may consent to
- 4 a vaccine that is approved by the United States Food and Drug
- 5 Administration and meets the recommendations of the Advisory
- 6 Committee on Immunization Practices ~~(ACIP)~~ of the federal
- 7 Centers for Disease Control and Prevention ~~(ACIP)~~ without the
- 8 consent of the parent or guardian of the minor.
- 9 (b) An authorized vaccine provider may administer a vaccine
- 10 pursuant to subdivision (a). For purposes of this section,
- 11 “authorized vaccine provider” means a person licensed pursuant
- 12 to Division 2 (commencing with Section 500) of the Business and
- 13 Professions Code or a clinic or health facility licensed pursuant to
- 14 Division 2 (commencing with Section 1200 of the Health and
- 15 Safety Code), or any other provider authorized by the state.
- 16 (c) This section does not authorize a vaccine provider to provide
- 17 a service that is otherwise outside the vaccine provider’s scope of
- 18 practice.
- 19 (d) *This section does not affect the applicability of Section 6926.*